

**Modification Request:** The petitioner requests a modification of the existing standard, 30 CFR 56.13020, as it relates to the use of compressed air. The alternative method provides a direct reduction of a miner's exposure to respirable dust, thus reducing health risks while providing no less a degree of safety than that provided by the standard.

The petitioner proposes the following alternative method:

1. The proposed alternative method has been developed jointly between Unimin Corporation and the National Institute for Occupational Safety and Health (NIOSH) and has been successfully tested by NIOSH. The system consists of four major components: A cleaning booth, an air spray manifold, an air reservoir, and an exhaust ventilation system.

2. The petitioner will use a clothes cleaning booth, CCB Elite I & II, serial number 5405, manufactured by S.K. Bowling, Inc.

3. Only miners trained in the operation of the clothes cleaning booth (booth) will be permitted to use the booth to clean their clothes.

4. The petitioner will incorporate the NIOSH Clothes Cleaning Process and manufacturer's instruction manuals into their MSHA Part 46 Training Plan and train affected miners in the process.

5. Miners entering the booth shall examine valves and nozzles for damage or malfunction and will close the door fully before opening the air valve. Any defects shall be repaired prior to the booth being used.

6. Miners entering the booth will wear eye protection, earplugs or muffs for hearing protection, and respiratory protection meaning a full-face or half-mask respirator that meets or exceeds the minimum requirements of an N95 filter to which the miner has been fit-tested. As an alternative, the use of a full-face respirator will also meet the requirement for eye protection. A conspicuously posted sign will announce the required personal protective equipment for entering the booth.

7. Airflow through the booth will be at least 2,000 cubic feet per minute (cfm) to maintain negative pressure during use of the cleaning system in order to prevent contamination of the environment outside the booth. Airflow will be in a downward direction, thus moving contaminants away from the miner's breathing zone.

8. Air pressure through the spray manifold will be limited to 30 pounds per square inch or less. A lock box with a single, plant manager-controlled key,

will be used to prevent tampering of the pressure regulator.

9. The air spray manifold will consist of schedule 80, steel pipe that has a failure pressure of 1,300 pounds per square inch. It will be capped at the base and actuated by an electrically controlled ball valve at the top.

10. Air nozzles must not exceed 30 pound(s) per square inch gauge.

11. The uppermost spray of the spray manifold will be located below the booth user's breathing zone. A mechanical device can be used to cover the upper air nozzles to meet the specific height of the user.

12. Air nozzles shall be guarded to eliminate the possibility of incidental contact, which could create mechanical damage to the air nozzles during the clothes cleaning process.

13. The petitioner shall conduct periodic maintenance checks of the booth in accordance with the recommendations contained in the manufacturer's instruction manual.

14. The air receiver tank supplying air to the manifold system will be of sufficient volume to permit no less than 20 seconds of continuous cleaning time.

15. An appropriate hazard warning sign will be posted on the booth to state, at a minimum, "Compressed Air" and "Respirable Dust."

16. A pressure relief valve design for the booth's air reservoir will be installed.

17. The mine will exhaust dust-laden air from the booth into a local exhaust ventilation system or duct outside the facility while ensuring there is no reentrainment back into the structure.

The petitioner asserts that the alternate method proposed will at all times guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

**Song-Ae Aromie Noe,**

*Acting Director, Office of Standards, Regulations, and Variances.*

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## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA-2011-0195]

#### Acrylonitrile Standard; Extension of the Office of Management and Budget's (OMB) Approval of Information Collection (Paperwork) Requirements

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Request for public comments.

**SUMMARY:** OSHA solicits public comments concerning its proposal to extend OMB approval of the information collection requirements specified by the Acrylonitrile Standard.

**DATES:** Comments must be submitted (postmarked, sent, or received) by April 18, 2022.

**ADDRESSES:**

*Electronically:* You may submit comments and attachments electronically at <https://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the instructions online for submitting comments.

*Docket:* To read or download comments or other material in the docket, go to <https://www.regulations.gov> Documents in the docket are listed in the <https://www.regulations.gov> index; however, some information (e.g., copyrighted material) is not publicly available to read or download through the website. All submissions, including copyrighted material, are available for inspection through the OSHA Docket Office. Contact the OSHA Docket Office at (202) 693-2350 (TTY (877) 889-5627) for assistance in locating docket submissions.

*Instructions:* All submissions must include the agency name and OSHA docket number (OSHA-2011-0195) for the Information Collection Request (ICR). OSHA will place all comments and requests to speak, including personal information in the public docket, which may be available online. Therefore, OSHA cautions interested parties about submitting personal information such as social security numbers and birthdates. For further information on submitting comments, see the "Public Participation" heading in the section of this notice titled **SUPPLEMENTARY INFORMATION.**

**FOR FURTHER INFORMATION CONTACT:** Seleda Perryman or Theda Kenney, Directorate of Standards and Guidance, OSHA, U.S. Department of Labor; telephone (202) 693-2222.

