

Cleanup Program for Accumulations of Coal and Float Coal Dusts, Loose Coal, and Other Combustibles
OMB Control Number: 1219-0151
OMB Expiration Date: 3/31/2026

**Supporting Statement for
Cleanup Program for Accumulations of Coal and
Float Coal Dusts, Loose Coal, and Other Combustibles
Paperwork Reduction Act Submission**

This information collection request (ICR) seeks to extend, without change, a currently approved information collection.

OMB Control Number: 1219-0151

Information Collection Request Title: Cleanup Program for Accumulations of Coal and Float Coal Dusts, Loose Coal, and Other Combustibles

Type of OMB Review: Extension

Authority:

Part 75 - Mandatory Safety Standards - Underground Coal Mines
Subpart E - Combustible Materials and Rock Dusting
30 CFR 75.400-2 Cleanup program

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 regulation mandating or authorizing the collection of information.

Section 103(h) of the Federal Mine Safety and Health Act of 1977 (Mine Act), as amended, 30

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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 (MNM) mines.

The Paperwork Reduction Act of 1995 (PRA) governs paperwork burdens imposed on the public by Federal agencies for using identical questions to collect information from 10 or more persons. The PRA defines paperwork burden in 44 U.S.C. 3502(2) as time, effort, or financial resources expended to generate, maintain, or provide information to or for a Federal agency. Under 44 U.S.C. 3507, the PRA also establishes policies and procedures of information collection for controlling paperwork burdens imposed by Federal agencies on the public, including evaluating public comments.

To fulfill its statutory mandate to promote miners' health and safety, MSHA requires information collected under the ICR titled "Cleanup Program for Accumulations of Coal and Float Coal Dusts, Loose Coal, and Other Combustibles." The information collection is intended to ensure that underground coal mine operators develop and maintain effective cleanup programs to protect miners from accumulations of coal and float coal dusts, loose coal, and other combustibles that could create the potential of an explosion hazard.

Under 30 CFR 75.400, coal dust, including float coal dust deposited on rock-dusted surfaces, loose coal, and other combustible materials, shall be cleaned up and not be permitted to accumulate in active workings, or on diesel-powered and electric equipment. Under 30 CFR 75.400-1, coal dust is defined as particles of coal that can pass a No. 20 sieve; float coal dust is defined as the coal dust consisting of particles of coal that can pass a No. 200 sieve; and loose coal is defined as coal fragments larger in size than coal dust. Under 30 CFR 75.401-1, excessive amounts of dust is defined as coal and float coal dust in the air in such amounts as to create the potential of an explosion hazard.

Programs for effective and frequent rock dust cleanup and removal of accumulations of coal and float coal dusts, loose coal, and other combustibles are necessary to protect miners from the potential for a coal dust explosion.

Burden costs associated with this ICR include:

- I. Establishing new cleanup programs; and
- II. Updating existing cleanup programs.

The associated standards that authorize the collection of information are described below.

I. Establishing and Updating Cleanup Programs (30 CFR 75.400-2)

Under 30 CFR 75.400-2, mine operators shall establish and maintain programs for regular

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cleanup and removal of accumulations of coal and float coal dusts, loose coal, and other combustibles. The programs shall be made available to the Secretary or authorized representative.

Mine operators' burden and costs associated with sampling coal dust levels are included in a separate ICR under OMB Control Number 1219-0011 titled "Respirable Coal Mine Dust Sampling."

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.

Miners and mine operators refer to and use cleanup programs to reduce the risk of accumulations of coal and float coal dusts, loose coal, and other combustibles that could create the potential of an explosion hazard. In addition, MSHA evaluates mine operator's cleanup programs to determine whether they effectively addresses the hazards presented by accumulations of coal and float coal dusts, loose coal, and other combustibles.

Effective cleanup programs typically contain the following information:

- (1) The regular cleanup methods for the removal of accumulations of coal and float coal dusts, loose coal, and other combustibles in all active workings and on any equipment;
- (2) The equipment and methods used for applying rock dust; and
- (3) The means used to evaluate the effectiveness of the cleanup program.

