

## SUPPORTING STATEMENT

Part 46 – TRAINING, TRAINING PLANS, AND RECORDS; Sections 46.3, 46.5, 46.6, 46.7, 46.8, 46.9, and 46.11.

### 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.**

This rule enforces MSHA's existing health and safety training requirements in 30 CFR part 46 for shell dredging, sand, gravel, surface stone, surface clay, colloidal phosphate, or surface limestone mines. MSHA's objective in these requirements is to ensure that all miners receive the required training, which would result in a decrease in accidents, injuries, and fatalities. This rule enforces training requirements at approximately 12,559 surface nonmetal mines and contractors employing 106,733 miners. Before the part 46 training rule became final in 1999 (64 FR 53080, September 30, 1999), many mines and contractors already had put into place training plans and conducted training that satisfied the requirements of the part 46 rule. Therefore, this information collection package concerns the burden hours and related costs for part 46 training requirements at approximately 6,325 mines and contractors employing 38,304 miners that were not in compliance at the time of the part 46 rulemaking.

Section 46.3 Training plans. Paragraph (a) of § 46.3 requires operators to develop and implement a written training plan approved by MSHA that contains effective programs for training new miners and newly hired experienced miners, training miners for new tasks, annual refresher training, and site-specific hazard training.

Paragraph (b) requires the following information, at a minimum, to be included in a training plan:

- (1) The company name, mine name, and MSHA mine identification number or independent contractor identification number;
- (2) The name and position of the person designated by the operator who is responsible for the health and safety training at the mine. This person may be the production operator or independent contractor;
- (3) A general description of the teaching methods and the course materials that are to be used in providing the training, including the subject areas to be covered and the approximate time to be spent on each subject area;
- (4) A list of the persons who will provide the training, and the subject areas in which each person is competent to instruct; and
- (5) The evaluation procedures used to determine the effectiveness of training.

Paragraph (c) requires a training plan that does not include the minimum information specified in paragraph (b) to be submitted to and approved by MSHA.

Paragraph (d) requires operators to provide miners' representatives with a copy of the training plan. At mines where no miners' representative has been designated, a copy of the plan must be posted at the

mine or a copy must be provided to each miner.

Paragraph (e) provides that within 2 weeks following receipt or posting of the training plan, miners or their representatives may submit written comments on the plan to operators, or to the Regional Manager, as appropriate.

Paragraph (g) requires that the miners' representative be provided with a copy of the approved training plan within 1 week after approval. At mines where no miners' representative has been designated, a copy of the approved plan must be posted at the mine or a copy must be provided to each miner.

Paragraph (h) allows operators, miners, and miners' representatives to appeal a decision of the Regional Manager in writing to the Director for Educational Policy and Development. The Director would issue a decision on the appeal within 30 days after receipt of the appeal.

Paragraph (i) requires operators to make available at the mine site a copy of the current training plan for inspection by MSHA and for examination by miners and their representatives. If the training plan is not maintained at the mine site, mine operators must have the capability to provide the plan within 1 day upon request by MSHA, miners, or their representatives.

Section 46.5 New miner training. Paragraph (a) of § 46.5 requires operators to provide each new miner with no less than 24 hours of training. Miners who have not received the full 24 hours of new miner training must work where an experienced miner can observe that the new miner is working in a safe and healthful manner.

Section 46.6 Newly hired experienced miner training. Paragraph (a) of § 46.6 requires operators to provide each newly hired experienced miner with certain specified training before beginning work.

Section 46.7 New task training. Paragraph (a) of § 46.7 requires that before a miner performs a task for which he or she has no experience, the operator must train the miner in the safety and health aspects, and safe work procedures specific to that task. Paragraph (b) requires that if changes have occurred in a miner's regularly assigned task, the operator must provide the miner with training that addresses the changes.

Section 46.8 Annual refresher training. Paragraph (a) of § 46.8 requires that the operator provide each miner with no less than 8 hours of refresher training, at least every 12 months.

Section 46.9 Records of training. Paragraph (a) of § 46.9 requires operators to record and certify on MSHA Form 5000-23, or on a form that contains the required information, that each miner has completed the training required under part 46.

Section 46.11 Site-specific hazard awareness training. Paragraph (a) of § 46.11 requires operators to provide site-specific hazard training to any person who is exposed to mine hazards. This training is provided to any person who is not a miner, including: scientific workers; delivery workers and customers; occasional, short-term maintenance or service workers who do not work at the mine site on a continuing basis, or manufacturers' representatives; and outside vendors, visitors, office or staff personnel. The training is also provided to miners, such as drillers or blasters, who move from one mine to another mine while remaining employed by the same production-operator or independent contractor.

**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.**

The records allow operators to show that miners have received the required training. MSHA inspectors use the records to determine that training required by the regulations has been provided.

**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.**

The training plans required by § 46.3 may include narratives, descriptions, lists and tables. The plans can be prepared using personal computers and word processing programs and submitted via e-mail or facsimile, and may be followed by a signed hard copy.

MSHA has developed and implemented an electronic on-line system (the MSHA Training Plan Advisor) for operators to prepare and submit training plans through the Internet. This system has been available for part 46 mining operations since September 2000. This is an optional method for the mining industry to prepare and file required training plans. The design of this system increases the likelihood that the plan will be complete, along with the potential to decrease the paperwork burden. This system is maintained on Department of Labor servers, and is accessed through MSHA's Homepage at <http://www.msha.gov>, Forms and Online Filings or Part 46 Training.

Paragraph (a) of § 46.9 allows mine operators to record and certify training on MSHA Form 5000-23, or on a form that contains the required information. Form 5000-23 is the mandatory approved form under OMB collection 1219-0009, Certificate of Training (30 CFR §§ 48.9 and 48.29). The burden for recording training under part 46, whether on Form 5000-23 or a separate form, is shown here and kept separate from the requirement under part 48 and 1219-0009.

