

**SUPPORTING STATEMENT**  
***Automatic Fire Sensor and Warning Devices Systems;***  
***Examination and Test Requirements***

*(Formerly Safety Standards Regarding Technical Study Panel Recommendations on the Utilization of Belt Air and the Composition and Fire Retardant Properties of Belt Materials in Underground Coal Mining)*

<b>OMB Control</b>	<b>30 CFR Citations</b>	<b>Title</b>
1219-0145	§ 14.4(a) § 75.1103-5(a)(2)(ii)	Application procedures and requirements. Automatic fire warning devices; actions and response.
	§§ 75.1103-8(b); and (c)	Automatic fire sensor and warning device systems.

This information collection request, OMB Control Number 1219-0145, was last approved on January 14, 2009 and was titled *Safety Standards Regarding Technical Study Panel Recommendations on the Utilization of Belt Air and the Composition and Fire Retardant Properties of Belt Materials in Underground Coal Mining*. Consistent with the allocation plan described in the 2009 Supporting Statement, several provisions were subsumed into existing Information Collection Requirements (ICRs) as those packages were renewed, and the integration will continue, as appropriate. The package has been renamed *Automatic Fire Sensor and Warning Device Systems; Examination and Test Requirements*.

Provisions of the original OMB 1219-0145 package currently subsumed into other existing information collection packages are as follows: Atmospheric monitoring systems (AMS), §§ 75.370(a)(3) and (f) Mine ventilation plan submission and approval, §§ 775.371(mm) and 75.371(nn).

**A. Justification**

**1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

The information collection addressed by this notice is intended to help ensure the protection of miners by assuring that automatic fire sensor and warning device systems are maintained and calibrated in order to function properly at all times. Technical advances have made it practicable to automatically detect fires in mines and to warn

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miners when fires are detected. When these systems function as designed, they can prevent fatal or serious injuries to miners when a fire occurs. MSHA requires mine operators to record tests to ensure they function and to calibrate the systems, ensuring they operate reliably and warn miners of the presence of fires.

Section 103(h) of the Federal Mine Safety and Health Act of 1977 (Mine Act), 30 U.S.C. § 813, authorizes MSHA to collect information necessary to carryout its duty in protecting the safety and health of miners as follows:

In addition to such records as are specifically required by this Act, every operator of a coal or other mine shall establish and maintain such records, make such reports, and provide such information, as the Secretary or the Secretary of Health, Education, and Welfare may reasonably require from time to time to enable him to perform his functions under this Act. The Secretary or the Secretary of Health, Education, and Welfare is authorized to compile, analyze, and publish, either in summary or detailed form, such reports or information so obtained. Except to the extent otherwise specifically provided by this Act, all records, information, reports, findings, citations, notices, orders, or decisions required or issued pursuant to or under this Act may be published from time to time, may be released to any interested person, and shall be made available for public inspection. Regulations implementing these information collections are codified in Title 30 of the Code of Federal regulations.

#### Testing, Evaluation, and Approval of Mining Equipment:

Applications for belt approval are submitted under § 14.4 by manufacturers who intend to market their belts as approved for use in underground coal mines. Applications consist of specifications describing the belt or proposed changes to the belt and formulation information about the compounds in the conveyor belt. This information is used by MSHA staff to evaluate the conveyor belt application. The samples of belting accompanying the application are processed to determine if the conveyor belt met the flame resistant requirements and whether or not an approval should be granted. The information required under the final rule is similar to the information required from manufacturers seeking acceptance of conveyor belts under existing Part 18.

#### Training Plans

Section 48.27(a) prohibits miners from working as AMS operators until they receive the training required by this section. Training should be included in the training program required for this section, and records of training are required

under § 48.29. MSHA anticipates that the costs of this requirement are negligible since mine operators only have to make minor changes to training plans submitted for approval under existing Part 48.

Qualification/Certification Program and Man Hoist Operators Physical Fitness

Section 75.156 requires that AMS operators be qualified and provided task training in accordance with the mine operator's approved Part 48 training plan. Records of qualified persons are required under existing § 75.159. MSHA anticipates that the costs of this requirement are negligible; mine operators will make only minor changes to records of qualified persons required under existing standards.