Information in the cleanup program is updated when conditions change at the mine.

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.

No improved information technology has been identified that would reduce the existing burden. To comply with the Government Paperwork Elimination Act, mine operators may maintain records in whatever method they choose, which may include utilizing computer technology to store the records electronically and making them available to MSHA electronically.

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 duplicate information is available or submitted to MSHA.

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 operators, 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. [S. Rep. No. 95-181 (1977)]. Section 103(e) of the Mine Act, 30 U.S.C. 813(e), 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 and believes that these ICRs are imposed on all mining operators and do not have a significant impact on a substantial number of small businesses or other small entities.

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.

This information collection is necessary for MSHA to ensure that mine operators reduce the risk of accumulations of coal and float coal dusts, loose coal, and other combustibles that could create the potential of an explosion hazard. Developing and executing an effective cleanup program will result in the cleanup and removal of accumulations of coal and float coal dusts, loose coal, and other combustibles.

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 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 ICRs in the *Federal Register*, notify the public that these ICRs are being reviewed in accordance with the PRA, and provide 60 days for the public to submit comments. MSHA published a 60-day Federal Register notice on September 25, 2025 (90 FR 46260). 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 respondents.

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

There is no assurance of confidentiality provided to respondents.

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 and aggregate the hour burdens.**
- **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 ‘Annual Cost to Federal Government’.**

Respondents

All information related to quantities and inspection rates are estimated by MSHA’s Headquarters Enforcement Division based on field experience with different types of mining operations, sizes of mines, and the frequency of inspections dictated by statute. Mine operators provide MSHA’s Headquarter Enforcement Division with the number of mines and employment, and from this information MSHA tracks the number of active and inactive mines and mine types throughout the United States.

Based on MSHA’s internal data between 2022 and 2024, there was on average 146 underground coal mines per year affected by this ICR. All 146 active underground coal mines will respond to this information collection, including 31 mines with 1-19 miners and 115 mines with 20 or more miners.

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Due to the complexity of mining operations, MSHA has determined that it will take the mines with 1-19 miners substantially less time to respond to this information collection than the mines employing 20 or more miners; therefore, the burden hours and burden hour costs are calculated separately for these two groups.

The burden hours and burden hour costs for this information collection consist of the development of new cleanup programs as well as updates to existing MSHA approved cleanup programs.

Wage Rates Determination¹

MSHA uses data from the May 2023 Occupational Employment and Wage Statistics (OEWS) published by the Bureau of Labor Statistics (BLS) for hourly wage rates² and adjusts the rates for benefits,³ wage inflation,⁴ and overhead costs.⁵ The occupations listed below in Table 12-1 are those that were determined to be relevant for the cost calculations.

¹ For all wage rates, including Federal 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.

² To obtain OEWS data, follow BLS's directions in its Frequently Asked Questions: "E. How to get OEWS data. 4. What are the different ways to obtain OEWS estimates from this website?" at https://www.bls.gov/oes/oes_ques.htm. The average wage rate is calculated as the employment-weighted average of hourly mean wages for the occupation.

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 at <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 uses 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 $1 + (\text{benefit percentage} / (1 - \text{benefit percentage}))$.

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. (<https://data.bls.gov/cgi-bin/srgate>; Inflation Multiplier = (Current Quarter Cost Index Value / OEWS Wage Base Quarter Index Value).

⁵ MSHA uses an overhead rate of 1 percent. The mining environment generally involves very little overhead, especially costs associated with workers engaged in administrative or clerical tasks.

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Table 12-1. Hourly Wage Rates

Occupation	NAICS Code	Average Hourly Wage Rate	Benefit Multiplier	Inflation Multiplier	Overhead Cost Multiplier	Loaded Hourly Wage Rate
		A	B	C	D	A x B x C x D
Mining Supervisor [a]	212100	\$52.49	1.453	1.060	1.01	\$81.65

Notes:

Benefit Multiplier – MSHA uses the latest 4-quarter moving average 2024Q1-2024Q4 to determine that 30.8 percent of total loaded wages are benefits for private industry workers in construction, extraction, farming, fishing, and forestry occupations. The benefit multiplier is $1.453 = 1 + (0.308 / (1 - 0.308))$.