The Form 5000-23 and other sample records are accessible for downloading on the MSHA Homepage: <http://www.msha.gov>. Select "Quick Links", then select "Forms and Online Filings" or select "Part 46 Training".

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

No similar or duplicate information exists.

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

This information does not have a significant impact on 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.**

MSHA believes that these information collection requirements are the minimum necessary to ensure that miners receive the required training. Reduction in these requirements may result in miners being subjected to unsafe and unhealthful conditions in the mine and, thus, jeopardizing their lives.

**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.**

Although there is no explicit requirement that a mine operator retain records for more than 3 years, the operator must maintain a current, approved training plan during the entire time the mine is in operation. This collection of information is otherwise consistent with the guidelines in 5 CFR § 1320.5.

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

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

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

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 giving interested persons 60 days to submit comments.

September 11, 2008

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

MSHA does not provide payments or gifts to respondents.

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

The records are covered by a Privacy Act notice published in the Federal Register. Training plans are part of MSHA's two Management Information Systems: (1) Labor/MSHA-3, Metal and Nonmetal Mine Safety and Health Management Information System, and (2) Labor/MSHA-18, Coal Mine Safety and Health Management Information System. Computerized and manual records are indexed by mine identification number. Computer safeguards are as described in the National Bureau of Standards Booklet, "Computer Security Guidelines for Implementing the Privacy Act of 1974." Manual records are stored in locked files and are accessible only to authorized personnel during working hours.

**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 in Item 13 of OMB Form 83-I.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

Although there are about 12,559 mines and contractors covered by this rule, many were in compliance prior to promulgation of the final rule and, therefore, do not incur a burden. As a result, the calculations below apply to a percentage of the total entities. MSHA estimates that 6,325 mines and contractors are affected by this information collection package. Also, in the following calculations, the numbers are based on estimates from MSHA technical personnel who manage the Agency's training program requirements. In question 12, mines refer to mine operators and contractors, unless otherwise indicated.

**Section 46.3(a) - develop training plans**

Paragraph (a) of § 46.3 requires mine operators to develop and implement a training plan that contains effective programs. MSHA estimates that, of the 6,325 affected mines covered by this information collection package, 30% (or 1,898 mines) will develop or revise training plans annually. Of these 1,898 mines there are: 1,368 plans for mines employing 1 to 5 miners, 464 plans for mines employing 6 to 19 miners, and 66 plans for mines employing 20 or more miners. Of the number of training plans in each mine size category that will be developed or revised, we estimate that 50% will be done electronically (on-line plans).

MSHA estimates that a supervisor, earning \$60.03 per hour, takes 2 hours to develop or revise a plan for mines employing fewer than 20 persons, and 4 hours for mines employing 20 or more persons. MSHA further estimates that the time to develop or revise a plan will be reduced by 50% if done electronically.

Annual burden hours

Mines (1-5) (684 plans x 2 hours) + (684 electronic plans x 1 hour ) =	2,052 hours
Mines (6-19) (232 plans x 2 hours) + (232 electronic plans x 1 hour ) =	696 hours
Mines (≥20) (33 plans x 4 hours) + ( 33 electronic plans x 2 hours) =	<u>198 hours</u>
	2,946 hours

Annual burden costs

Mines (1-5) 2,052 hours x \$60.03 =	\$123,182
Mines (6-19) 696 hours x \$60.03 =	\$ 41,781
Mines (≥20) 198 hours x \$60.03 =	<u>\$ 11,886</u>
	\$176,849

**46.3(c) - send plans to MSHA and notify miners or miners' representative**

Paragraph (c) requires a plan that does not include the minimum information specified in paragraph (b) to be submitted to MSHA for approval. On average, 282 mines submitted plans to MSHA annually. Approximately half of these (142) submitted plans by mail, while the remaining half submitted plans electronically, which does not incur additional burden hours or costs. Of the 142 mines that submitted plans by mail, 99 mines employ 1 to 5 miners; 36 mines employ 6 to 19 miners; and 7 mines employ 20 or more miners. MSHA estimates that a clerical worker, earning \$24.52 per hour, takes about 0.2 hour to copy and mail a training plan to the Agency and to notify miners or miners' representative.

Annual burden hours

Mines (1-5) 99 plans x 0.2 hour =	20 hours
Mines (6-19) 36 plans x 0.2 hour =	7 hours
Mines (≥20) 7 plans x 0.2 hour =	<u>1 hour</u>
	28 hours

Annual burden costs

Mines (1-5) 20 hours x \$24.52 =	\$490
Mines (6-19) 7 hours x \$24.52 =	\$172
Mines (≥20) 1 hour x \$24.52 =	<u>\$ 25</u>
	\$687

**46.3(d) - provide training plan to miners' representative or post plan**

Paragraph (d) requires operators to provide miners' representatives with a copy of the training plan. At mines where no miners' representative has been designated, a copy of the plan must be posted at the mine or a copy must be provided to each miner. The mines affected by this provision in each size category are: 1,329 mines that employ 1 to 5 miners; 474 mines that employ 6 to 19 miners; and 95 mines that employ 20 or more miners. MSHA estimates that a clerical worker, earning \$24.52 per hour, takes 0.1 hour to photocopy the plan and either deliver or post the plan.

