

MSHA.information.collections@dol.gov (email); (202) 693-9440 (voice); or (202) 693-9441 (facsimile).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Section 103(h) of the Federal Mine Safety and Health Act of 1977 (Mine Act), 30 U.S.C. 813(h), authorizes MSHA to collect information necessary to carry out its duty in protecting the safety and health of miners. Further, section 101(a) of the Mine Act, 30 U.S.C. 811, authorizes the Secretary of Labor to develop, promulgate, and revise as may be appropriate, improved mandatory health or safety standards for the protection of life and prevention of injuries in coal and metal and nonmetal mines.

30 CFR 77.1900 (Slopes and Shafts; approval of plans) requires underground coal mine operators to submit for approval a plan that will provide for the safety of workers in each slope or shaft that is commenced or extended from the surface to the underground coal mine. Each slope or shaft sinking operation is unique in that each operator uses different methods and equipment and encounters different geological strata which make it impossible for a single set of regulations to ensure the safety of the miners under all circumstances. This makes an individual slope or shaft sinking plan necessary. The plan must be consistent with prudent engineering design. Plans include the name and location of the mine; name and address of the mine operator; a description of the construction work and methods to be used in construction of the slope or shaft, and whether all or part of the work will be performed by a contractor; the elevation, depth and dimensions of the slope or shaft; the location and elevation of the coalbed; the general characteristics of the strata through which the slope or shaft will be developed; the type of equipment which the operator proposes to use; the system of ventilation to be used; and safeguards for the prevention of caving during excavation.

**II. Desired Focus of Comments**

MSHA is soliciting comments concerning the proposed information collection related to Slope and Shaft Sinking Plans, 30 CFR 77.1900 (pertains to surface work areas of underground coal mines). MSHA is particularly interested in comments that:

- Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information has practical utility;

- Evaluate the accuracy of MSHA's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;
- Suggest methods to enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

The information collection request will be available on <http://www.regulations.gov>. MSHA cautions the commenter against providing any information in the submission that should not be publicly disclosed. Full comments, including personal information provided, will be made available on [www.regulations.gov](http://www.regulations.gov) and [www.reginfo.gov](http://www.reginfo.gov).

The public may also examine publicly available documents at DOL-MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Suite 4E401, Arlington, VA 22202-5452. Sign in at the receptionist's desk on the 4th floor via the East elevator. Before visiting MSHA in person, call 202-693-9455 to make an appointment, in keeping with the Department of Labor's COVID-19 policy. Special health precautions may be required.

Questions about the information collection requirements may be directed to the person listed in the **FOR FURTHER INFORMATION** section of this notice.

**III. Current Actions**

This request for collection of information contains provisions for Slope and Shaft Sinking Plans, 30 CFR 77.1900 (pertains to surface work areas of underground coal mines). MSHA has updated the data with respect to the number of respondents, responses, burden hours, and burden costs supporting this information collection request.

*Type of Review:* Extension, without change, of a currently approved collection.

*Agency:* Mine Safety and Health Administration.

*OMB Number:* 1219-0019.

*Affected Public:* Business or other for-profit.

*Number of Respondents:* 24.

*Frequency:* On occasion.

*Number of Responses:* 55.

*Annual Burden Hours:* 1,100 hours.

*Annual Respondent or Recordkeeper Cost:* \$35.

Comments submitted in response to this notice will be summarized and

included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

**Song-Ae Aromie Noe,**

*Certifying Officer.*

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**BILLING CODE 4510-43-P**

**DEPARTMENT OF LABOR**

**Mine Safety and Health Administration**

**Petition for Modification of Application of Existing Mandatory Safety Standards**

**AGENCY:** Mine Safety and Health Administration, Labor.

**ACTION:** Notice.

**SUMMARY:** This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by the party listed below.

**DATES:** All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before November 23, 2022.

**ADDRESSES:** You may submit comments identified by Docket No. MSHA-2022-053 by any of the following methods:

1. *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA-2022-053.

2. *Fax:* 202-693-9441.

3. *Email:* [petitioncomments@dol.gov](mailto:petitioncomments@dol.gov).

4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Suite 4E401, Arlington, Virginia 22202-5452.

*Attention:* S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk in Suite 4E401. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202-693-9455 to make an appointment, in keeping with the Department of Labor's COVID-19 policy. Special health precautions may be required.

**FOR FURTHER INFORMATION CONTACT:** S. Aromie Noe, Office of Standards, Regulations, and Variances at 202-693-9440 (voice), [Petitionsformodification@dol.gov](mailto:Petitionsformodification@dol.gov) (email), or 202-693-9441 (fax). [These are not toll-free numbers.]

