Supporting Statement for Occupational Noise Exposure

for Paperwork Reduction Act Submissions

This information collection request (ICR) seeks to extend, without change, an existing information collection.

**OMB Control Number**: 1219-0120

**Information Collection Request Title**: Occupational Noise Exposure

**Type of OMB Review:** Extension

**Authority:**

30 CFR Subchapter M Uniform Mine Health Regulations

Part 62 Occupational Noise Exposure

* 62.110 – Noise exposure assessment.
* 62.120 – Action level.
* 62.130 – Permissible exposure level.
* 62.140 – Dual hearing protection level.
* 62.150 – Hearing conservation program.
* 62.160 – Hearing protectors.
* 62.170 – Audiometric testing.
* 62.171 – Audiometric test procedures.
* 62.172 – Evaluation of audiograms.
* 62.174 – Follow-up corrective measures when a standard threshold shift is detected.
* 62.175 – Notification of results; reporting requirements.
* 62.180 – Training.
* 62.190 – Records.

**Collection Instrument(s):** None

**General Instructions**

**A Supporting Statement, including the text of the notice to the public required by 5 CFR 1320.5(a)(i)(iv) and its actual or estimated date of publication in the *Federal Register*, must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain the information specified in Section A below. If an item is not applicable, provide a brief explanation. When the question “Does this ICR contain surveys, censuses or employ statistical methods” is checked "Yes", Section B of the Supporting Statement must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.**

**Specific Instructions**

**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 of each regulation mandating or authorizing the collection of information.**

Section 103(h) of the Federal Mine Safety and Health Act of 1977, as amended (Mine Act), 30 U.S.C. 813(h), authorizes the Mine Safety and Health Administration (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(a), authorizes the Secretary of Labor (Secretary) 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, metal, and nonmetal

mines.

Noise is a harmful physical agent and one of the most pervasive health hazards in mining. Repeated exposure to high levels of sound over time causes occupational noise-induced hearing loss (NIHL). NIHL is a serious, often profound physical impairment for miners with far-reaching psychological and social effects. Occupational hearing loss is one of the most common work-related illnesses in the United States. NIHL can be distinguished from aging and other factors that are contributable to hearing loss, and NIHL can be prevented.

For many years, NIHL was regarded as an inevitable consequence of working in a mine. Mining, an intensely mechanized industry, relies on drills, crushers, compressors, conveyors, trucks, loaders, and other heavy-duty equipment for the excavation, haulage, and processing of material. These machines create high sound levels, exposing machine operators and miners working nearby to occupational noise that can contribute to hearing loss. MSHA, the Occupational Safety and Health Administration (OSHA), the U.S. military, and other organizations around the world have established and enforced standards to reduce the loss of hearing. Quieter equipment, isolation of workers from noise sources, and limiting the time workers are exposed to noise are among the many well-accepted methods that will prevent NIHL.

Under 30 CFR part 62, Occupational Noise Exposure, mandatory health standards are set for surface and underground metal, nonmetal, and coal mines. This information collection addresses records of miners’ exposures to noise, hearing conservation programs, hearing examinations, and training to prevent the occurrence and reduce the progression of NIHL among miners.

**I. Notifying miners of exposure**

Under 30 CFR 62.110(d), the mine operator must notify a miner of their exposure when the miner’s exposure is determined to equal or exceed the action level (85 dBA), exceed the permissible exposure level (PEL, 90 dBA), or exceed the dual hearing protection level (105 dBA), provided the mine operator has not notified the miner of an exposure at such level within the prior 12 months. The mine operator must base the notification on an exposure evaluation conducted either by the mine operator or by an authorized representative of the Secretary of Labor. The mine operator must notify the miner in writing within 15 calendar days of the exposure determination and the corrective action being taken.

Under 30 CFR 62.110(e), the mine operator must maintain a copy of any miner notification, or a list on which the relevant information about that miner's notice is recorded, for the duration of the affected miner's exposure at or above the action level and for at least 6 months thereafter.

**II. Developing and distributing administrative controls and procedures to reduce miners’ exposure to the PEL**

Under 30 CFR 62.120 through 62.140, specify actions that the mine operator must take if during any work shift a miner's noise exposure equals or exceeds the action level, exceeds the PEL, or exceeds the dual hearing protection level, respectively. The actions include enrolling the miner in a hearing conservation program (HCP).

Under 30 CFR 62.150, list the requirement to establish an HCP:

(1) a system of monitoring;

(2) provision and use of operator-provided hearing protectors;

(3) voluntary audiometric testing as described in 30 CFR 62.170 through 62.175;

(4) training as described in 30 CFR 62.180; and

(5) record keeping as described in 30 CFR 62.190.

Additionally, 30 CFR 62.130(a) requires that if during any work shift a miner's noise exposure exceeds the PEL, the mine operator must use all feasible engineering and administrative controls to reduce the miner's noise exposure to the PEL. When a mine operator uses administrative controls to reduce a miner's exposure, the mine operator must post the procedures for such controls on the mine bulletin board and provide a copy to the affected miner. Under 30 CFR 62.140, the mine operator to continue to meet all the requirements of 30 CFR 62.130.

**III. Recording Audiometric tests**

Under 30 CFR 62.170, the mine operator must provide audiometric tests at no cost to the miner. The test must be conducted by a physician or an audiologist, or a qualified technician under the direction or supervision of a physician or an audiologist.

Under 30 CFR 62.171(b), the mine operator must compile an audiometric test record for each miner tested. The record must include the following:

(1) name and job classification of the miner tested;

(2) a copy of all of the miner’s audiograms;

(3) evidence that the audiograms were conducted in accordance with 30 CFR 62.171(a);

(4) any exposure determination for the miner; and

(5) the results of any follow-up examination(s), if any.