Annual burden hours

Mines (1-5) 1,329 plans x 0.1 hour =	133 hours
Mines (6-19) 474 plans x 0.1 hour =	47 hours
Mines ( $\geq$ 20) 95 plans x 0.1 hour =	<u>10 hours</u>
	190 hours

Annual burden costs

Mines (1-5) 133 hours x \$24.52 =	\$3,261
Mines (6-19) 47 hours x \$24.52 =	\$1,152
Mines ( $\geq$ 20) 10 hours x \$24.52 =	<u>\$ 245</u>
	\$4,658

**46.3(e) - miners or their representatives submission of written comments on training plan**

This burden is not borne by the mine operator, but by miners or miners' representatives. Paragraph (e) provides that within 2 weeks following receipt or posting of the training plan, miners or their representatives may submit written comments on the plan to mine operators, or to the Regional Manager, as appropriate.

Over the last 3 years, MSHA has not received any written comments. In order to recognize that this may occur in the future, MSHA estimates that it could receive one written comment for each size category. MSHA estimates that a miner or miners' representatives, earning \$25.46 per hour, would take 2 hours per affected mine to prepare written comments.

Annual burden hours

Mines (1-5) (1 mine x 2 hours) =	2 hours
Mines (6-19) (1 mine x 2 hours) =	2 hours
Mines ( $\geq$ 20) (1 mine x 2 hours) =	<u>2 hours</u>
	6 hours

Annual burden costs

Mines (1-5) 2 hours x \$25.46 =	\$ 51
Mines (6-19) 2 hours x \$25.46 =	\$ 51
Mines ( $\geq$ 20) 2 hours x \$25.46 =	<u>\$ 51</u>
	\$153

**46.3(g) - provide miners or representative with copy of approved training plan or post plan**

This provision requires the mine operator to provide the miners' representative, if any, with a copy of the approved training plan within 1 week of approval. At mines where no miners' representative has been designated, the operator must post a copy of the plan at the mine site or provide a copy to each miner.

The mines affected by this provision in each size category are: 1,329 mines that employ 1 to 5 miners; 474

mines that employ 6 to 19 miners; and 95 mines that employ 20 or more miners. On average, a clerical worker, earning \$24.52 per hour, is estimated to take 0.1 hour to photocopy and either post or deliver the approved training plan.

Annual burden hours

Mines (1-5)	1,329 mines x 0.1 hour =	133 hours
Mines (6-19)	474 mines x 0.1 hour =	47 hours
Mines (≥20)	95 mines x 0.1 hour =	<u>10 hours</u>
		190 hours

Annual burden costs

Mines (1-5)	133 hours x \$24.52 =	\$3,261
Mines (6-19)	47 hours x \$24.52 =	\$1,152
Mines (≥20)	10 hours x \$24.52 =	<u>\$ 245</u>
		\$4,658

**46.3(h) - write an appeal**

Paragraph (h) allows mine operators, contractors, miners, and miners' representatives to appeal a decision of the Regional Manager in writing to MSHA's Director for Educational Policy and Development. The Director would issue a decision on the appeal within 30 days after receipt of the appeal.

Over the last 3 years, MSHA has not received any appeals. In order to recognize that this may occur in the future, MSHA estimates that it could receive one appeal for each size category. MSHA estimates that a mine supervisor, earning \$60.03 per hour, would take 4 hours to write the appeal.

Annual burden hours

Mines (1-5)	1 appeal x 4 hours =	4 hours
Mines (6-19)	1 appeal x 4 hours =	4 hours
Mines (≥20)	1 appeal x 4 hours =	<u>4 hours</u>
		12 hours

Annual burden costs

Mines (1-5)	4 hours x \$60.03 =	\$240
Mines (6-19)	4 hours x \$60.03 =	\$240
Mines (≥20)	4 hours x \$60.03 =	<u>\$240</u>
		\$720

**46.3(i) - make plans available for inspection**

Paragraph (i) requires mine operators and contractors to make available at the mine site a copy of the current training plan for inspection by MSHA and for examination by miners and their representatives. If the training plan is not maintained at the mine site, operators must have the capability to provide the plan within one business day upon request to MSHA, miners, or their representatives.

The mines affected by this provision in each size category are: 1,329 mines that employ 1 to 5 miners; 474 mines that employ 6 to 19 miners; and 95 mines that employ 20 or more miners. MSHA estimates that a clerical worker, earning \$24.52 per hour, would take 0.1 hour to retrieve, photocopy, and file the training plan.



Annual burden hours

Mines (1-5)	1,329 mines x 0.1 hour =	133 hours
Mines (6-19)	474 mines x 0.1 hour =	47 hours
Mines ( $\geq$ 20)	95 mines x 0.1 hour =	<u>10 hours</u>
		190 hours

Annual burden costs

Mines (1-5)	133 hours x \$24.52 =	\$3,261
Mines (6-19)	47 hours x \$24.52 =	\$1,152
Mines ( $\geq$ 20)	10 hours x \$24.52 =	<u>\$ 245</u>
		\$4,658

**Section 46.5(a) New miner training - prepare for training**

Paragraph (a) of § 46.5 requires mine operators to provide each new miner with no less than 24 hours of training. Miners who have not received the full 24 hours of new miner training must work where an experienced miner can observe that the new miner is working in a safe and healthful manner.

The mines affected by this provision in each size category are: 797 mines that employ 1 to 5 miners; 285 mines that employ 6 to 19 miners; and 57 mines that employ 20 or more miners. MSHA estimates that for each mine, a mine supervisor, earning \$60.03 per hour, would take 6 hours annually to prepare for the new miner training.

Annual burden hours

Mines (1-5)	797 mines x 6 hours =	4,782 hours
Mines (6-19)	285 mines x 6 hours =	1,710 hours
Mines ( $\geq$ 20)	57 mines x 6 hours =	<u>342 hours</u>
		6,834 hours

Annual burden costs

Mines (1-5)	4,782 hours x \$60.03 =	\$287,063
Mines (6-19)	1,710 hours x \$60.03 =	\$102,651
Mines ( $\geq$ 20)	342 hours x \$60.03 =	<u>\$ 20,530</u>
		\$410,244

**46.5(a) New miner training - mine supervisor giving training**

Every new miner must receive 24 hours of new miner training. However, new miners are permitted to substitute equivalent training received by other federal or state agencies to meet part 46 requirements, where appropriate. On average, we estimate that 4 hours has been credited toward the part 46 new miner training requirement.