**SUPPLEMENTARY INFORMATION:**

#### I. Background

The Department of Labor, as part of its continuing effort to reduce paperwork and respondent (i.e., employer) burden, conducts a preclearance consultation program to provide the public with an opportunity to comment on proposed and continuing information collection requirements in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)). This program

ensures that information is in the desired format, reporting burden (time and costs) is minimal, collection instruments are clearly understood, and OSHA's estimate of the information collection burden is accurate. The Occupational Safety and Health Act of 1970 (OSH Act) (29 U.S.C. 651 *et seq.*) authorizes information collection by employers as necessary or appropriate for enforcement of the OSH Act or for developing information regarding the causes and prevention of occupational injuries, illnesses, and accidents (29 U.S.C. 657). The OSH Act also requires that OSHA obtain such information with minimum burden upon employers, especially those operating small businesses, and to reduce to the maximum extent feasible unnecessary duplication of effort in obtaining information (29 U.S.C. 657).

The information collection requirements specified in the Acrylonitrile (AN) Standard (29 CFR 1910.1045) protect workers from the adverse health effects that may result from their exposure to AN. The major information collection requirements of the AN Standard include notifying workers of their AN exposures, implementing a written compliance program, providing examining physicians with specific information, ensuring that workers receive a copy of their medical examination results, maintaining worker's exposure monitoring and medical records for specific periods, and providing access to these records by OSHA, the National Institute for Occupational Safety and Health (NIOSH), the affected workers, and designated representatives.

## II. Special Issues for Comment

OSHA has a particular interest in comments on the following issues:

- Whether the proposed information collection requirements are necessary for the proper performance of the agency's functions to protect workers, including whether the information is useful;
- The accuracy of OSHA's estimate of the burden (time and costs) of the information collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information collected; and
- Ways to minimize the burden on employers who must comply. For example, by using automated or other technological information collection, and transmission techniques.

## III. Proposed Actions

The agency is requesting an adjustment increase of 12,087 burden

hours (from 2,619 hours to 14,706 hours). The increase in burden is due to an increase in the number of employees and the number of establishments. In addition, the estimated capital cost to the employer has increased from \$208,077.00 to \$1,164,652.89, a total increase of \$956,575.89. This increase is due to an increase in the number of workers being sampled and receiving medical exams.

*Type of Review:* Extension of a currently approved collection.

*Title:* Acrylonitrile Standard (29 CFR 1910.1045).

*OMB Control Number:* 1218-0126.

*Affected Public:* Business or other for-profits.

*Number of Respondents:* 139.

*Number of Responses:* 38,022.

*Frequency of Responses:* On occasion.

*Average Time per Response:* Varies.

*Estimated Total Burden Hours:* 14,706.

*Estimated Cost (Operation and Maintenance):* \$1,164,652.89.

## IV. Public Participation—Submission of Comments on This Notice and Internet Access to Comments and Submissions

You may submit comments in response to this document as follows:

(1) Electronically at <https://www.regulations.gov>, which is the Federal eRulemaking Portal; (2) by facsimile; or (3) by hard copy. Please note: While OSHA's Docket Office is continuing to accept and process submissions by regular mail due to the COVID-19 pandemic, the Docket Office is closed to the public and not able to receive submissions to the docket by hand, express mail, messenger, and courier service. All comments, attachments, and other material must identify the agency name and the OSHA docket number for the ICR (Docket No. OSHA-2011-0195). You may supplement electronic submissions by uploading document files electronically. If you wish to mail additional materials in reference to an electronic or a facsimile submission, you must submit them to the OSHA Docket Office (see the section of this notice titled **ADDRESSES**). The additional materials must clearly identify your electronic comments by your name, date, and the docket number so that the agency can attach them to your comments.

Due to security procedures, the use of regular mail may cause a significant delay in the receipt of comments.

Comments and submissions are posted without change at <https://www.regulations.gov>. Therefore, OSHA cautions commenters about submitting personal information such as social security numbers and date of birth.

Although all submissions are listed in the <https://www.regulations.gov> index, some information (e.g., copyrighted material) is not publicly available to read or download through this website. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Information on using the <https://www.regulations.gov> website to submit comments and access the docket is available at the website's "User Tips" link. Contact the OSHA Docket Office at (202) 693-2350, (TTY) (877) 889-5627 for information about materials not available from the website, and for assistance in using the internet to locate docket submissions.

## V. Authority and Signature

James S. Frederick, Deputy Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506 *et seq.*) and Secretary of Labor's Order No. 1-2012 (77 FR 3912).

Signed at Washington, DC, on February 3, 2022.

**James S. Frederick,**

*Deputy Assistant Secretary of Labor for Occupational Safety and Health.*

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**BILLING CODE 4510-26-P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA-2006-0028]

### MET Laboratories, Inc.: Application for Expansion of Recognition

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Notice.

**SUMMARY:** In this notice, OSHA announces the application of MET Laboratories, Inc., for expansion of its recognition as a Nationally Recognized Testing Laboratory (NRTL) and presents the agency's preliminary finding to grant the application.

**DATES:** Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before March 2, 2022.

**ADDRESSES:** Submit comments by any of the following methods:

*Electronically:* Submit comments and attachments electronically at <https://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the