**IV. Providing evaluators with audiometric test records**

Under 30 CFR 62.172(a), the mine operator must provide the persons evaluating audiograms with a copy of the miner's audiometric test records. A physician or an audiologist, or a qualified technician who is under the direction or supervision of a physician or audiologist is required to determine the validity of the audiogram is valid, a standard threshold shift, or the occurrence of a reportable hearing loss.

**V. Providing miners with audiometric test results and interpretation**

Under 30 CFR 62.175(a), the mine operator must, within 10 working days of receiving the results of an audiogram or receiving the results of a follow-up evaluation, notify the miner in writing of the audiogram results. The notification must include the results and interpretation of the audiometric test, including any finding of a standard threshold shift or reportable hearing loss; and the need and reasons for any further testing or evaluation if applicable.

Under 30 CFR 62.175(b), the mine operator must report to MSHA a NIHL when evaluation of the audiogram shows that a miner has incurred a reportable hearing loss, unless a physician or audiologist has determined that the loss is neither work-related nor aggravated by occupational noise exposure.

**VI. Certifying initial noise training and annual retraining**

Under 30 CFR 62.160(a)(1), the mine operator must train the miner if the miner’s noise exposure equals or exceeds the action level.

Under 30 CFR 62.180(a), the mine operator must provide the miner with training within 30 days of a miner's enrollment into a HCP, or every 12 months thereafter if the miner's noise exposure continues to equal or exceed the action level.

Under 30 CFR 62.180(b), the mine operator must certify the date and type of training given each miner and maintain the miner's most recent certification for as long as the miner is enrolled in the HCP and for at least six months thereafter.

**VII. Certifying corrective retraining**

Under 30 CFR 62.174(a), the mine operator must retrain the miner within 30 calendar days of receiving evidence or confirmation of a standard threshold shift that is work-related or aggravated by occupational noise exposure.

Under 30 CFR 62.180(b), the mine operator must certify the date and type of training given each miner and maintain the miner's most recent certification for as long as the miner is enrolled in the HCP and for at least six months thereafter.

**VIII. Providing Miners with Training Records**

Under 30 CFR 62.190(a), the MSHA inspector must have access to all records required under part 62. Upon written request, the mine operator must provide, within 15 calendar days of the request, access to records to:

(1) The miner or the miner's designee all records that the mine operator must maintain for that individual miner;

(2) Any representative of miners to training certifications and to any notice of exposure determination, for the miners whom he or she represents; and

(3) Any former miner, for records which indicate their own exposure.

Under 30 CFR 62.190(b), mandates that the mine operator must provide the first copy of such record at no cost to that person, and any additional copies requested by that person at reasonable cost, when a person with access to records requests a copy of a record.

**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.**

Records of miners’ exposures to noise are necessary so that mine operators and MSHA can evaluate the need for and effectiveness of engineering controls, administrative controls, and personal protective equipment, and ensure that miners are protected from harmful levels of noise that can result in hearing loss. However, MSHA believes that extensive records for this purpose are not needed. Instead, the requirements are a performance-oriented approach to monitoring. Records of miners’ hearing examinations enable mine operators and MSHA to ensure that the controls are effective in preventing NIHL for individual miners. Records of training are needed to confirm that miners receive the information they need to become active participants in hearing conservation efforts.

Hearing tests of miners are offered and if a miner chooses to be tested, mine operators must compile and maintain a record of each audiometric exam. When noise-induced hearing loss is found, mine operators must take certain protective action. The record is used by mine operators to assess the effectiveness of their noise controls and by MSHA to verify that testing was done.

For miners whose occupational noise exposure meets or exceeds the “action level,” mine operators must train those miners on noise exposure hazards, the available noise protections, the proper use of hearing protection, the hearing test program, and what the operator has done to control noise. When miners are trained or notified of their personal exposure to noise, the information supports an interest in their own health and encourages their active participation in hearing conservation efforts.

Training records are needed to confirm that miners receive the information they need to understand the noise hazards of their workplaces and become active participants in hearing conservation efforts. Training records are required under other MSHA regulations and are used for similar purposes.

**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.**

Records are not required to be maintained at the mine site and can be stored electronically in a central location. The records have to be made available to an authorized representative of the Secretary, a mine inspector, upon request within a reasonable time which is usually one day. The mine operator must ensure that electronically stored information is not compromised or lost.

**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 A.2 above.**

No similar or duplicative information exists. The information collected is unique to a specific individual and a specific mine.

**5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.**

The information collection provisions apply to all mine operations, both large and small. Congress intended that the Secretary enforce the law at all mining operations within the Agency’s jurisdiction regardless of size and that information collection and recordkeeping requirements be consistent with efficient and effective enforcement of the Mine Act. [See Rep. No. 181, 95th Cong., 1st Sess. 28 (1977)]. Section 103(e) of the Mine Act directs the Secretary not to impose an unreasonable burden on small businesses when obtaining any information under the Mine Act. MSHA considered the burden on small mines when developing the collection. However, MSHA judges that the burden on small mines cannot be reduced without adversely affecting MSHA’s efforts to protect miners’ health and safety. Hence, MSHA believes that these information collection requirements are imposed on all mining operations and do not have a greater impact on small businesses or other small entities.