MSHA estimates, for each size category, that the average number of training sessions the mine supervisor would provide annually per mine is: 1 session for mines that employ 1 to 5 miners; 1 session for mines that employ 6 to 19 miners; and 3 sessions for mines that employ 20 or more miners. The mines affected, in each size category, are: 797 mines that employ 1 to 5 miners; 285 mines that employ 6 to 19 miners; and 57 mines that employ 20 or more miners.

Annual burden hours

Mines (1-5) 797 mines x 1 session x 20 hours =	15,940 hours
Mines (6-19) 285 mines x 1 session x 20 hours =	5,700 hours
Mines ( $\geq$ 20) 57 mines x 3 sessions x 20 hours =	<u>3,420 hours</u>
	25,060 hours

Annual burden costs

Mines (1-5) 15,940 hours x \$60.03 =	\$ 956,878
Mines (6-19) 5,700 hours x \$60.03 =	\$ 342,171
Mines ( $\geq$ 20) 3,420 hours x \$60.03 =	<u>\$ 205,303</u>
	\$1,504,352

**New miner training - offsite training**

Additionally, the Agency estimates that part of new miner training would be provided off-site by a third party. Operators would pay the third party for providing this part of the new miner training; thus mine operators would incur burden costs but no burden hours. See question 13 for these costs.

**Section 46.6(a) Newly hired experienced miner training - prepare for training**

Paragraph (a) of § 46.6 requires operators to provide each newly hired experienced miner with certain specified training before the miner begins work. The mines affected by this provision in each size category are: 2,479 mines that employ 1 to 5 miners; 886 mines that employ 6 to 19 miners; and 177 mines that employ 20 or more miners. MSHA estimates that it takes a mine supervisor, earning \$60.03 per hour, 1 hour annually to prepare for the experienced miner training.

Annual burden hours

Mines (1-5) 2,479 mines x 1 hour =	2,479 hours
Mines (6-19) 886 mines x 1 hour =	886 hours
Mines ( $\geq$ 20) 177 mines x 1 hour =	<u>177 hours</u>
	3,542 hours

Annual burden costs

Mines (1-5) 2,479 hours x \$60.03 =	\$148,814
Mines (6-19) 886 hours x \$60.03 =	\$ 53,187
Mines ( $\geq$ 20) 177 hours x \$60.03 =	<u>\$ 10,625</u>
	\$212,626

**46.6(a) Newly hired experienced miner training - mine supervisor giving training**

MSHA estimates, for each size category, that the average number of training sessions the mine supervisor would provide annually per mine is: 1 session for mines that employ 1 to 5 miners; 2 sessions for mines that employ 6 to 19 miners; and 4 sessions for mines that employ 20 or more miners. The mines affected by this provision in each size category are: 2,479 mines that employ 1 to 5 miners; 886 mines that employ 6 to 19 miners; and 177 mines that employ 20 or more miners. On average, each training session is estimated to last 4 hours.

Annual burden hours

Mines (1-5) 2,479 mines x 1 session x 4 hours =	9,916 hours
Mines (6-19) 886 mines x 2 sessions x 4 hours =	7,088 hours
Mines ( $\geq$ 20) 177 mines x 4 sessions x 4 hours =	<u>2,832 hours</u>

19,836 hours

Annual burden costs

Mines (1-5) 9,916 hours x \$60.03 =	\$ 595,257
Mines (6-19) 7,088 hours x \$60.03 =	\$ 425,493
Mines ( $\geq$ 20) 2,832 hours x \$60.03 =	\$ 170,005
	<u>\$1,190,755</u>

**Section 46.7(a) New task training - prepare for training**

Section 46.7(a) requires that before performing a new task for which the miner has no experience, the operator must train the miner in the safety and health aspects and safe work procedures specific to that task. The mines affected by this provision in each size category are: 4,206 mines that employ 1 to 5 miners; 1,502 mines that employ 6 to 19 miners; and 301 mines that employ 20 or more miners. MSHA estimates that for each mine, a mine supervisor, earning \$60.03 per hour, would take 0.25 hour annually to prepare for the task training.

Annual burden hours

Mines (1-5) 4,206 mines x 0.25 hour =	1,052 hours
Mines (6-19) 1,502 mines x 0.25 hour =	376 hours
Mines ( $\geq$ 20) 301 mines x 0.25 hour =	<u>75 hours</u>
	1,503 hours

Annual burden costs

Mines (1-5) 1,052 hours x \$60.03 =	\$63,152
Mines (6-19) 376 hours x \$60.03 =	\$22,571
Mines ( $\geq$ 20) 75 hours x \$60.03 =	<u>\$ 4,502</u>
	\$90,225

**46.7(a) New task training - mine supervisor giving training**

For each size category, the average number of training sessions that the mine supervisor will give annually per mine is: 5 sessions for mines that employ 1 to 5 miners; 10 sessions for mines that employ 6 to 19 miners; and 20 sessions for mines that employ 20 or more miners. On average, each training session is estimated to last 0.5 hour. The mines affected by this provision in each size category are: 4,206 mines that employ 1 to 5 miners; 1,502 mines that employ 6 to 19 miners; and 301 mines that employ 20 or more miners.