Ventilation Plans, Tests, and Examinations in Underground Coal Mines

Mine operators need to update information in their mine ventilation plans submitted under §§ 75.370(a) and (f) to include the requirements contained in §§ 75.350(a)(2), 75.350(b), 75.350(b)(7), 75.350(b)(8), 75.350(d)(1), 75.371(jj), 75.371(mm), 75.371(nn), 75.371(yy), 75.380(f)(1), 75.381(e), and 75.1103-5(a). Final § 75.350(a)(2) requires that, unless otherwise approved by the District Manager in the mine ventilation plan, the air velocity in the belt entry be at least 50 feet per minute. The District Manager may approve different velocities under modified § 75.371(jj). Section 75.350(b) permits the use of air from the belt entry to ventilate a working section only when evaluated and approved by the District Manager in the mine ventilation plan. Section 75.350(b)(7) requires that the air velocity in the belt entry be at least 100 feet per minute. When requested by the mine operator, the District Manager may approve lower velocities in the ventilation plan based on specific mine conditions under modified § 75.371(jj). Section 75.350(b)(8) requires that the air velocity in the belt entry not exceed 1,000 feet per minute. The District Manager may approve higher velocities in the ventilation plan based on specific mine conditions under modified § 75.371(jj). Section 75.380(f)(1) and 75.381(e) require that the primary escapeway have higher ventilation pressure than the belt entry, unless the mine operator submits an alternative in the mine ventilation plan to protect the integrity of the primary escapeway based on mine specific conditions. The alternative must be approved by the District Manager. Section 75.371(yy) requires the mine ventilation plan to include the locations where the pressure differential cannot be maintained from the primary escapeway to the belt entry. Section 75.1103-5(a) requires that when the carbon monoxide level reaches 10 parts per million above the ambient level at any sensor location, an effective warning signal must be provided at specific locations. Mine operators are required to establish the ambient level of carbon monoxide in the mine

ventilation plan under existing § 75.371(hh).

The following requirements also relate to OMB control number 1219-0088. However, MSHA anticipates that the costs of these requirements are negligible. Section 75.350(d)(1) modifies an existing requirement. It requires the monitoring of the air current that passes through the point-feed regulator for carbon monoxide or smoke at a point within 50 feet upwind of the point-feed regulator. A second point must be monitored 1,000 feet upwind of the point-feed regulator unless the mine operator requests a lesser distance be approved by the district manager in the mine ventilation plan based on mine specific conditions. Section 75.371(jj) requires that the locations and approved air velocities at those locations are above or below the limits set forth in final § 75.350(a)(2) or § 75.350(b)(7) and § 75.350(b)(8). Final § 75.371(mm) modifies an existing requirement that the location of any diesel-discriminating sensors, and additional carbon monoxide or smoke sensors, installed in the belt air course be identified in the mine ventilation plan. Final § 75.371(nn) modifies an existing requirement that the length of the time delay or any other method used to reduce the number of non-fire related alert and alarm signals from carbon monoxide sensors be specified in the mine ventilation plan.

Section 75.351(e)(1)(iv) requires that other sensor locations in any entry that is part of the belt air course be specified in the mine ventilation plan. This burden cost is already included in the estimates in 1219-0088 since it is simply renumbered from § 75.351(e)(4).

#### Fire Protection

Section 75.1103-8(b) requires that a record of the weekly automatic fire sensor functional tests be maintained by the mine operator and kept for a period of one year.

Section 75.1103-8(c) requires that a record of the monthly sensor calibrations be maintained by the mine operator and kept for a period of one year.

#### Record of Mine Closure

Section 75.1103-5(a)(2)(ii) requires that a map or schematic showing the locations of sensors, and the intended air flow direction at these locations be maintained. This map or schematic must be updated within 24 hours of any change.

30 CFR § 75.1103-8 Automatic fire sensor and warning device systems; examination and test requirements, provides:

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(b) A record of the functional test conducted in accordance with paragraph (a) of this section shall be maintained by the operator and kept for a period of one year.

(c) Sensors shall be calibrated in accordance with the manufacturer's calibration instructions at intervals not to exceed 31 days. A record of the sensor calibrations shall be maintained by the operator and kept for a period of one year.

