

Exceptions to the plans and specifications are explained on the back hereof (or on attached sheet).

Director of SHA Laboratory or other appropriate SHA Official.

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DEPARTMENT OF LABOR

Mine Safety and Health Administration

30 CFR Parts 3, 7, 15, 18, 23, 32, 33, 36, 40, 43, 45, 48, 56, 57, 70, 71, 75, 77, and 90

Office of Management and Budget Control Numbers Under the Paperwork Reduction Act

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Final rule.

SUMMARY: The Mine Safety and Health Administration (MSHA) is adding a new part to its regulations in order to consolidate the display of Office of Management and Budget (OMB) control numbers approved under the Paperwork Reduction Act. The display references regulations promulgated under the Mine Act containing recordkeeping and reporting requirements. This consolidation will assist the public search for specific information on recordkeeping and reporting requirements approved by OMB and will provide the Agency a format that is simpler to maintain.

EFFECTIVE DATE: June 29, 1995.

FOR FURTHER INFORMATION CONTACT: Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances, MSHA, 703-235-1910.

SUPPLEMENTARY INFORMATION: MSHA reviewed its existing regulations requiring collection of information for OMB control number display and accuracy. As part of that review, MSHA is today publishing the control numbers issued by OMB for information collection. The affected regulations are codified in title 30 of the Code of Federal Regulations (30 CFR) parts 7, 15, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 32, 33, 35, 36, 40, 41, 43, 44, 45, 48, 49, 50, 56, 57, 70, 71, 75, 77, and 90.

MSHA is presenting the OMB control numbers in a table format to be codified in part 3, subchapter A, chapter I, 30 CFR. This part will fulfill the requirements of 44 U.S.C. 3507(f) of the Paperwork Reduction Act which prohibits an agency from engaging in a collection of information without displaying the control number obtained from OMB. The table lists the part and section numbers with reporting and recordkeeping requirements and the OMB control numbers. MSHA selected the list format to provide ease of referencing paperwork burden hours and to allow consistent updating. As a result of this new format, the parenthetical statements containing OMB control numbers currently found in 30 CFR at the end of individual paragraphs can be removed.

The OMB control numbers listed in this document were approved previously by OMB. This document makes no substantive change to the current OMB information collection budget. When control numbers included on this list are not found in 30 CFR, it is due to their having been inadvertently omitted from publication in the **Federal Register**, even though OMB approval had been obtained. When control numbers in this document differ from those currently listed in 30 CFR, it is due to a correction of errors or an earlier consolidation of control numbers. In other cases, OMB control numbers currently listed at the end of individual paragraphs were removed previously from OMB's List of Active Information Collections Approved Under the Paperwork Reduction Act, but not removed from 30 CFR. OMB removed some of these numbers as a result of a 1990 Supreme Court decision on third-party disclosure rendering some types of regulations no longer applicable for OMB review under the 1980 Paperwork Reduction Act. In some cases, MSHA converted a reporting requirement to certification as provided in 44 U.S.C. 3501-3520.

MSHA has determined that public notice and comment is "unnecessary" in this rulemaking because the reformatting of OMB control numbers from the end of the regulatory information collection sections to a

composite list constitutes a minor technical amendment which contains no new requirements. As a result, MSHA finds that there is "good cause" under 5 U.S.C. 553 (b)(B) of the Administrative Procedure Act (APA) to issue this table without prior public notice and comment. In addition, MSHA has determined that delaying the effective date is "unnecessary" because the technical amendment contains no new requirements for which the public would need time to plan compliance. MSHA finds, therefore, that there is "good cause" to except this action from the 30-day delayed effective date requirement pursuant to 5 U.S.C. 553(d)(3) of the APA.

List of Subjects in 30 CFR Part 3

Reporting and recordkeeping requirements.

Dated: June 23, 1995.

J. Davitt McAteer,

Assistant Secretary for Mine Safety and Health.

Accordingly, under the authority of 30 U.S.C. 957, chapter I of title 30, Code of Federal Regulations is amended as set forth below.

1. Subchapter A heading in chapter I is revised to read as follows:

Subchapter A—Official Emblem and OMB Control Numbers for Recordkeeping and Reporting

2. Part 3 is added to subchapter A to read as follows:

PART 3—OMB CONTROL NUMBERS UNDER THE PAPERWORK REDUCTION ACT

Authority: 30 U.S.C. 957; 44 U.S.C. 3501-3520.

§ 3.1 OMB control numbers.

The collection of information requirements in MSHA regulation sections in this chapter have been approved and assigned control numbers by the Office of Management and Budget (OMB) under the Paperwork Reduction Act. Regulation sections in this chapter containing paperwork requirements and their respective OMB control numbers are displayed in the following table:

TABLE 1.—OMB CONTROL NUMBERS

30 CFR citation	OMB control No.
Subchapter B—Testing, Evaluation, and Approval of Mining Products	
7.3	1219-0100
7.4 (a)	1219-0100
7.6 (c)	1219-0100