Annual burden hours

Mines (1-5) 4,206 mines x 5 sessions x 0.5 hour =	10,515 hours
Mines (6-19) 1,502 mines x 10 sessions x 0.5 hour =	7,510 hours
Mines ( $\geq$ 20) 301 mines x 20 sessions x 0.5 hour =	<u>3,010 hours</u>
	21,035 hours

Annual burden costs

Mines (1-5) 10,515 hours x \$60.03 =	\$ 631,215
Mines (6-19) 7,510 hours x \$60.03 =	\$ 450,825
Mines ( $\geq$ 20) 3,010 hours x \$60.03 =	<u>\$ 180,690</u>
	\$1,262,730

**Section 46.7(b) Regularly-assigned task training - prepare for training**

Section 46.7(b) requires that if changes have occurred in a miner's regularly assigned task, the operator must provide the miner with training that addresses the changes. The mines affected by this provision in each size category are: 4,206 mines that employ 1 to 5 miners; 1,502 mines that employ 6 to 19 miners; and 301 mines that employ 20 or more miners. For each mine, a mine supervisor, earning \$60.03 per hour, would take 0.1 hour annually to prepare for this task training.

Annual burden hours

Mines (1-5)	4,206 mines x 0.1 hour =	421 hours
Mines (6-19)	1,502 mines x 0.1 hour =	150 hours
Mines (≥20)	301 mines x 0.1 hour =	<u>30 hours</u>
		601 hours

Annual burden costs

Mines (1-5)	421 hours x \$60.03 =	\$25,273
Mines (6-19)	150 hours x \$60.03 =	\$ 9,005
Mines (≥20)	30 hours x \$60.03 =	<u>\$ 1,801</u>
		\$36,079

**46.7(b) Regularly-assigned task training - mine supervisor giving training**

For each size category, the average number of training sessions that the mine supervisor will give annually per mine are: 5 sessions for mines that employ 1 to 5 miners; 10 sessions for mines that employ 6 to 19 miners; and 20 sessions for mines that employ 20 or more miners. On average, each training session is estimated to last 0.25 hour. The mines affected by this provision in each size category are: 4,206 mines that employ 1 to 5 miners; 1,502 mines that employ 6 to 19 miners; and 301 mines that employ 20 or more miners.

Annual burden hours

Mines (1-5)	4,206 mines x 5 sessions x 0.25 hour =	5,258 hours
Mines (6-19)	1,502 mines x 10 sessions x 0.25 hour =	3,755 hours
Mines (≥20)	301 mines x 20 sessions x 0.25 hour =	<u>1,505 hours</u>
		10,518 hours

Annual burden costs

Mines (1-5)	5,258 hours x \$60.03 =	\$315,638
Mines (6-19)	3,755 hours x \$60.03 =	\$225,413
Mines (≥20)	1,505 hours x \$60.03 =	<u>\$ 90,345</u>
		\$631,396

**Section 46.8(a) Annual refresher training - prepare for training**

Paragraph (a) of § 46.8 requires that the operator provide each miner with no less than 8 hours of refresher training, at least every 12 months. The mines affected by this provision in each size category are: 4,562 mines that employ 1 to 5 miners; 1,544 mines that employ 6 to 19 miners; and 219 mines that employ 20 or more miners. MSHA estimates that for each mine, a mine supervisor, earning \$60.03 per hour, would take 3 hours to prepare for the refresher training.

Annual burden hours

Mines (1-5) 4,562 mines x 3 hours =	13,686 hours
Mines (6-19) 1,544 mines x 3 hours =	4,632 hours
Mines (≥20) 219 mines x 3 hours =	<u>657 hours</u>
	18,975 hours

Annual burden costs

Mines (1-5) 13,686 hours x \$60.03 =	\$ 821,571
Mines (6-19) 4,632 hours x \$60.03 =	\$ 278,059
Mines (≥20) 657 hours x \$60.03 =	<u>\$ 39,440</u>
	\$1,139,070

**46.8(a) Annual refresher training - mine supervisor giving training**

MSHA estimates, for each size category, that the average number of training sessions the mine supervisor would provide annually per mine is: 1 session for mines that employ 1 to 5 miners; 1 session for mines that employ 6 to 19 miners; and 2 sessions for mines that employ 20 or more miners. On average, each training session is estimated to last 8 hours. The mines affected by this provision in each size category are: 4,562 mines that employ 1 to 5 miners; 1,544 mines that employ 6 to 19 miners; and 219 mines that employ 20 or more miners.

Annual burden hours

Mines (1-5) 4,562 mines x 1 session x 8 hours =	36,496 hours
Mines (6-19) 1,544 mines x 1 session x 8 hours =	12,352 hours
Mines (≥20) 219 mines x 2 sessions x 8 hours =	<u>3,504 hours</u>
	52,352 hours

Annual burden costs

Mines (1-5) 36,496 hours x \$60.03 =	\$2,190,855
Mines (6-19) 12,352 hours x \$60.03 =	\$ 741,491
Mines (≥20) 3,504 hours x \$60.03 =	<u>\$ 210,345</u>
	\$3,142,691

**Section 46.11 Site-specific hazard awareness training - miner giving training**

Paragraph (a) of §46.11 requires operators to provide site-specific hazard training to specified persons who are exposed to mine hazards. The training for any person who is not a miner includes: scientific workers; delivery workers and customers; occasional, short-term maintenance or service workers who do not work at the mine site on a continuing basis, or manufacturers' representatives; and outside vendors, visitors, office or staff personnel. This training is also for miners, such as drillers or blasters, who move from one mine to another mine while remaining employed by the same production-operator or independent contractor. There is little or no preparation for this type of training because the miner giving the training is only explaining or showing potential mine hazards to the person(s) being trained.