Inflation Multiplier – The inflation multiplier is determined by using the employment price index from the most current quarter, 2024Q4, divided by the base year and quarter of the OEWS employment and wage statistics, 2023Q2, for private industry workers in construction, extraction, farming, fishing, and forestry occupations, current dollar index. The inflation multiplier is $1.060 = 166.7 / 157.3$.

Overhead Multiplier – MSHA uses the overhead multiplier of 1.01.

[a] The Standard Occupation Codes (SOCs) used for this occupation are (47-1011), (49-1011), (51-1011), and (53-1047).

Hour Burden

I. Establishing New Cleanup Programs

MSHA assumes that 70 percent of underground coal mines will need to develop new cleanup programs over the next 3 years.

Mines with 1-19 miners

MSHA estimates that 22 mines, or 70 percent of the 31 underground coal mines with 1-19 miners (31 mines x 70 percent), will need to develop a new cleanup program once over the next 3 years. MSHA estimates that on average there will be 7 new cleanup programs annually from mines with 1-19 miners (22 mines/3 years).

Mines with 20 or more miners

MSHA estimates that 81 mines, or 70 percent of the 115 underground coal mines with 20 or more miners (115 mines x 70 percent), will need to develop a new cleanup program once over the next 3 years. MSHA estimates that on average there will be 27 new cleanup programs annually from mines with 20 or more miners (81 mines/3 years).

Table 12-2a. Number of Mines that Establish New Cleanup Programs

Mine Sizes	Number of Mines	Number of Mines that Develop New Cleanup Programs	Number of New Cleanup Programs Developed every Year
Mines with 1-19 Miners	31	22	7
Mines with 20+ Miners	115	81	27
Total	146		

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MSHA estimates that it takes a supervisor, earning \$81.65 per hour, 1 hour to complete a new cleanup program for an underground coal mine with 1-19 miners and 4 hours for a mine with 20 or more miners.

Table 12-2. Estimated Annual Respondent Hour and Cost Burden, Establishing New Cleanup Programs (30 CFR 75.400-2)

Activity (Occupation)	Number of Respondents (Mines)	Number of Responses per Respondent	Total Responses (New Programs)	Average Burden (Hours)	Total Burden (Hours)	Hourly Wage Rate	Total Burden Cost
Establishing Programs at Mines with 1-19 Miners (Mining Supervisor)	31	0.23	7	1.00	7.00	\$81.65	\$571.55
Establishing Programs at Mines with 20 or more Miners (Mining Supervisor)	115	0.23	27	4.00	108.00	\$81.65	\$8,818.20
Total (Rounded)	146		34		115		\$9,390

Note: The number of responses per respondent is calculated by dividing the number of responses by the number of respondents and rounded.

II. Updating Existing Cleanup Programs

MSHA assumes that each underground coal mine will need to update its existing cleanup program twice over the next 3 years.

MSHA estimates that for the 31 underground coal mines with 1-19 miners, there will be 21 updates to existing programs each year (31 mines x 2 updates/3 years). MSHA also estimates that for the 115 underground coal mines with 20 or more miners, there will be 77 updates to existing programs each year (115 mines x 2 updates/3 years).

Table 12-3a. Number of Mines that Update Existing Cleanup Programs

	Number of Mines	Number of Updates every 3 Years per Mine	Number of Updates over 3 Years	Number of Updates Each Year
Mines with 1-19 Miners	31	2	62	21
Mines with 20+ Miners	115	2	230	77
Total	146		292	98

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MSHA estimates that for an underground coal mine with 1-19 miners it takes a supervisor, earning \$81.65 per hour, 15 minutes to complete updates to its existing cleanup program and for an underground coal mine with 20 or more miners it takes a supervisor 1 hour to complete updates to its existing cleanup program.