**2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

Upon approval by the MSHA District Manager, the mine operator uses the approved plan to implement programs for the initial training of AMS operators (§ 48.27) and AMS operator qualifications (§ 75.156). Mine operators also provide annual retraining for AMS operators (§ 75.351(q)). The training plans are necessary to assure AMS operators perform their jobs effectively during a mine emergency.

Section 75.1108 requires mine operators to use flame-resistant conveyor belts approved by MSHA. MSHA approval indicates that the manufacturer's product has met the Agency's specifications under part 18 and will reduce fire hazards when used in an underground coal mine. Conveyor belt acceptance application requirements are currently contained in Part 18 and the associated paperwork is accounted for in OMB control number 1219-0066. These records assist MSHA in evaluating and accepting conveyor belts as meeting the Part 14 flame test.

The records collected under this ICR are used by coal mine operators, miners, and state and federal mine inspectors. The records reflect mine-specific ventilation requirements including approval to use air from the belt entry to ventilate working sections; approved air velocities in the belt entry; and locations where the pressure differential cannot be maintained between the primary escapeway and belt entry. In addition, the information contained on a mine map or schematic shows the locations of sensors and intended air flow direction in the belt entry. These additional requirements will assist mine operators in tracking changes to their mines' ventilation systems in order to maintain the safety and health of miners working in underground coal mines.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to**

**reduce burden.**

MSHA does not restrict mine operators from using any format or media for the collection of information. The records may be kept in a traditional format or stored electronically, provided they are secure and not susceptible to loss or alteration. MSHA encourages manufacturers and mine operators who store records electronically to provide a mechanism to allow the continued storage and retrieval of records for a number of years.

**4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

MSHA knows of no other Federal or State reporting requirements that duplicate these reporting requirements. Approvals are granted on individual conveyor belts and are unique to that belt. However, final § 14.4(c) provides that an applicant for an extension of an approval only needs to submit information that describes the proposed change to an approved conveyor belt, without being required to submit an entire new application.

Training of miners is conducted under various sections of 30 CFR. The intent of training can be general, task specific, or for purposes of qualification. The implementation of the Panel's recommendation for AMS operator training and qualification is through final §§ 48.27(a) and 75.156. These sections complement each other and are not duplicative,

**5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.**

Section 103(e) of the Mine Act directs the Secretary of Labor not to impose an unreasonable burden on small businesses when obtaining any information under the Act. Accordingly, MSHA takes this into consideration when developing regulatory requirements when it is appropriate and consistent with assuring the health and safety of miners.

This information collection does not have a significant impact on small businesses or other small entities. However, MSHA has made available on our web-site various sources of information, such as "Technical Assistance," "Best Practices," and an "Accident Prevention" site. To assist with compliance, these provide tips and general information on a number of various topics.

A manufacturer is permitted to apply for approval of a "family" of belts (i.e., belts that are identical in construction except in certain aspects, such as the number of plies). By

allowing “families” of belts under one application, MSHA expects that the time required to process and test belts will be minimized. In addition, a manufacturer can also apply for an extension of approval. Both of these types of approval will aid small manufacturers by reducing the amount of paperwork that is needed to be submitted to the Agency as part of the application, and also will reduce the amount of testing that is needed to be conducted.

**6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

If the collection is not conducted or is conducted less frequently, MSHA inspectors could not be assured that automatic fire sensors and warning devices would function when needed. Records of functional tests indicate to MSHA how warning signals operate over the course of a year. In addition, records of sensor calibrations help assure that sensors respond effectively and reliably in the event of a fire. The record provides the mine operator with information to make necessary repairs and maintain the system and allows MSHA to verify that corrective actions were taken in a timely fashion. Fire sensors and warning devices contribute significantly to the early detection of a fire danger and as a timely warning to miners. The elimination or reduction of the records of functional tests and sensor calibrations will eliminate or reduce the protections miners have.

**7. Explain any special circumstances that would cause an information collection to be conducted in a manner:**

- requiring respondents to report information to the agency more often than quarterly;
- requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
- requiring respondents to submit more than an original and two copies of any document;
- requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;
- in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
- that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible

- confidential use; or
- **requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

This collection of information is consistent with the guidelines in 5 CFR § 1320.5.

**8. If applicable, provide a copy and identify the data and page number of publication in the Federal Register of the agency's notice, required by 5 CFR § 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

**Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

**Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years -- even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.**

MSHA published a 60-day *Federal Register* notice on September 20, 2011 (76 FR 58301). No comments were received.