1. **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.**

MSHA believes that the recordkeeping requirements for occupational noise exposure are the minimum necessary to ensure that miners are adequately protected against the harm of excessive noise levels. Reduction in these requirements would result in the development of unhealthy and unsafe conditions in the mine. Section 101(a)(6) of the Mine Act, 30 U.S.C. 811(a)(6), provides that in setting standards to protect miners from the risks of harmful physical agents, the Secretary "shall set standards which most adequately assure on the basis of the best available evidence that no miner will suffer material impairment of health or functional capacity even if such miner has regular exposure to the hazards dealt with by such standard for the period of his working life. "

**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.**

Timely notification to miners of the results of audiometric testing is essential to protect them from harmful noise exposures. Under 30 CFR 62.110(d), the operator must inform a miner in writing of an exposure determination that is equal to or exceeds the action level, exceeds the PEL, or exceeds the dual hearing protection level, and of the corrective action being taken, within 15 calendar days of the exposure determination. Under 30 CFR 62.175(a), operators must inform the miner in writing of the results of the audiometric test within 10 working days of receiving the results. Timely notification is an important first step in protecting miners from excessive noise exposure to avoid further hearing loss. These time periods are the maximum allowable to ensure that the miner is informed and that precautions are taken to protect the miner as soon as reasonably practical.

**8. If applicable, provide a copy and identify the date 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.**

In accordance with 5 CFR 1320.8(d), MSHA will publish the proposed information collection requirements in the Federal Register, notifying the public that these information collection requirements are being reviewed in accordance with the Paperwork Reduction Act of 1995, and providing 60 days for the public to submit comments. MSHA published a 60-day Federal Register notice on April 9, 2024 (89 FR 24866). MSHA received no comments.

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

MSHA does not provide payment or gifts to the respondents identified by this collection.

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

Operators (respondents) are not assured of confidentiality. However, under 30 CFR 62.172(a)(3), physicians, audiologists, and certain other health professionals are prohibited from sharing with the mine operator certain findings or diagnoses unrelated to a miner’s hearing loss without the miner’s written consent.

**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.

**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.**
* **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 under Item 13.**

**PRA Respondents**

From 2023 data from MSHA Division of Health, there are 860 surface coal mines and 232 underground coal mines, as well as 11,438 MNM mines that are respondents, for a total of 12,530 mines.

The estimates about the number of new miners needing training in both Coal and Metal non-metal (MNM) mines and the number of new tasks included in this information collection are based on MSHA experience with enforcement of and compliance with the noise rule since it was promulgated in 1999.

**Wage Rates Determinations[[1]](#footnote-3)**

MSHA used data from the May 2022 Occupational Employment and Wage Statistics (OEWS) published by the Bureau of Labor Statistics (BLS) for hourly wage rates[[2]](#footnote-4) and adjusted the rates for benefits,[[3]](#footnote-5) wage inflation,[[4]](#footnote-6) and overhead costs.[[5]](#footnote-7) The occupations listed below in Table 12-1 are those that were determined to be relevant for the cost calculations.

**Table 12-1. Hourly Wage Rates**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  |  | A | B | C | D | A x B x C x D |
| **Occupation** | **NAICS Code** | **Mean Wage Rate** | **Benefit Multiplier** | **Inflation Multiplier** | **Overhead Cost Multiplier** | **Loaded Hourly Wage Rate** |
| *Coal Mines* |
| Mining Supervisor\* | 212100 | $49.68  | 1.482 | 1.045 | 1.17 | $90.01  |
| Office Clerk\*\* | 212100 | $23.37  | 1.482 | 1.045 | 1.17 | $42.35  |
| *MNM Mines* |
| Mining Supervisor\* | 212200 & 212300 | $39.75 | 1.482 | 1.045 | 1.17 | $72.02 |
| Office Clerk\*\* | 212200 & 212300 | $23.75 | 1.482 | 1.045 | 1.17 | $43.04 |

Note: MSHA used the latest 4-quarter moving average 2022Q1-2023Q1 to determine that 32.5 percent of total loaded wages are benefits for private industry workers in construction, extraction, farming, fishing, and forestry occupations. The benefit multiplier is 1.482= 1+ (0.325/(1-0.325)). The inflation multiplier was determined by using the employment price index from the most current quarter data is available, 2023Q2, divided by the base year and quarter of the OEWS employment and wage statistics, 2022Q2, for private industry workers in construction, extraction, farming, fishing, and forestry occupations, current dollar index. The inflation multiplier is 1.045 = 157.3/150.5. MSHA used the overhead multiplier of 1.17.

\*The Standard Occupation Codes (SOC) used for this occupation are (47-1011), (49-1011), (51-1011), and (53-1047).

\*\* The SOCs used for this occupation are (43-3021), (43-3031), (43-3051), (43-3061), (43-4171), (43-5061), (43-5071), and (43-9061).

**Time Burden**

**I. Notifying Miners of Exposure (30 CFR 60.110(d))**

Under 30 CFR 62.110(d), a miner must be notified whenever the miner’s exposure equals or exceeds the action level, exceeds the permissible exposure level, or exceeds the dual hearing protection level, and the miner has not received notification by the mine operator of exposure at such level within the prior 12 months. The mine operator is required to use an exposure evaluation conducted either by the mine operator or by an authorized representative of the Secretary of Labor, a mine inspector, as a basis for the notification. The operator must notify the miner in writing within 15 calendar days of (1) the exposure determination; and (2) the corrective action being taken.

MSHA assumes that during the course of inspections, existing miners' exposure levels have been tested and notification given. Therefore, only newly hired miners and miners reassigned to new positions will likely be affected each year. MSHA estimates that 307 coal mines will distribute 10,929 notices (183 small coal mines will distribute 1,683 notices, 124 large coal mines will distribute 9,246 notices) and 2,479 MNM mines will distribute 40,040 notices annually for a total of 50,969 notices annually. In each mine, MSHA estimates that it will take five minutes for a clerical worker to prepare the notification for each miner.

