

Non-substantive Change Request Justification Statement

This non-substantive change request is to add an option to the existing paper collection to now collect and validate the Dust Data Card electronically. The proposed addition of an electronic collection option of the Dust Data Card will reduce burden and increase electronic collection capability. There are burden changes that reduce the currently approved burden time by requesting 60% of the current approval time for completing the Dust Data Card to be completed electronically at a reduced time of 5.5 minutes while the paper version completion time will remain 6 minutes, and it also will still require a 1.5 an additional minute completion time for the person certified in sampling who performed the examinations to review and sign the Dust Data Card and include their MSHA Individual Identification Number. The electronic Dust Data Card will no longer require the previously approved 1.5 minutes for this activity that it required when completed on paper. MSHA is also requesting a mail in cost burden to the respondent that will be 60 percent of previous mail in costs leaving 40 percent of the forms completed electronically to no longer manually to be returned by postal mail.

Background: 30 CFR Sections 70.210(a) and (c) and 71.207(a) and (c) require each Coal Mine Dust Personal Sampler Unit (CMDPSU) sample to be transmitted to MSHA with a completed Dust Data Card. Each Dust Data Card is completed by writing mine and sample information on to a pre-printed paper form. All CMDPSU samples with a completed Dust Data Card are currently submitted by mail. Samples with Dust Data Cards that contain accurate and complete information are processed by MSHA to determine whether mine operators are in compliance with coal dust regulations. Samples with Dust Data Cards that contain inaccurate or incomplete information are voided by MSHA.

MSHA requires a Dust Data Card for every CMDPSU sample. Upon approval of this change request, an operator will choose whether to submit a paper Dust Data Card or an electronic Dust Data Card for their sample. Operators will continue to mail the physical samples to MSHA only for the Data Dust Cards that are completed on paper.

This non-substantive change request changes the following while respondents and responses remain the same:

- Burden Hours: MSHA estimates that annual burden hours have decreased from 62,748 to 62,538.

OMB No. 1219-0011
Respirable Coal Mine Dust Sampling

- Costs: MSHA estimates that annual burden costs have decreased from \$28,065 to \$20,865.