**9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

MSHA does not provide payments or gifts to the respondents identified in the collection of information.

**10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

This information collection offers no specific confidentiality assurance. As a practical matter, MSHA would adhere to Freedom of Information Act (5 U.S.C. § 522) requirements before disclosing information in agency records.



**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

There are no questions of a sensitive nature with the collection of information associated with the standard.

**12. Provide estimates of the hour burden of the collection of information. The statement should:**

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 13.**

## **PART 14 PAPERWORK ESTIMATES**

Final § 14.4 - Application procedures and requirements.

Under final § 14.4, manufacturers must submit applications for conveyor belt approvals.

Table 1 shows MSHA estimates 170 yearly burden hours and associated costs of \$8,500 for manufacturers to submit applications for conveyor belt approvals.

Table 1: Estimated Burden Hours and Cost under § 14.4

(a)	(b)	(c)	(d)	(e)	(f)
Description	No. of Applications	Hours per Application	Burden Hours <sup>a</sup>	Engineer Hourly Wage Rate	Burden Cost <sup>b</sup>
Original Application	30	5	150	\$50	\$7,500
Application for Extension or Similar Belt	10	2	20	\$50	\$1,000
Total	40		170		\$8,500

a. Burden hours = col. b x col. c.      b Burden cost = col. d x col. e.

**PART 75 PAPERWORK ESTIMATES**

§ 75.350 Belt Air Course Ventilation.

Section 75.350(a)(2) requires that the belt entry air velocity be at least 50 feet per minute. This requirement is related to the paperwork requirement under § 75.371(jj) with approved OMB control number 1219-0088, which requires that the mine ventilation plan provide the locations where approved velocities are below this limit; consequently associates no additional burden with the requirement.

Section 75.350(b) requires that the justification to use air from the belt entry to ventilate working sections be provided in the mine ventilation plan submitted by the mine operator to the District Manager for evaluation and approval. This requirement is related to the paperwork requirement under existing § 75.371 with approved OMB control number 1219-0088; consequently associates no additional burden with the requirement.

Section 75.350(b)(7) requires the air velocity in the belt entry to be at least 100 feet per minute in mines that use air from the belt entry to ventilate working sections. This requirement is related to the information collection requirement under 75.371(jj) with approved OMB control number 1219-0088, which requires that the mine ventilation plan provide the locations where approved velocities are below this limit; consequently associates no additional burden with the requirement.

Section 75.350(b)(8) requires that the air velocity in the belt entry not exceed 1,000 feet per minute in mines that use air from the belt entry to ventilate working sections. This requirement is related to the information collection requirement under final § 75.371(jj) with approved OMB control number 1219-0088, which requires that the mine ventilation plan provide the locations where approved velocities are above this limit; consequently associates no additional burden with the requirement.

Section 75.370 Mine Ventilation Plan; Submission and Approval.

The requirements for revising mine ventilation plans also affect §§ 75.370(a)(3) and (f), requiring mine operators to post all revisions of the mine ventilation plan and providing a copy to a miners' representative, upon request, prior to submitting a mine ventilation plan and any revision to a mine ventilation plan. MSHA estimates that miners' representatives are going to make this request for 30 percent of the revisions. In addition, prior to implementing an approved ventilation plan or a revision to a ventilation plan, mine operators must post it on the mine bulletin board. This burden requirement is also included under approved OMB control number 1219-0088; consequently associates no additional burden with the requirement.

Sections 75.380(f)(1) and 75.381(e) Primary Escapeway.

Sections 75.380(f)(1) and 75.381(e) require that the primary escapeway have higher ventilation pressure than the belt air course unless the mine operator submits an alternative in the mine ventilation plan to protect the integrity of the primary escapeway, based on the mine specific conditions. Final § 75.371(yy), with approved OMB control number 1219-0088, allows a modification in the ventilation plan to include the locations where the pressure differential cannot be maintained from the primary escapeway to the belt entry; consequently associates no additional burden with the requirement.

Section 75.1103-5 Automatic Fire Warning Devices; Actions and Responses.