**Table 12-2. Estimated Annual Respondent Hour and Cost Burden, Notices Distributed to Miners of Exposure, 30 CFR 60.110(d)**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Activity (Occupation)** | **No. of Respondents (Mines)** | **No. of Responses per Respondent** | **Total Responses (Notifications)** | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| Coal Mine (Clerk) | 307 | 35.60 | 10,929 | 0.08 | 910.75 | $42.35  | $38,566.12  |
| MNM Mine (Clerk) | 2,479 | 16.15 | 40,040 | 0.08 | 3,336.67 | $43.04  | $143,598.56  |
| ***Subtotal (Rounded)*** |  2,786 |   |  50,969 |   |  4,247 |   | $182,165  |

**II. Developing and Distributing New Procedures for Administrative Controls to Reduce Miners’ Exposure to the PEL (30 CFR 62.130(a) and 62.140)**

Under 30 CFR 62.130(a) and 62.140, if during any work shift a miner’s noise exposure exceeds the PEL or exceeds the dual hearing protection level, the mine operator is required to use all feasible engineering and administrative controls to reduce the miner’s noise exposure to the PEL and enroll the miner in a hearing conservation program (HCP). When administrative controls are used to reduce a miner’s exposure, the mine operator must post the procedures for such controls on the mine bulletin board and provide a copy to the affected miner.

MSHA experience indicates that during the course of inspections since the introduction of the noise rule, administrative controls and procedures have been developed and instituted for existing positions; therefore, only newly created positions and newly created tasks will likely be affected each year. MSHA estimates that 318 mine operators will provide 10,749 copies of new controls and procedures to miners annually. There are 57 coal mines to distribute 284 new controls and procedures (14 small coal mines will distribute 72 new controls and procedures, 43 large coal mines will distribute 212 new controls and procedures), and 261 MNM mines will distribute 10,465 new controls and procedures (64 small MNM mines will distribute 387 new controls and procedures, and 197 large MNM mines will distribute 10,078 new controls and procedures). Operators will also post a copy on bulletin boards in each of the 318 mines (cost of copying provided in Item 13).

In each mine, MSHA estimates that it will take a mine supervisor 45 minutes to write new administrative controls and final procedures in small mines and 1.5 hours for large mines. In addition, it will take five minutes for a clerical worker to copy and post a control and procedure indicating the corrective action being taken. It also takes a clerical worker 5 minutes to provide a copy to the affect miner.

**Table 12-3A. Estimated Annual Respondent Hour and Cost Burden, Developing New Administrative Controls and Procedures, 30 CFR 62.130(a) and 62.140**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Activity (Occupation)** | **No. of Respondents (Mines)** | **No. of Responses per Respondent** | **Total Responses (Controls and Procedures)** | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| Coal Small Mine (Supervisor) | 14 | 1 | 14 | 0.75 | 10.50 | $90.01  | $945.13  |
| Coal Large Mine (Supervisor) | 43 | 1 | 43 | 1.5 | 64.50 | $90.01  | $5,805.83  |
| MNM Small Mine (Supervisor) | 64 | 1 | 64 | 0.75 | 48.00 | $72.02  | $3,457.04  |
| MNM Large Mine(Supervisor) | 197 | 1 | 197 | 1.5 | 295.50 | $72.02  | $21,282.43  |
| ***Subtotal (Rounded)*** | **318** |  | **318** |  | **419** |  | **$31,490** |

**Table 12-3B. Estimated Annual Respondent Hour and Cost Burden, Copying and Posting on Mine Bulletin of New Administrative Controls and Procedures, 30 CFR 62.130(a)**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Activity (Occupation)** | **No. of Respondents (Mines)** | **No. of Responses per Respondent** | **Total Responses (Copies to Post)** | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| Coal Mine (Clerk) | 57 | 1 | 57 | 0.08 | 4.75 | $42.35 | $201.14 |
| MNM Mine (Clerk) | 261 | 1 | 261 | 0.08 | 21.75 | $43.04 | $936.04 |
| ***Subtotal (Rounded)*** | **318** |  | **318** |  | **1,293** |  | **$68,444** |

**Table 12-3C. Estimated Annual Respondent Hour and Cost Burden, Copying and Providing Miner Copies of New Administrative Controls and Procedures, 30 CFR 62.130(a)**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Activity (Occupation)** | **No. of Respondents (Mines)** | **No. of Responses per Respondent** | **Total Responses (Copies to Miners)** | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| Coal Mine (Clerk) | 57 | 4.98 | 284 | 0.08 | 23.67 | $42.35 | $1,002.18 |
| MNM Mine (Clerk) | 261 | 40.10 | 10,749 | 0.08 | 872.08 | $43.04 | $37,531.44 |
| ***Subtotal (Rounded)*** | **318** |  | **10,749** |  | **1,293** |  | **$38,534** |

**Table 12-3. Estimated Annual Respondent Hour and Cost Burden, Developing and Distributing of New Administrative Controls and Procedures, 30 CFR 62.130(a)**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Activity** | **No. of Respondents**  | **No. of Responses per Respondent** | **Total Responses**  | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| Developing New Controls and Procedures | 318 |   | 318 |   | 418.50 |   | $31,490.43 |
| Copying and Posting on Mine Bulletin | 318 |   | 318 |   | 26.50 |   | $1,137.19 |
| Copying and Providing Miner Copies | 318 |   | 10,749 |   | 895.75 |   | $38,533.62 |
| ***Subtotal (Rounded)*** | **318** | **-** | **11,385** | **-** | **1,341** | **-** | **$71,161** |

**III. Recording Audiometric Tests (30 CFR 62.171(b))**

Under 30 CFR 62.171(b), operators must compile an audiometric test record including: 1) name and job classification of the miner who has undergone the audiometric test; 2) a copy of all of the miner’s audiograms conducted under this part; 3) evidence that the audiograms were conducted in accordance with paragraph (a) of this section; 4) any exposure determination for the miner; and 5) the results of any follow-up examination.

MSHA estimates that 7,575 miners working at coal mines and 20,275 miners working at MNM mines are affected annually by this provision. And that in each mine, it will take a clerical worker five minutes to create each miner’s audiometric test record.