**SUPPLEMENTARY INFORMATION:** Section 101(c) of the Federal Mine Safety and Health Act of 1977 and Title 30 of the

Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

## I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

## II. Petition for Modification

*Docket Number:* M–2022–022–C.

*Petitioner:* M&D Anthracite Coal Company, 71 Hill Road, Hegins, Pennsylvania, 17938.

*Mine:* Slope #1, MSHA ID No. 36–09976, located in Schuylkill County, Pennsylvania.

*Regulation Affected:* 30 CFR 75.1002 (a), Installation of electric equipment and conductors; permissibility.

*Modification Request:* The petitioner requests a modification of 30 CFR 75.1002(a) to permit the use of non-permissible electric equipment, including drags and battery locomotives, within 150 feet of the pillar line.

The petitioner states that:

(a) The mine is a pitching anthracite mine.

(b) The use of drags on less than moderate pitching veins (less than 20 degrees pitch) is the only practical system of mining in use.

(c) Permissible drags are not commercially available. Partly due to their small size, permissible locomotives are not commercially available.

(d) Because of low daily production rates and full timbering support, in-rushes of methane resulting from massive pillar falls are unlikely to occur.

(e) Recovery of the pillars above the first miner heading is usually accomplished on the advance within 150 feet of the section intake (gangway) and the remaining minable pillars are recovered from the deepest point of penetration outby.

The petitioner proposes the following alternative method:

(a) The equipment shall be operated in the working section's only intake entry (gangway) which is regularly traveled and examined.

(b) Methane testing shall occur on an hourly basis and the test results shall be recorded in the on-shift examination record.

(c) Equipment operation shall be suspended if the methane concentration at the equipment reaches 0.5% methane during a pre-shift examination or operation.

(d) The required intake air flow of 5,000 cubic feet per minute shall be measured just outby the nonpermissible equipment, with the ventilating air passing over the equipment to ventilate the pillar being mined.

(e) The electrical equipment shall be attended during operation and shall be de-energized at the intersection of the working gangway and intake slope.

(f) Where more than one active line of pillar breast recovery exist, the locomotive may travel to a point just outby the deepest active chute/breast (room) workings or last open crosscut in a developing set of entries.

The petitioner asserts that the alternative method proposed will at all times guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

**Song-ae Aromie Noe,**

*Director, Office of Standards, Regulations, and Variances.*

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**BILLING CODE 4520–43–P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA–2016–0005]

#### Preparations for the 43rd Session of the UN Sub-Committee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Notice of public meetings.

**SUMMARY:** This notice is to advise interested persons that OSHA will conduct a virtual public meeting in advance of the 43rd session of the United Nations Sub-Committee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals (UNSCCEGHS) to be held as a hybrid (in-person and virtual) meeting

December 7–9, 2022, in Geneva, Switzerland. OSHA, along with the U.S. Interagency Globally Harmonized System of Classification and Labelling of Chemicals (GHS) Coordinating Group, plans to consider the comments and information gathered at this public meeting when developing the U.S. Government positions for the UNSCEGHS meeting. This meeting will occur jointly with the Department of Transportation (DOT), Pipeline and Hazardous Materials Safety Administration (PHMSA), to discuss proposals in preparation for the 61st session of the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods (UNSCETDG), to be held as a hybrid meeting November 28–December 6, 2022.

**DATES:** The virtual public meeting will take place on November 16, 2022. Specific information for each meeting will be posted when available on the OSHA website at [https://www.osha.gov/dsg/hazcom/hazcom\\_international.html#meeting-notice](https://www.osha.gov/dsg/hazcom/hazcom_international.html#meeting-notice).

**ADDRESSES:** The virtual meetings will be hosted through the Department of Transportation (DOT) Headquarters Conference Center, 1200 New Jersey Avenue SE, Washington, DC 20590.

*Written Comments:* Interested parties may submit comments from November 6 through December 6, 2022, on the Working and Informal Papers for the 43rd session of the UNSCEGHS to the docket established for International/Globally Harmonized System (GHS) efforts at: <http://www.regulations.gov>, Docket No. OSHA–2016–0005.

*Registration to Attend and/or to Participate in the Virtual Meetings:* The OSHA and PHMSA meetings will be open to the public on a first-come, first served basis, as space is limited. Advanced meeting registration information will be posted on the PHMSA website listed below. DOT is committed to providing equal access to this meeting for all participants. If you need interpretation or alternative formats or services because of a disability, such as sign language or other ancillary aids, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Attendees may use the same form to pre-register for both meetings. Failure to pre-register may delay your access into the DOT Headquarters conference call line. Conference call-in and “Teams meeting” capability will be provided for both meetings. Information on how to access the conference call and “Teams meeting” will be posted when available at: <https://www.phmsa.dot.gov/international-program/international->