Section 75.1103-5 (a) requires that when the carbon monoxide level reaches 10 parts per million above the ambient level at any sensor location, an effective warning signal must be provided at specific locations. The ambient level must be included in the mine ventilation plan as required under existing § 75.371(hh). MSHA estimates that for the 479 affected mines, it will take a mine supervisor, earning \$85.14 an hour, 20 minutes (0.33 hours) to revise the mine ventilation plan and a clerical worker, earning \$26.37 an hour, 6 minutes (0.1 hours) to photocopy and submit a revision. Table 2 shows MSHA's estimate of 208 first-year burden hours and its associated costs of \$14,889 to revise the mine ventilation plan.

Table 2: Estimated Burden Hours and Cost per Year for Mine Operators to Revise Mine Ventilation Plans in Accordance with Final § 75.1103-5 (a)

Impact on Existing § 75.370(a)(2) via Existing § 75.371(hh) Mine Size	# of Mines Revising Ventilation Plan	Time for Supervisor to Make Revision (Per Mine)	Time for Clerical Employee To Copy & Submit Revision (Per Mine)	Total Burden Hours for Supervisors	Total Burden Hours for Clerical Employees	Total Year Burden Hours	Total Year Cost
1-19	210	0.33	0.10	70	21	91	\$6,514
20-500	269	0.33	0.10	90	27	117	\$8,375
500+	0	0.33	0.10	-	-	-	\$0
TOTAL	479			160	48	208	\$14,889

Section 75.1103-5(a)(2)(ii) requires a map or schematic to show the locations of sensors and the intended direction of air flow. The map or schematic must also be updated within 24 hours of any changes. MSHA expects that these notations will be added to the mine map required under existing §§ 75.1200 and 75.372 (approved OMB control number 1219-0073). MSHA estimates, for the 479 non-AMS mines, that it will take 5 minutes of an engineer’s time to update the map monthly (or 1 hour a year) every year. Table 3 shows MSHA’s estimate of annual burden hours and costs of 479 hours and \$23,950 in every year.

Table 3: Estimated Annual Burden Hours and Costs for Mine Operators to Update Map or Schematic with Locations of CO Sensors in Accordance with Final § 75.1103-5(a)(2) (ii)

Mine Size	# of Non-AMS Mines Revising Plan	Initial Hours Per Mine	Annual Burden Hours	Annual Cost
1-19	210	1.0	210	\$10,500
20-500	269	1.0	269	\$13,450
500+	-	1.0	-	\$0
All Mines	479		479	\$23,950

Section 75.1103-8 Automatic Fire Sensor and Warning Device Systems; Inspection and Test Requirements.

Section 75.1103-8(b) requires that the operator maintain a record of the test performed in § 75.1103-8(a). This requirement is related to the burden requirements under §

75.1103-8 with approved OMB control number 1219-0054. MSHA estimates that 479 mines will be affected and that it will take 48 seconds (0.0133 hours) of a supervisor’s time (at an hourly wage of \$85.14) to record each alarm tested. In addition, MSHA estimates that mines with 1-19 employees test one alarm per week; mines with 20-500 employees test two alarms per week; and mines with over 500 employees test four alarms per week. Table 4 shows MSHA’s estimate of 517 annual burden hours and associated costs of \$44,017 for mine operators to record the testing of carbon monoxide systems.

Table 4: Estimated Annual Burden Hours and Costs for Mine Operators to Record Weekly Testing of Carbon Monoxide Systems in Accordance with Final § 75.1103-8(b)

Mine Size	Incremental # of Mines Installing CO Systems	Alarms Tested Per Week	Recording Time per Test (Hours)	Weeks per Year	Total Annual Burden Hours	Annual Cost
1-19	210	1	0.0133	52	145	\$12,345
20-500	269	2	0.0133	52	372	\$31,672
500+	-	4	0.0133	52	-	\$0
All Mines	479			517		\$44,017

Section 75.1103-8(c) requires the calibration of carbon monoxide sensors at intervals of no more than 31 days. This burden requirement is included under approved OMB control number 1219-0054. The operator must keep a record of the carbon monoxide sensor calibrations for one year. MSHA estimates that 8,451 carbon monoxide sensors will be affected and that it will take 48 seconds (0.16 hours) of a supervisor’s time (at an hourly wage of \$85.14) to record each calibration. Table 5 shows MSHA’s estimate of 1,352 annual burden hours and associated costs of \$115,109 for mine operators to record the calibration of sensors.