**Table 12-4. Estimated Annual Respondent Hour and Cost Burden, Recording Audiometric Tests, 30 CFR 62.171(b)**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Activity (Occupation)** | **No. of Respondents (Mines)** | **No. of Responses per Respondent** | **Total Responses (Miners)** | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| Coal Mine (Clerk) | 1,092 | 6.94 | 7,575 | 0.08 | 631.25 | $42.35 | $26,730.57 |
| MNM Mine (Clerk) | 11,438 | 1.77 | 20,275 | 0.08 | 1,689.58 | $43.04 | $72,713.81 |
| ***Subtotal (Rounded)*** | **12,530** |  | **27,850** |  | **2,321** |  | **$99,444** |

**IV. Providing Evaluators with Audiometric Tests (30 CFR 62.172(a))**

Under 30 CFR 62.172(a)(1) and (a)(2), the operator must inform persons evaluating audiograms of the requirements and to provide them with a copy of the miner’s audiometric test records. Under 30 CFR 62.172(a)(2), audiograms must be evaluated by a physician, an audiologist, or a qualified technician who is under the direction or supervision of a physician or audiologist. The costs and burdens for 30 CFR 62.172(a)(1) and (a)(2) are calculated together because the clerical person provides one record per affected miner as a single step.

Based on MSHA experience, in each mine, it will take a clerical worker five minutes to provide a skilled medical professional with a copy of each miner’s audiometric test record.

**Table 12-5. Estimated Annual Respondent Hour and Cost Burden, Providing Evaluators with Audiometric Test Records, 30 CFR 62.172(a)**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Activity (Occupation)** | **No. of Respondents (Mines)** | **No. of Responses per Respondent** | **Total Responses (Audiometric Test Records)** | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| Coal Mine (Clerk) | 1,092 | 6.94 | 7,575 | 0.08 | 631.25 | $42.35 | $26,730.57 |
| MNM Mine (Clerk) | 11,438 | 1.77 | 20,275 | 0.08 | 1,689.58 | $43.04 | $72,713.81 |
| ***Subtotal (Rounded)*** | **12,530** |  | **27,850** |  | **2,321** |  | **$99,444** |

**V. Providing Miners with Audiometric Test Results and Interpretation (30 CFR 62.175(a))**

Under 30 CFR 62.175(a), the operator must notify the miner in writing within 10 working days of the results and interpretation of an audiometric test or follow-up evaluation (ontological examination), including any finding of a standard threshold shift or reportable hearing loss and the need, and reasons for, any further testing.

In each mine, it will take a clerical worker five minutes to prepare a written notification about the results and interpretation for each miner.

**Table 12-6. Estimated Annual Respondent Hour and Cost Burden, Providing Miners with Audiometric Test Results and Interpretation, 30 CFR 62.175(a)**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Activity (Occupation)** | **No. of Respondents (Mines)** | **No. of Responses per Respondent** | **Total Responses (Test Results)** | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| Coal Mine (Clerk) | 1,092 | 6.94 | 7,575 | 0.08 | 631.25 | $42.35 | $26,730.57 |
| MNM Mine (Clerk) | 11,438 | 1.77 | 20,275 | 0.08 | 1,689.58 | $43.04 | $72,713.81 |
| ***Subtotal (Rounded)*** | **12,530** |  | **27,850** |  | **2,321** |  | **$99,444** |

**VI. Certifying Initial Noise Training and Annual Retraining (30 CFR 62.160(a) and 62.180)**

Under 30 CFR 62.160(a)(1), the mine operator must train the miner if the miner’s noise exposure equals or exceeds the action level and enrolls in an HCP.

Under 30 CFR 62.180(a), the mine operator must provide training if a miner is enrolled into a HCP, or 12 months after the if the miner’s noise exposure continues to equal or exceed the action level.

Under 30 CFR 62.180(b), the operator must certify the date and type of training given each miner and to retain the most recent certification for as long as the miner is enrolled in the HCP, and for at least six months thereafter.

The type of training may be initial noise training or annual retraining. MSHA estimates that miners in 1,092 coal mines and 11,438 MNM mines are required to provide initial or annual retraining annually. In each mine, it will take a supervisor five minutes to certify the date and type of training for all miners in the mine who received initial or annual refresher training.

**Table 12-7. Estimated Annual Respondent Hour and Cost Burden, Certifying Initial Noise Training and Annual Retraining, 30 CFR 62.160(a) and 62.180**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Activity (Occupation)** | **No. of Respondents (Mines)** | **No. of Responses per Respondent** | **Total Responses (Certification)** | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| Coal Mine (Supervisor) | 1,092 | 1 | 1,092 | 0.08 | 91.00 | $90.01 | $8,191.17 |
| MNM Mine (Supervisor) | 11,438 | 1 | 11,438 | 0.08 | 953.17 | $72.02 | $68,648.73 |
| ***Subtotal (Rounded)*** | **12,530** |  | **12,530** |  | **1,044** |  | **$76,840** |

**VII. Certifying Corrective Retraining (****30 CFR 62.174(a) and 62.180(b))**

Under 30 CFR 62.174(a), corrective retraining must be provided for a miner as a result of a standard threshold shift that is work-related or aggravated by occupational noise exposure. Under 30 CFR 62.180(b), the operator must certify the date and type of training given each miner and to retain the most recent certification for as long as the miner is enrolled in the HCP, and for at least six months thereafter.

MSHA estimates that 722 miners in coal mines and 2,502 miners in MNM mines are required to take correct training annually. In each mine, it will take five minutes per miner to certify the date and type of training and to maintain the certification.