Table 12-3. Estimated Annual Respondent Hour and Cost Burden, Updating Existing Cleanup Programs (30 CFR 75.400-2)

Activity (Occupation)	Number of Respondents (Mines)	Number of Responses per Respondent	Total Responses (Updated Programs)	Average Burden (Hours)	Total Burden (Hours)	Hourly Wage Rate	Total Burden Cost
Updating Programs at Mines with 1-19 Miners (Mining Supervisor)	31	1	21	0.25	5	\$81.65	\$428.66
Updating Programs at Mines with 20 or more Miners (Mining Supervisor)	115	1	77	1	77	\$81.65	\$6,287.05
Total (Rounded)	146		98		82		\$6,716

Note: The number of responses per respondent is calculated by dividing the number of responses by the number of respondents and rounded.

Hour Burden Summary

MSHA estimates that the 146 respondents (underground coal mines) would incur, on average, an annual collection burden of 197 hours with an associated annual cost of \$16,105. The annual respondent hour and cost burden of this information collection is summarized in the table below.

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Table 12-4. Estimated Annual Respondent Hour and Cost Burden, Summary

Activity	Number of Respondents	Number of Responses per Respondent	Total Responses	Average Burden (Hours)	Total Burden (Hours)	Hourly Wage Rate	Total Burden Cost
I. Establishing New Cleanup Programs	146		34		115.00		\$9,389.75
II. Updating Existing Cleanup Programs	146		98		82.25		\$6,715.71
Total (Rounded)	146		132		197		\$16,106

Note: The total number of respondents is not a sum of respondents from each cost category. It corresponds to the number of impacted underground coal mines.

Table 12-5. Estimated Annualized Respondent Cost and Hour Burden

Activity	No. of Respondents	No. of Responses per Respondent	Total Responses	Average Burden (Hours)	Total Burden (Hours)	Hourly Wage Rate	Monetized Value of Time
Establishing Programs at Mines with 1-19 Miners (Mining Supervisor)	31	0.23	7	1.00	7.00	\$81.65	\$571.55
Establishing Programs at Mines with 20 or more Miners (Mining Supervisor)	115	0.23	27	4.00	108.00	\$81.65	\$8,818.20
Updating Programs at Mines with 1-19 Miners (Mining Supervisor)	31	1	21	0.25	5	\$81.65	\$428.66

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Updating Programs at Mines with 20 or more Miners (Mining Supervisor)	115	1	77	1	77	\$81.65	\$6,287.05
Total (Rounded)	146		132		197		\$16,106

Note: The number of responses per respondent is calculated by dividing the number of responses by the number of respondents and rounded.

13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).

- 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.

There are no capital, start-up, or maintenance costs associated with this information collection.

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.

There is no additional cost to the Federal government because reviewing cleanup programs is a part of regular mine inspections. Inspectors typically review all written plans, programs, and records during each inspection.

15. Explain the reasons for any program changes or adjustments on the burden worksheet.

Number of Respondents: The estimated number of respondents decreased from 195 to 146 due to a decrease in the number of underground coal mines.

Number of Responses: The estimated number of responses decreased from 176 to 132 due to a decrease in respondents.

Annual Time Burden: The estimated annual time burden decreased from 243 to 197 hours due to a decrease in respondents.

Annual Respondent or Recordkeeper Costs: The estimated annual other burden cost remained unchanged at \$0.

Table 15-1. Summary of Changes

	Currently Approved ICR	Updated ICR	Difference
Number of Respondents	195	146	-49
Number of Responses	176	132	-44
Annual Time Burden	243	197	-46
Annual Respondent or Recordkeeper Costs	\$0	\$0	\$0

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

MSHA is not seeking approval to not display the expiration date for OMB approval of this information collection and there is no form associated with this collection.

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18. Explain each exception to the topics of the certification statement identified in “Certification for Paperwork Reduction Act Submissions.”

There are no certification exceptions identified with this information collection.

B. Collections of information employing statistical methods

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