Table 5: Estimated Annual Burden Hours and Costs for Mine Operators to Record Monthly Calibration of Carbon Monoxide Systems in Accordance with Final § 75.1103-8(c)

Mine Size	Incremental # CO Sensors	Annual Hours Spent to Record Calibration (per Sensor)	Total Annual Burden Hours	Annual Cost
1-19	1,068	0.16	171	\$14,559
20-500	7,076	0.16	1,132	\$96,378
500+	307	0.16	49	\$4,172
All Mines	8,451		1,352	\$115,109

Parts 14 and 75 Estimated Burden Hours and Responses.

In Tables 1, 3, 4, and 5 MSHA estimates that ICR results in 2,518 annual burden hours. MSHA estimates that the 146,096 responses annually (Table 6).

Table 6: Estimated Number of Respondents, Responses per Year

Burden Hours, and Costs Paperwork Requirements	# of Respondents	# of Responses	Burden Hours	Associated Time Value
§14.4	10	40	170	\$8,500
§75.1103-5(a)(2)(ii)	479	5,748	479	\$23,950
§75.1103-8(b)	479	38,896	517	\$44,017
§75.1103-8(c)	544	101,412	1,352	\$115,109
TOTAL	1512	146,096	2,518	\$191,576

**13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).**

- **The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will**

be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

- If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.
- Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

## **PART 75 ANNUAL COST BURDEN ESTIMATES**

### § 75.1103-8 Automatic Fire Sensor and Warning Device Systems; Examination and Test Requirements.

Section 75.1103-8(b) requires that a record of the functional test performed in § 75.1103-8(a) be maintained and kept by the operator for one year. This requirement is related to the burden requirement under § 75.1103-8(a) and approved through OMB 1219-0054. Under OMB 1219-0145, MSHA estimates that 445 mines would test 785 warning signals once at least every 7 days, and that it takes 8 pages, per warning signal, annually to record each signal tested. MSHA estimates \$942 in burden cost annually to record the testing of warning signals.

$$785 \text{ warning signals tested} \times 8 \text{ pages per year} \times \$0.15 \text{ per page} = \$942$$

Section 75.1103-8(c) with approved OMB control number 1219-0054 requires the calibration of automatic fire sensors at intervals not to exceed 31 days. The operator must keep a record of the automatic fire sensor calibrations for one year. MSHA estimates that 445 mines with 8,451 automatic fire sensors will be affected. In addition, each mine needs two pages per sensor to record the calibration each year. MSHA

estimates \$2,535 in annual burden cost for mine operators to record the calibration of sensors.

$$8,451 \text{ automatic fire sensors} \times 2 \text{ pages} \times \$0.15 \text{ per page} = \$2,535$$

Summary of Burden Costs.

The requirements have an annual burden cost of \$3,477. Table 7 summarizes these burden costs by section.

Table 7: Estimated Annual Burden Costs

Collection Requirements	Annual Burden Cost
§75.1103-8(b)	\$942
§75.1103-8(c)	\$2,535
TOTAL	\$3,477

**14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.**

MSHA foresees no annualized cost to the Federal Government.

**15. Explain the reasons for any program changes or adjustments reporting in Items 13 or 14 of the OMB Form 83-I.**

Consistent with the allocation plan described in the 2009 Supporting Statement, several provisions were subsumed into existing Information Collection Requirements (ICRs) as those packages were renewed, and the integration will continue, as appropriate. The package has been renamed *Automatic Fire Sensor and Warning Device Systems; Examination and Test Requirements*.

**16. For collections of information whose results will be published, outline plans January 2012**



**for tabulation, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

MSHA does not intend to publish the results of the information collection associated with the standards.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

There are no forms associated with the information collection associated with the requirements, therefore, MSHA is not seeking approval to not display the expiration date for OMB approval of this information collection.

**18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submission," of OMB 83-I.**

There are no certification exceptions identified with the information collection associated with the standard.