**Table 12-8. Estimated Annual Respondent Hour and Cost Burden, Certifying Corrective Training, 30 CFR 62.174(a) and 62.180(b)**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Activity (Occupation)** | **No. of Respondents (Mines)** | **No. of Responses per Respondent** | **Total Responses (Certification)** | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| Coal Mine (Clerk) | 1,092 | 0.66 | 722 | 0.08 | 60.17 | $42.35 | $2,547.78 |
| MNM Mine (Clerk) | 11,438 | 0.22 | 2,502 | 0.08 | 208.50 | $43.04 | $8,973.12 |
| ***Subtotal (Rounded)*** | **12,530** |  | **3,224** |  | **269** |  | **$11,521** |

**VIII. Providing Miners with Training Records (30 CFR 62.190(a) and (b))**

Under 30 CFR 62.190(a), mine operators must provide access to all records required to MSHA inspector. Upon written request, the mine operator must provide, within 15 calendar days, access to records to miners and the miner’s designee, and training certifications and notices of exposure determinations to miners and their authorized representatives. The mine operator must also provide any former miner records which indicate his or her own exposure.

Under 30 CFR 62.190(b), the operator must provide the first copy of a record to a person who has access, at no cost to that person, and additional copies requested by that person at reasonable cost. Miners are routinely provided a copy of their training records.

MSHA estimates, based on noise exposure data from coal and MNM mines that a certain percentage of miners will request copies, that 2,489 miners working at coal mines and 22,105 miners working at MNM mines annually will request the first copy of a record. In each mine, it will take a clerical worker one minute to photocopy each miner’s records. Costs for photocopying are shown in Item 13.

**Table 12-9. Estimated Annual Respondent Hour and Cost Burden, Providing Miners with Training Records, 30 CFR 62.190(a) and (b)**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Activity (Occupation)** | **No. of Respondents (Mines)** | **No. of Responses per Respondent** | **Total Responses (Copies)** | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| Coal Mine (Clerk) | 1,092 | 2.28 | 2,489 | 0.02 | 41.48 | $42.35 | $1,756.63 |
| MNM Mine (Clerk) | 11,438 | 1.93 | 22,105 | 0.02 | 368.42 | $43.04 | $15,855.38 |
| ***Subtotal (Rounded)*** | **12,530** |  | **24,594** |  | **410** |  | **$17,612** |

**Time Burden Summary**

The annual respondent hour and cost burden in summarized in Table 12-10.

**Table 12-10. Estimated Annualized Annual Respondent Hour and Burden Cost, Summary**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Activity** | **No. of Respondents** | **No. of Responses per Respondent** | **Total Responses** | **Average Burden (Hours)** | **Total Burden (Hours)** | **Hourly Wage Rate** | **Total Burden Cost** |
| I. Notifying Miners of Exposure (30 CFR 60.110(d)) |
| Coal Mine | 307 | 35.60  | 10,929 | 0.08 | 910.75 | $42.35 | $38,566.12 |
| MNM Mine | 2,479 | 16.15  | 40,040 | 0.08 | 3,336.67 | $43.04 | $143,598.56 |
| II. Developing New Administrative Controls and Procedures (30 CFR 62.130(a) and 62.140) |
| Coal Small Mine | 14 | 1 | 14 | 0.75 | 10.50 | $90.01 | $945.13  |
| Coal Large Mine | 43 | 1 | 43 | 1.50 | 64.50 | $90.01 | $5,805.83 |
| MNM Small Mine | 64 | 1 | 64 | 0.75 | 48.00 | $72.02 | $3,457.04 |
| MNM Large Mine | 197 | 1 | 197 | 1.50 | 295.50 | $72.02 | $21,282.43 |
| II. Copying and Posting on Mine Bulletin (30 CFR 62.130(a) and 62.140) |
| Coal Mine | 57 | 1 | 57 | 0.08 | 4.75 | $42.35 | $201.14 |
| MNM Mine | 261 | 1 | 261 | 0.08 | 21.75 | $43.04 | $936.04 |
| II. Copying and Providing Miner Copies (30 CFR 62.130(a) and 62.140) |
| Coal Mine | 57 | 5 | 284 | 0.08 | 23.67 | $42.35 | $1,002.18 |
| MNM Mine | 261 | 40 | 10,465 | 0.08 | 872.08 | $43.04 | $37,531.44 |
| III. Recording Audiometric Tests (30 CFR 62.171(b)) |
| Coal Mine | 1,092 | 7 | 7,575 | 0.08 | 631 | $42.35 | $26,730.57 |
| MNM Mine | 11,438 | 2 | 20,275 | 0.08 | 1,690 | $43.04 | $72,713.81 |
| IV. Providing Evaluators with Audiometric Tests (30 CFR 62.172(a)(1) and (a)(2)) |
| Coal Mine | 1,092 | 6.94  | 7,575 | 0.08 | 631.25 | $42.35 | $26,730.57 |
| MNM Mine | 11,438 | 1.77  | 20,275 | 0.08 | 1,689.58 | $43.04 | $72,713.81 |
| V. Providing Miners with Audiometric Test Results and Interpretation (30 CFR 62.175(a)) |
| Coal Mine | 1,092 | 6.94  | 7,575 | 0.08 | 631.25 | $42.35 | $26,730.57 |
| MNM Mine | 11,438 | 1.77  | 20,275 | 0.08 | 1,689.58 | $43.04 | $72,713.81 |
| VI. Certifying Initial Noise Training and Annual Retraining (30 CFR 62.160(a) and 62.180) |
| Coal Mine | 1,092 | 1.00 | 1,092 | 0.08 | 91.00 | $90.01 | $8,191.17 |
| MNM Mine | 11,438 | 1.00 | 11,438 | 0.08 | 953.17 | $72.02 | $68,648.73 |
| VII. Certifying Corrective Retraining (30 CFR 62.174(a) and 62.180(b)) |
| Coal Mine | 1,092 | 0.66  | 722 | 0.08 | 60.17 | $42.35 | $2,547.78 |
| MNM Mine | 11,438 | 0.22  | 2,502 | 0.08 | 208.50 | $43.04 | $8,973.12 |
| VIII. Providing Miners with Training Records (30 CFR 62.190(a) and (b)) |
| Coal Mine | 1,092 | 2.28 | 2,489 | 0.02 | 41.48 | $42.35 | $1,756.63 |
| MNM Mine | 11,438 | 1.93 | 22,105 | 0.02 | 368.42 | $43.04 | $15,855.38 |
| ***Total (Rounded)*** | **12,530** |  | **186,252** |  | **14,273** |  | **$657,632** |

Note: Totals may not sum due to rounding.