MSHA estimates, for each size category, that the average number of training sessions the miner would provide annually per mine are: 50 sessions for mines that employ 1 to 5 miners; 100 sessions for mines that employ 6 to 19 miners; and 200 sessions for mines that employ 20 or more miners. On average, MSHA estimates that annually a miner, earning \$25.46 per hour, takes 0.15 hour per worker to provide hazard training. The mines affected by this provision in each size category are: 4,562 mines that employ 1 to 5 miners; 1,544 mines that employ 6 to 19 miners; and 219 mines that employ 20 or more miners.

Annual burden hours

Mines (1-5) 4,562 mines x 50 sessions x 0.15 hour =	34,215 hours
Mines (6-19) 1,544 mines x 100 sessions x 0.15 hour =	23,160 hours
Mines (>20) 219 mines x 200 sessions x 0.15 hour =	<u>6,570 hours</u>
	63,945 hours

Annual burden costs

Mines (1-5) 34,215 hours x \$25.46 =	\$ 871,114
Mines (6-19) 23,160 hours x \$25.46 =	\$ 589,654
Mines (≥20) 6,570 hours x \$25.46 =	<u>\$ 167,272</u>
	\$1,628,040

**Section 46.9 Records of training**

Section 46.9 requires operators, upon completion of each training program, to record and certify on MSHA Form 5000-23, (Form 5000-23 is the mandatory approved form under OMB collection 1219-0009, Certificate of Training (30 CFR §§ 48.9 and 48.29), or on a form that contains the required information, that the miner has completed the training. For all records required to be kept in §§ 46.5, 46.6, 46.7, 46.8, and 46.11, MSHA estimates that, for each mine, a mine supervisor, earning \$60.03 per hour, takes 0.08 hour to record and certify training records for each session. In addition, it is estimated to take a clerical worker, earning \$24.52 per hour, 0.05 hour to copy and distribute the certificates.

The numbers in the calculations below come from the number of mines and sessions in each of the sections for training (§§ 46.5, 46.6, 46.7, 46.8, and 46.11) specified above in question 12.

Annual burden hours

Mines (1-5)

[(797 mines x 1 session for §46.5) + (2,479 mines x 1 session for §46.6)  
+ (4,206 mines x 5 sessions for §46.7(a)) + (4,206 mines x 5 sessions for §46.7(b))  
+ (4,562 mines x 1 session for §46.8) + (4,562 mines x 50 sessions for §46.11)]  
x 0.08 hour of supervisor time = 22,240 hours

[(797 mines x 1 session for §46.5) + (2,479 mines x 1 session for §46.6)  
+ (4,206 mines x 5 sessions for §46.7(a)) + (4,206 mines x 5 sessions for §46.7(b))  
+ (4,562 mines x 1 session for §46.8) + (4,562 mines x 50 sessions for §46.11)]  
x 0.05 hour of clerical time = 13,900 hours

Mines (6-19)

[(285 mines x 1 session for §46.5) + (886 mines x 2 sessions for §46.6)  
+ (1,502 mines x 10 sessions for §46.7(a)) + (1,502 mines x 10 sessions for §46.7(b))  
+ (1,544 mines x 1 session for §46.8) + (1,544 mines x 100 sessions for §46.11)]  
x 0.08 hour of supervisor time = 15,043 hours

[(285 mines x 1 session for §46.5) + (886 mines x 2 sessions for §46.6)  
+ (1,502 mines x 10 sessions for §46.7(a)) + (1,502 mines x 10 sessions for §46.7(b))  
+ (1,544 mines x 1 session for §46.8) + (1,544 mines x 100 sessions for §46.11)]  
x 0.05 hour of clerical time = 9,402 hours

Mines (20 or more)

[(57 mines x 3 sessions for §46.5) + (177 mines x 4 sessions for §46.6)  
+ (301 mines x 20 sessions for §46.7(a)) + (301 mines x 20 sessions for §46.7(b))  
+ (219 mines x 2 sessions for §46.8) + (219 mines x 200 sessions for §46.11)]  
x 0.08 hour of supervisor time = 4,573 hours

[(57 mines x 3 sessions for §46.5) + (177 mines x 4 sessions for §46.6)  
+ (301 mines x 20 sessions for §46.7(a)) + (301 mines x 20 sessions for §46.7(b))  
+ (219 mines x 2 sessions for §46.8) + (219 mines x 200 sessions for §46.11)]  
x 0.05 hour of clerical workers' time = 2,858 hours

Total §46.9 Burden Hours 68,016 hours

Annual burden Costs

Mines (1-5) 22,240 hours x \$60.03 (superv) =	\$1,335,067
Mines (1-5) 13,900 hours x \$24.52 (clerical) =	\$ 340,828
Mines (6-19) 15,043 hours x \$60.03 (superv) =	\$ 903,031
Mines (6-19) 9,402 hours x \$24.52 (clerical) =	\$ 230,537
Mines (≥20) 4,573 hours x \$60.03 (superv) =	\$ 274,517
Mines (≥20) 2,858 hours x \$24.52 (clerical) =	<u>\$ 70,078</u>
Total §46.9 Burden Costs	\$3,154,058

**Summary of Question 12**

Section	Annual Responses	Annual Burden Hours	Annual Burden Costs
46.3(a)	1,898	2,946	\$176,849
46.3(c)	282	28	\$687
46.3(d)	1,898	190	\$4,658
46.3(e)	3	6	\$153
46.3(g)	1,898	190	\$4,658
46.3(h)	3	12	\$720
46.3(i)	1,898	190	\$4,658
46.5(a) prepare	1,139	6,834	\$410,244
46.5(a) train	1,253	25,060	\$1,504,352
46.6(a) prepare	3,542	3,542	\$212,626
46.6(a) train	4,959	19,836	\$1,190,755
46.7(a) prepare	6,009	1,503	\$90,225
46.7(a) train	42,070	21,035	\$1,262,730