## **B. Collection of Information Employment Statistical Methods**

**The agency should be prepared to justify its decision not to use statistical methods in any case where such methods might reduce burden or improve accuracy of results. When Item 17 on the Form OMB 83-I is checked "Yes", the following documentation should be included in the Supporting Statement to the extent that it applies to the methods proposed:**

**1. Describe (including a numerical estimate) the potential respondent universe and any sampling or other respondent selection methods to be used. Data on the number of entities (e.g., establishments, State and local government units, households, or persons) in the universe covered by the collection and in the corresponding sample are to be provided in tabular form for the universe as a whole and for each of the strata in the proposed sample. Indicate expected response rates for the collection as a whole. If the collection had been conducted previously, include the actual response rate achieved during the last collection.**

**2. Describe the procedures for the collection of information including:**

- Statistical methodology for stratification and sample selection,**
- Estimation procedure,**
- Degree of accuracy needed for the purpose described in the justification,**

- Unusual problems requiring specialized sampling procedures, and
- Any use of periodic (less frequently than annual) data collection cycles to reduce burden.

**3. Describe methods to maximize response rates and to deal with issues of non-response. The accuracy and reliability of information collected must be shown to be adequate for intended uses. For collections based on sampling, a special justification must be provided for any collection that will not yield "reliable" data that can be generalized to the universe studied.**

**4. Describe any tests of procedures or methods to be undertaken. Testing is encouraged as an effective means of refining collections of information to minimize burden and improve utility. Tests must be approved if they call for answers to identical questions from 10 or more respondents. A proposed test or set of tests may be submitted for approval separately or in combination with the main collection of information.**

**5. Provide the name and telephone number of individuals consulted on statistical aspects of the design and the name of the agency unit, contractor(s), grantee(s), or other person(s) who will actually collect and/or analyze the information for the agency.**

As statistical analysis is not required by the regulation, questions 1 through 5 do not apply.

## Statutory and Regulatory Attachments

### **Affected Statutory Provision:**

Section 103(h) of the Federal Mine Safety and Health Act of 1977 (Mine Act), 30 U.S.C. § 813, authorizes MSHA to collect information necessary to carryout its duty in protecting the safety and health of miners as follows:

In addition to such records as are specifically required by this Act, every operator of a coal or other mine shall establish and maintain such records, make such reports, and provide such information, as the Secretary or the Secretary of Health, Education, and Welfare may reasonably require from time to time to enable him to perform his functions under this Act. The Secretary or the Secretary of Health, Education, and Welfare is authorized to compile, analyze, and publish, either in summary or detailed form, such reports or information so obtained. Except to the extent otherwise specifically provided by this Act, all records, information, reports, findings, citations, notices, orders, or decisions required or issued pursuant to or under this Act may be published from time to time, may be released to any interested person, and shall be made available for public inspection.

### **Affected Regulatory Provision:**

#### **30 CFR § 14.4**

Application procedures and requirements.

(a) Application address. Applications for approvals or extensions of approval under this Part may be sent to: U.S. Department of Labor, Mine Safety and Health Administration, Chief, Approval and Certification Center, 765 Technology Drive, Triadelphia, West Virginia 26059. Alternatively, applications for approval or extensions of approval may be filed online at <A HREF="http://frwebgate.access.gpo.gov/cgi-bin/leaving.cgi?from=leavingFR.html&log=linklog&to=http://www.msha.gov">http://www.msha.gov</A> or faxed to: Chief, Mine Safety and Health Administration Approval and Certification Center at 304-547-2044.

\* \* \*

#### **30 CFR § 75.1103-5**

Automatic fire warning devices; actions and response.

(a) When the carbon monoxide level reaches 10 parts per million above the established ambient level at any sensor location, automatic fire sensor and warning device systems shall provide an effective warning signal at the following locations:

(1) At working sections and other work locations where miners may be endangered from a fire in the belt entry.

(2) At a manned surface location where personnel have an assigned post of duty. The manned surface location must have:

\* \* \*

(ii) A map or schematic that shows the locations of sensors, and the intended air flow direction at these locations. This map or schematic must be updated within 24 hours of any change in this information.

\* \* \*

**30 CFR § 75.1103-8**

Automatic fire sensor and warning device systems; examination and test requirements:

\* \* \*

(b) A record of the functional test conducted in accordance with paragraph (a) of this section shall be maintained by the operator and kept for a period of one year.

(c) Sensors shall be calibrated in accordance with the manufacturer's calibration instructions at intervals not to exceed 31 days. A record of the sensor calibrations shall be maintained by the operator and kept for a period of one year.

\* \* \*