**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 existing 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.**

**I. Notifying Miners of Exposure (30 CFR 62.110(d))**

Under 30 CFR 62.110(d), the mine operator must notify a miner of their exposure when the miner’s exposure is determined to equal or exceed the action level, exceed the PEL, or exceed the dual hearing protection level. The mine operator must notify the miner in writing within 15 calendar days of the exposure determination and the corrective action being taken.

In Item 12, MSHA estimates that there will a total of 50,969 notices distributed annually from 307 coal mines and 2,479 MNM mines. MSHA estimates that each notice will cost $0.30 to print.

**Table 13-1. Estimated Annual Respondent or Recordkeeper Cost Burden, Notifying Miners of Exposure, 30 CFR 62.110(d)**

|  |  |  |  |
| --- | --- | --- | --- |
| **Cost Component** | **Total Responses**  | **Copy Cost** | **Total Cost** |
| Notifying Miners of Exposure | 50,969 | $0.30 | $15,291.00 |
| ***Subtotal (Rounded)*** | **50,969** | $0.30 | **$15,291** |

**II. Copying New Administrative Controls and Procedures (30 CFR 62.130(a) and 62.140)**

Under 30 CFR 62.130, states that no miner must be exposed during any work shift to noise that exceeds a time-weighted average-8 hour (TWA8) of 90 dBA PEL, or equivalently a dose of 100 percent of that permitted by the standard, integrating all sound levels from 90 dBA to at least 140 dBA. If during any work shift a miner’s noise exposure exceeds the PEL, the mine operator is required to use all feasible engineering and administrative controls to reduce the miner’s noise exposure to the PEL and enroll the miners in a hearing conservation program. When administrative controls are used to reduce a miner’s exposure, the mine operator must post the procedures for such controls on the mine bulletin board and provide a copy to the affected miners.

MSHA estimates that the copies of the noise provisions mine operators are required to supply to miners and to post on bulletin boards will cost $0.30 per each. As reported in response to Item 12 MSHA estimates that there will be 10,749 copies supplied to miners and 318 posted to bulletin boards. This will impose a cost of $3,320.

**Table 13-2. Estimated Annual Respondent or Recordkeeper Cost Burden, Copying New Administrative Controls and Procedures, 30 CFR 62.130(a) and 62.140**

|  |  |  |  |
| --- | --- | --- | --- |
| **Cost Component** | **Total Responses**  | **Copy Cost** | **Total Cost** |
| Copies to Post on Mine Bulletin | 318 | $0.30 | $95.00 |
| Copies to Miners | 10,749 | $0.30 | $3,225.00 |
| ***Subtotal (Rounded)*** | **11,067** | $0.30 | **$3,320** |

**III. Estimated Annual Respondent or Recordkeeper Cost Burden, Providing Evaluators with Audiometric Tests (30 CFR 62.172(a)(1) and (a)(2))**

Under 30 CFR 62.172(a)(2), states that audiograms must be evaluated by a physician, an audiologist, or a qualified technician who is under the direction or supervision of a physician or audiologist. This section requires the operator to inform persons evaluating audiograms of the requirements of this part and to provide them with a copy of the miner’s audiometric test records.

MSHA estimates it costs $0.30 per miner for photocopying audiometric test records and per the response to Item 12 there will be 27,850 audiograms; imposing a cost of $8,355.

In addition, MSHA estimates that it will cost the 12,530 mines approximately $8 each to mail records of all miners working in the mine to physicians, audiologists, or qualified technicians per year, imposing a cost burden of $100,240.

**Table 13-3. Estimated Annual Respondent or Recordkeeper Cost Burden, Providing Evaluators with Audiograms Tests, 30 CFR 62.172(a)(1) and (a)(2)**

|  |  |  |  |
| --- | --- | --- | --- |
| **Cost Component** | **Total Responses** | **Copy / Mailing Cost** | **Total Cost** |
| Copies of Audiograms for Evaluators | 27,850 | $0.30 | $8,355.00 |
| Mailing Audiograms to Evaluators | 12,530 | $8.00 | $100,240.00 |
| ***Subtotal (Rounded)*** | **27,850** |  | **$108,595** |

**IV. Providing Miners with Audiometric Test Results and Interpretation (30 CFR 62.175(a))**

Under 30 CFR 62.175(a), the mine operator must, within 10 working days of receiving the results of an audiogram or receiving the results of a follow-up evaluation, notify the miner in writing of the audiogram results. The notification must include the results and interpretation of the audiometric test, including any finding of a standard threshold shift or reportable hearing loss; and the need and reasons for any further testing or evaluation if applicable.

MSHA estimates that it will cost the mine operators approximately $0.30 to notify each of the 27,850 miners of audiogram results and interpretations, imposing a cost burden of $8,355.