46.7(b) prepare	6,009	601	\$36,079
46.7(b) train	42,070	10,518	\$631,396
46.8(a) prepare	6,325	18,975	\$1,139,070
46.8(a) train	6,544	52,352	\$3,142,691
46.11(a) train	426,300	63,945	\$1,628,040
46.9 records	523,196	68,016	\$3,154,058
<b>Total</b>	<b>1,077,296</b>	<b>295,779</b>	<b>\$14,594,649</b>

**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.

**Capital and Start-up Costs:** N/A

**Operating and Maintenance Costs:**

**Section 46.3(c) - provide training plan to MSHA**

A plan that does not include the minimum information specified in § 46.3(b) must be submitted to and approved by MSHA. The plan must be sent to MSHA. Approximately, half of the 282 plans are submitted by mail. MSHA estimates that the mines affected in each size category are: 99 mines that employ 1 to 5 miners; 36 mines that employ 6 to 19 persons; and 7 mines that employ 20 or more miners. MSHA estimates that a plan is 6 pages, copy costs are \$0.15 per page, and postage is \$1.00.



Annual Costs

Mines (1-5)	99 training plans x ((6 pgs. x \$0.15) + \$1.00) =	\$ 188
Mines (6-19)	36 training plans x ((6 pgs. x \$0.15) + \$1.00) =	\$ 68
Mines (≥20)	7 training plans x ((6 pgs. x \$0.15) + \$1.00) =	<u>\$ 13</u>
		\$ 269

**46.3(d) - provide training plans to miners' representative or post plan**

The operator must provide the miners' representative with a copy of the training plan. At mines where no miners' representative has been designated, a copy of the plan must be posted at the mine or a copy must be provided to each miner. The mines affected by this provision are: 1,329 mines that employ 1 to 5 miners; 474 mines that employ 6 to 19 miners; and 95 mines that employ 20 or more miners. A plan is estimated to have 6 pages and copy costs are \$0.15 per page.

Annual Costs

Mines (1-5)	1,329 training plans x (6 pgs. x \$0.15) =	\$1,196
Mines (6-19)	474 training plans x (6 pgs. x \$0.15) =	\$ 427
Mines (≥20)	95 training plans x (6 pgs. x \$0.15) =	<u>\$ 86</u>
		\$1,709

**46.3(e) - miners or their representatives submission of written comments on plans**

Within 2 weeks following the receipt or posting of the training plan, miners or their representatives may submit written comments on the plan to the operator, or to MSHA, and they may also ask that the plan be reviewed. Over the last 3 years, MSHA has not received any written comments. In order to recognize that this may occur in the future, MSHA estimates that it could receive one written comment for each size category. Postage costs to deliver written comments are estimated at \$1.00.

Annual Costs

Mines (1-5)	1 mine x \$1.00 =	\$1
Mines (6-19)	1 mine x \$1.00 =	\$1
Mines (≥20)	1 mine x \$1.00 =	<u>\$1</u>
		\$3

**46.3(g) - provide miners or representative with copy of approved training plan or post plan**

This provision requires the operator to provide the miners' representative, if any, with a copy of the approved training plan within 1 week of approval. At mines where no miners' representative has been designated, the operator must post a copy of the plan at the mine site or provide a copy to each miner within 1 week of approval. MSHA estimates that the affected mines are: 1,329 mines that employ 1 to 5 miners; 474 mines that employ 6 to 19 miners; and 95 mines that employ 20 or more miners. On average, a plan is estimated to be 6 pages, copying costs are \$0.15 per page, and postage is \$1.00.

Annual Costs

Mines (1-5)	1,329 mines x ((6 pgs. x \$0.15) + \$1.00) =	\$2,525
Mines (6-19)	474 mines x ((6 pgs. x \$0.15) + \$1.00) =	\$ 901
Mines (≥20)	95 mines x ((6 pgs. x \$0.15) + \$1.00) =	<u>\$ 181</u>
		\$3,607

**46.3(h) - write an appeal**

An operator may appeal an MSHA decision concerning an approved training plan. Over the last 3 years, MSHA has not received any appeals. In order to recognize that this may occur in the future, MSHA estimates that it could receive one appeal for each size category. The costs for postage to mail the written appeal are estimated to be \$1.00.

Annual Costs

Mines (1-5) 1 mine x \$1.00 =	\$1
Mines (6-19) 1 mine x \$1.00 =	\$1
Mines (≥20) 1 mine x \$1.00 =	<u>\$1</u>
	\$3

**46.3(i) - make available training plan for inspection**

The operator must make available a copy of the current training plan for inspection by MSHA and for examination by miners and their representatives. The mines affected by this provision for each mine size category are: 1,329 mines that employ 1 to 5 miners; 474 mines that employ 6 to 19 miners; and 95 mines that employ 20 or more persons. The copying costs are \$0.15 per page and 6 pages are copied.

Annual Costs

Mines (1-5) 1,329 mines x (6 pgs. x \$0.15) =	\$1,196
Mines (6-19) 474 mines x (6 pgs. x \$0.15) =	\$ 427
Mines (≥20) 95 mines x (6 pgs. x \$0.15) =	<u>\$ 86</u>
	\$1,709

**Section 46.5 New miner training**

Part of new miner training for miners with no experience will be provided off the mine site by a third party. The operator will pay the third party for providing this part of the new miner training.

The number of miners receiving off-site training in each category are: 1,867 miners in mines that employ 1 to 5 miners; 667 miners in mines that employ 6 to 19 miners; and 133 miners in mines that employ 20 or more miners. MSHA estimates a \$50 training fee per miner.

Annual Costs for Third Party to Conduct New Miner Training

Mines (1-5) 1,867 miners x \$50 =	\$ 93,350
Mines (6-19) 667 miners x \$50 =	\$ 33,350
Mines (≥20) 133 miners x \$50 =	<u>\$ 6,650</u>
	\$133,350

In addition, each miner will incur approximately \$35 for transportation to off site training, \$35 per diem for food, and 5% of the miners receiving off site training are estimated to require one night of lodging at \$70 per night.

