

Explanation of Burden Estimates for 1219-0088 **Information Collection Request**

Summary of Overall Decrease in Burden Hours

In the 2010 update of this ICR there were 1,388,721 total burden hours for this collection, of that total 1,220,028 burden hours were attributable to examinations, maintenance and calibration. MSHA removed those hours; only 168,693 hours associated with the actual collection of information were retained. The removal of the examinations, maintenance, and calibration burden hours constitute the most substantial portion of the overall decrease in burden hours in the latest update.

The 2010 update of this ICR had listed mines as small and large with no indication of how those size categories were determined. MSHA has updated the size based on the number of employees. The new size categories are 1-19 employees, 20-500 employees and 501+ employees. This change in how MSHA determines the mine size categories affected some provisions of this ICR by increasing the number of mines that are required to respond to the collection and thereby increased the number of burden hours and responses for those affected provisions.

An increase in the total number of mines and an increase in the wage rates used are the sources of the remaining differences.

Increase in the Number of Responses

MSHA has corrected an error in the estimate of the number of responses in the 2010 update of this ICR. In the 2007 update of this ICR there were 1,843,852 responses listed in the supporting statement and in ROCIS. In the 2010 update the number of responses in ROCIS was 1,374 but did not appear anywhere in the supporting statement. In the latest update the number of responses calculated was 1,300,846. This discrepancy indicates that there was either a calculation error or a data entry error in ROCIS on the 2010 update. This correction resulted in a large increase in the number of responses showing in the ROCIS system.

Decrease in Other Costs

MSHA's cost estimate decreased from \$214,627 to \$184,648. After MSHA corrected an error in the previous estimate, the Agency now estimates the costs should have been \$175,259. MSHA's new calculations show an actual increase in costs that resulted from an increase in the number of mines that will incur copying costs. Since ROCIS shows the incorrect value in last update, ROCIS now shows a decrease.

The table below shows the approved burden hours for each provision, the estimated burden hours requested (excluding the portion attributable to the Examinations final rule), the difference in burden hours between the two, the new estimated burden hours resulting from the final rule, and the total requested burden hours.

Table of Changes in Burden Hours for 1219-0088

30 CFR Section	Previously Approved Burden Hours (currently showing in ROCIS)	Requested Burden Hours (excluding burden hours from final exams rule)*	Change in Burden Hours Due to Adjustment in Agency Estimate	Requested Burden Hours for Examinations Final Rule (program change due to agency discretion)	Total Requested Burden Hours (currently showing in ROCIS)**
75.310	3,559	4,432	873	0	4,432
75.312	53,638	5,891	-47,747	0	5,891
75.342	5,007	775	-4,232	0	775
75.351	5,784	13	-5,771	0	13
75.360	737,361	145,975	-591,386	13,278	159,253
75.361	3,654	0	-3,654	0	0
75.362	345,506	0	-345,506	0	0
75.363	4,872	6,180	1,308	827	7,007
75.364	197,910	27,695	-170,215	1,373	29,068
75.370	18,906	26,013	7,107	0	26,013
75.371	24	24	0	0	24
75.382	12,500	250	-12,250	0	250
Totals	1,388,721	217,248	-1,171,473	15,478	232,726

* This column shows the change due to adjustment in Agency estimate (column 3 = column 2 – column 1)

** This column shows the total burden hours requested for the current update (column 5 = column 2 + column 4)

MSHA is providing the explanation of the changes in burden hours by regulatory provision. All the changes are due to adjustment in Agency estimate with the exception of changes in §§ 75.360, 75.363 and 75.364 that are attributable to the Examinations final rule, which is a program change due to Agency discretion. Please refer to the table above for the estimates for each provision.

§ 75.310 Installation of Main Mine Fans

The burden hours and burden hour costs increased slightly due to an increase in the number of mines and an increase in wage rates.

§ 75.312(f)(1) Main Mine Fan Examinations

1. The burden hours and burden hour costs for the main fan examinations were removed because they are required to comply with a health and safety standard, and

not to comply with an information collection requirement. Only the time to certify the exam is included in the burden calculations.

2. MSHA found an error in the calculations from the previous update; however, after removing the examination time from the burden, it removed the error as well.

§§ 75.312(c) and (g)(3) Testing of Automatic Fan Signal Device

1. MSHA removed the burden for § 75.312(c), the actual testing of the equipment, because the equipment is not used to for the information collection. MSHA included the burden of recording that the test was performed due to § 75.312(g)(3).

2. The burden hours and burden costs for § 75.312(g)(3) has increased slightly due to an increase in the number of mines and the wage rates used.

§ 75.312(g)(1) Record of Uncorrected Defects Found During Examinations

The burden cost increased slightly due to the change in wage rates used.

§ 75.312(g)(2)(ii) Record of Monitoring System Malfunctions

The burden cost has increased slightly due to the change in wage rates used.

§ 75.342 Methane Monitors

1. MSHA removed the burden for the calibration of methane monitors because the monitors are for compliance with a health and safety standard, and not to comply with an information collection requirement. MSHA retained the burden for § 75.342(a)(4)(ii), which is the requirement to make a record of the calibration test.

2. The record keeping burden hours and costs increased slightly due to an increase in the number of mines and wage rates used.

§ 75.351(h) Atmospheric Monitoring System

1. MSHA removed the burden for the examination in § 75.351(d)(2) because the examination is required when an alarm goes off, and not by the information collection requirement. Only the burden in § 75.351(h), to make a record of the exam, remains.

2. The burden cost in § 75.351(h) increased slightly due to an increase in the wage rates used.

§ 75.360 Preshift Examinations

1. MSHA removed the burden to perform the preshift examination because the exam is to comply with a health and safety standard, and not an information collection requirement. The burden is only the time to make a record of the examination results and for countersigning the record.

2. In the earlier update, MSHA divided the data into small and large categories based upon employment numbers. MSHA estimated, by mine size, the number of exams performed per day at each mine and the days per year worked. MSHA has since

updated the mine size categories to more accurately reflect the differences between mines of different employment sizes. There are three size categories: 1-19 employees, 20-500 employees, and 501+ employees. MSHA made new estimates for the number of examinations performed per day and the days worked per year. This change results in a slight increase in the burden hours and burden cost for the recordkeeping requirement.

3. The Agency added new burden hours and burden costs to this requirement due to requirements in the final examinations rule.

§ 75.361 Supplemental Examinations

MSHA removed the burden to conduct the examination and included the burden for the information collection requirement under § 75.363.

§ 75.362 On shift Examinations

MSHA removed the burden to conduct the examination and included the burden for the information collection requirement under § 75.363.

§ 75.363 Recording, Posting, and Correcting Hazardous Conditions

1. MSHA increased the burden hours and costs due to the increased number of mines and increase in wage rates used.

2. The Examinations final rule adds new burden hours and costs to this section's information collection requirements.

§ 75.364 Weekly Examinations

1. As above, MSHA removed the examination burden causing an overall reduction of existing burden hours and costs.

2. The existing recordkeeping, countersigning burden hours, and burden costs have increased slightly due an increase in the number of mines and wage rates used.

3. The Examinations final rule adds new burden hours and burden costs to this existing information collection requirement.

§ 75.370 Mine Ventilation Plan Submission for Approval

There was a slight increase in burden hours and burden costs due to an increase in the number of mines and wages rates used.

§ 75.371 Plan Contents

There was a very slight decrease in burden cost due to the very small decrease in the supervisor hourly wage rate used.

Increase in the Number of Responses

Since the previous update, MSHA corrected an error in the estimate of the number of responses. This correction resulted in a large increase in the number of responses.

Decrease in Costs

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