**Table 13-4. Estimated Annual Respondent or Recordkeeper Cost Burden, Providing Miners with Audiometric Test Results and Interpretation, 30 CFR 62.175(a)**

|  |  |  |  |
| --- | --- | --- | --- |
| **Cost Component** | **Responses** | **Copy Cost** | **Total Cost** |
| Audiogram Results and Interpretation | 27,850 | $0.30 | $8,355.00 |
| ***Subtotal (Rounded)*** | **27,850** |  | **$8,355** |

**V. Providing Miners with Training Records (30 CFR 62.190(a) and (b))**

Under 30 CFR 62.190(b), the operator must provide the first copy of the record to a person who has access, at no cost to that person, and additional copies requested by that person at reasonable cost. (The number matches data for (item 12) 30 CFR 62.190)

It will cost the mine operator $0.30 to photocopy a record for each miner. MSHA estimates, based on noise exposure data from coal that 24,594 miners annually will request the first copy of a record, for a cost burden of $7,378.

**Table 13-5. Estimated Annual Respondent or Recordkeeper Cost Burden, Providing Miners with Training Records, 30 CFR 62.190(a) and (b)**

|  |  |  |  |
| --- | --- | --- | --- |
| **Cost Component** | **Total Responses** | **Copy Cost** | **Total Cost** |
| Copies of A Miner's Records | 24,594 | $0.30 | $7,378.00 |
| ***Subtotal (Rounded)*** | **24,594** |  | **$7,378** |

The annual other cost burden to respondents or recordkeepers from the collection of information in summarized in Table 13-6.

**Table 13-6. Estimated Annual Respondent Recordkeeping Cost Burden, Summary**

|  |  |  |  |
| --- | --- | --- | --- |
| **Cost Component** | **Responses** | **Unit Cost** | **Total Cost** |
| I. Notifying Miners of Exposure (30 CFR 62.110(d)) | 50,969 | $0.30  | $15,291  |
| II. Copying New Administrative Controls and Procedures (30 CFR 62.130(a) and 62.140) | 11,067 | $0.30  | $3,320  |
| III. Providing Evaluators with Audiometric Tests (30 CFR 62.172(a)(1) and (a)(2)) | 40,380 | $8.00 | $108,595  |
| I.V Providing Miners with Audiometric Test Results and Interpretation (30 CFR 62.175(a)) | 27,850 | $0.30  | $8,355  |
| V. Providing Miners with Training Records (30 CFR 62.190(b)) | 24,594 | $0.30  | $7,378  |
| ***Total (Rounded)*** | **103,891** |  | **$127,648**  |

**14. Provide estimates of the 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 into a single table.**

None of the records in this information collection review are submitted to MSHA for review or approval. The records are examined during normal mandatory inspections and do not significantly add to the time required to conduct those mandatory inspections. Therefore, there is no cost to the Federal government directly associated with these record keeping requirements.

**15. Explain the reasons for any program changes or adjustments.**

*Respondents*: The estimated annual number of respondents decreased from 12,929 to 12,530 due to a drop in the number of MNM mines.

*Responses*: The estimated annual number of responses decreased from 190,001 to 186,252 due to the decrease in the number of respondents.

*Annual Time Burden*: The estimated annual time burden increased from 14,153 to 14,273 as a result of rounding.

*Annual Burden Costs*: The estimated annual burden costs increased from $461,598 to $657,632 due to an increase in the hourly wage rates.

*Annual Other Burden Costs*: The estimated annual other burden costs increased from $30,585 to $127,648 due to an increase in the number of mines MSHA estimates will incur costs.

**Table 15-1. Summary of Changes**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Currently Approved ICR**  | **Revised ICR**  | **Difference** |
| Number of Respondents | 12,929 | 12,530 | -399 |
| Number of Responses | 190,001 | 186,252 | -3,749 |
| Annual Time Burden | 14,153 | 14,273 | 120 |
| Annual Burden Costs | $461,598 | $657,632 | $196,034 |
| Annual Other Burden Costs | $30,585 | $127,648 | $97,063 |
|   |  |  |  |
| Federal Costs | $0 | $0 | $0 |
| Federal Hours | 0 | 0 | 0 |

**16. For collections of information whose results will be published, outline plans for tabulations, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including the 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 this information collection.

**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 this information collection; 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.**

There are no certification exceptions identified with this information collection.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

This information collection does not employ statistical methods.

1. For all wage rates, MSHA uses the relevant precision throughout the calculation to avoid compound rounding errors and rounds at the final rate value. Displayed intermediate calculation values are presented to explain the calculation and are representative but the final rate value reflects the correct rounding and final estimate. [↑](#footnote-ref-3)
2. Options for obtaining OEWS data are available at item “E3. How to get OEWS data. What are the different ways to obtain OEWS estimates from this website?” at <https://www.bls.gov/oes/oes_ques.htm>. [↑](#footnote-ref-4)
3. The benefit multiplier comes from BLS Employer Costs for Employee Compensation accessed by menu at <http://data.bls.gov/cgi-bin/srgate> or directly with <http://download.bls.gov/pub/time.series/cm/cm.data.0.Current>. Insert the data series CMU2030000405000D and CMU2030000405000P, Private Industry Total benefits for Construction, extraction, farming, fishing, and forestry occupations, which is divided by 100 to convert to a decimal value. MSHA used the latest 4-quarter moving average to determine what percent of total loaded wages are benefits. MSHA computes the benefit multiplier with a number of detailed calculations, but it may be approximated with the formula 1 + (benefit percentage/(1-benefit percentage)). [↑](#footnote-ref-5)
4. Wage inflation is the change in Series ID: CIS2020000405000I; Seasonally adjusted; Series Title: Wages and salaries for Private industry workers in Construction, extraction, farming, fishing, and forestry occupations, Index at <https://data.bls.gov/cgi-bin/srgate>. Inflation multiplier = (current quarter cost index value / OEWS wage base quarter index value). [↑](#footnote-ref-6)
5. MSHA used an overhead rate of 17 percent. This overhead rate is based on a 2002 EPA report by Cody Rice, "Wage Rates for Economic Analysis of the Toxics Release Inventory Program", available at <https://www.regulations.gov/document/EPA-HQ-OPPT-2016-0387-0064>. [↑](#footnote-ref-7)