Annual Costs for Expenses Related to Third Party New Miner Training

Mines (1-5) (1,867 x (35 + 35)) + ((1,867 x .05) x 70) =	\$137,225
Mines (6-19) ( 667 x (35 + 35)) + (( 667 x .05) x 70) =	\$ 49,025
Mines (≥20) ( 133 x (35 + 35)) + (( 133 x .05) x 70) =	<u>\$ 9,776</u>
	\$196,026

Total for §46.5 \$329,376

**Section 46.9 Recordkeeping**

Under each training provision (30 CFR §§ 46.5, 46.6, 46.7, 46.8, and 46.11), a clerical person makes 2 copies for each training record. Copies are \$0.15 per page and the record is one page. The number of records affected by each mine size are listed below.

Annual Costs

Mines (1-5)

[(797 mines x 1 session for §46.5) + (2,479 mines x 1 session for §46.6)  
+ (4,206 mines x 5 sessions for §46.7(a)) + (4,206 mines x 5 sessions for §46.7(b))  
+ (4,562 mines x 1 session for §46.8) + (4,562 mines x 50 sessions for §46.11)]  
x \$0.15 x 1 page x 2 copies = \$ 83,399

Mines (6-19)

[(285 mines x 1 session for §46.5) + (886 mines x 2 sessions for §46.6)  
+ (1,502 mines x 10 sessions for §46.7(a)) + (1,502 mines x 10 sessions for §46.7(b))  
+ (1,544 mines x 1 session for §46.8) + (1,544 mines x 100 sessions for §46.11)]  
x \$0.15 x 1 page x 2 copies = \$ 56,412

Mines (≥20)

[(57 mines x 3 sessions for §46.5) + (177 mines x 4 sessions for §46.6)  
+ (301 mines x 20 sessions for §46.7(a)) + (301 mines x 20 sessions for §46.7(b))  
+ (219 mines x 2 sessions for §46.8) + (219 mines x 200 sessions for §46.11)]  
x \$0.15 x 1 page x 2 copies = \$ 17,147

Total of §46.9 \$156,958

**Summary of Question 13**

Section	Annual Burden Costs
46.3(c)	\$269
46.3(d)	\$1,709
46.3(e)	\$3
46.3(g)	\$3,607
46.3(h)	\$3
46.3(i)	\$1,709
46.5	\$329,376
46.9	\$156,958
Total Cost	\$493,634

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

**estimates from Items 12, 13, and 14 in a single table.**

MSHA training specialists review and approve any training plans submitted under the part 46 rule. On average, 282 plans were submitted annually. Of these, 197 plans were submitted from operations employing 1 to 5 miners, 71 from operations employing 6 to 19 miners, and 14 from operations employing 20 or more miners. Also, MSHA estimates that a training specialist averages 2 hours to review plans submitted by operations employing 1 to 5 miners, 2 hours for operations employing 6 to 19 miners, and 4 hours for operations employing 20 or more miners. For 2008, the average grade and salary of a training specialist is GS 12/5, at \$65,405 per annum or \$31.34 per hour.

Mines (1-5):	197 plans x 2 hours x \$31.34 =	\$12,348
Mines (6-19):	71 plans x 2 hours x \$31.34 =	\$ 4,450
Mines (≥20):	14 plans x 4 hours x \$31.34 =	<u>\$ 1,755</u>
		\$18,553

Additionally, MSHA inspectors spend time at the mine site checking training records and plans. Of the number of affected mines: 4,428 operations employ 1 to 5 miners; 1,581 operations employ 6 to 19 miners; and 316 operations employ 20 or more miners. On average, MSHA estimates that the time an inspector spends annually to review part 46 training records and plans per mine visit is 15 minutes (0.25 hour) at operations employing 1 to 5 miners, 30 minutes (0.5 hour) at operations employing 6 to 19 miners, and 1 hour at operations employing 20 or more miners. For 2008, the average grade and salary of an inspector is GS 12/1, at \$57,709 per annum or \$27.65 per hour.

Mines (1-5):	4,428 mines x 0.25 hour x \$27.65 =	\$30,609
Mines (6-19):	1,581 mines x 0.5 hour x \$27.65 =	\$21,857
Mines (≥20):	316 mines x 1 hour x \$27.65 =	<u>\$ 8,737</u>
		\$61,203

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

Please note that some of the methods in which Respondents, Responses, Hours, and Costs were calculated on the last report versus this report have changed; therefore, accounting for the major part of the differences are explained below.

**Respondents:** The number of respondents decreased slightly by 19 (6,325 from 6,344).

**Responses:** The number of responses decreased by 20,498 (1,077,296 from 1,097,794). The reason for both these decreases is probably due to the slow-down in the economy, which resulted in reduced mining activity.

**Hours:** The number of hours decreased by 3,640 (295,779 from 299,419). Because of the reason stated above, there are fewer mines developing or revising training plans and sending them to MSHA, and hiring new miners and conducting new miner training.

**Costs:** The cost decreased by \$3,161 (\$493,634 from \$496,795). This slight decrease is from fewer mines developing or revising training plans, and fewer new miners.

**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 has no forms associated with this collection of information on which to display an expiration date.

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

There are no certification exceptions identified with this information collection.

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

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

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

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

- **Statistical methodology for stratification and sample selection,**
- **Estimation procedure,**
- **Degree of accuracy needed for the purpose described in the justification,**
- **Unusual problems requiring specialized sampling procedures, and**
- **Any use of periodic (less frequent than annual) data collection cycles to reduce burden.**

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

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

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

The collection of this information does not employ statistical methods.