

refresher training regarding the terms and conditions in the Proposed Decision and Order.

The petitioner asserts that the proposed alternative method will at all times guarantee no less than the same measure of protection as that afforded by the existing standard.

*Docket Number:* M-2013-012-M.

*Petitioner:* Carmeuse Lime & Stone—Luttrell Operation, 486 Clinch Valley Road, Luttrell, Tennessee 37779.

*Mine:* Chesney Underground Mine, MSHA I.D. No. 40-02113, located in Union County, Tennessee.

*Regulation Affected:* 30 CFR 57.11052(d) (Refuge areas).

*Modification Request:* The petitioner requests a modification of the existing standard to use a self-contained refuge chamber providing sufficient packaged water and aviation quality compressed air bottles to last no less than 48 hours for up to 20 miners. The petitioner states that:

(1) The unit contains enough air, water, and nutrients at prescribed levels to sustain occupants for 48 hours. The source of both air and water would not be dependent on exterior air and water lines, which are inherently susceptible to external physical damage and deliver a substandard quality product.

(2) The refuge chamber is constructed of airtight steel and designed to sustain up to 20 miners for a period of no less than 48 hours by provision of fresh air, water, and food. The unit is portable, providing the ability to relocate as necessary during the advancement of mine workings. The unit is equipped with lights, a siren, and a carbon dioxide scrubber. Battery backup power is provided in case of electrical outage, and will provide standby power. The unit will also be provided with a fire extinguisher.

(3) The ability to supply air, water, and reserve power within the refuge chamber itself reduces the susceptibility of the unit to damage from normal mining operations and conditions that may be found in an emergency where the severing of lines may be of concern. To ensure these stored supplies are readily available as needed, daily visual inspections will be performed to ensure that neither exterior damage nor unauthorized entry of the unit has occurred. Detailed monthly inspections will be performed to ensure supplies are within satisfactory expiration periods.

(4) The self-contained properties of the refuge chamber will additionally increase the portability of the unit, providing the flexibility to continuously install the unit closer to working areas of the mine, as appropriate, while

maintaining a sanitary environment for its occupants.

(5) The Chesney Mine employs approximately 88 people. The mine produces a high quality, non-gassy limestone that is used in the production of lime via one kiln located on site. Due to the deposit's approximate dip of 35 degrees, a non-traditional room and pillar design is used in which multiple levels are developed in a stepped pattern.

(6) Ordinarily, less than 20 miners are in the workings at any given moment. The operation uses 11 production miners and one supervisor on the day shift, and five production miners and one supervisor on the night shift. Three mechanical/electrical technicians may work in the mine on either shift and four additional managerial employees may be in the mine intermittently on an as needed basis. As the workings are readily accessible via a traversable slope and portal, the facility has not located office or maintenance shops underground. There is no established access to potable water or compressed air in the mine.

(7) The mine is naturally ventilated, and has no significant history of gas liberation. A 13-foot diameter airshaft and fan located atop the eastern portion of the mine, aid ventilation and is capable of exhausting approximately 160,000 cubic feet per minute. An assortment of auxiliary fans is used underground for localized air control. The mine also has a history of stable roof conditions and, while not required, installs 8-foot grouted roof bolts in a 5x5 foot pattern as part of the regular mining cycle.

(8) A water source delivered in any form of conduit of pipeline has the potential to be damaged in a geologic event or equipment activity. As pipes age, contamination is possible and stagnated water has the potential to deliver bacterial agents to the recipient. Air from the surface would require a compressor to deliver air to the chamber at an elevated pressure. Air from a compressor may be laden with water vapor and lubricants that may reduce its purity. An underground refuge chamber will be fitted with compressed air and sealed water provides remediation to both of these problems.

(9) Training on proper use of the refuge chamber will be provided for all affected personnel annually and additionally upon any relocation of the chamber.

The petitioner asserts that the proposed alternative method will at all times guarantee no less than the same measure or protection afforded by the existing standard.

Dated: January 17, 2014.

**Patricia W. Silvey,**

*Certifying Officer.*

[FR Doc. 2014-01391 Filed 1-23-14; 8:45 am]

**BILLING CODE 4510-43-P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA-2009-0035]

#### Standard on Ethylene Oxide; 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 in the Standard on Ethylene Oxide (EtO) (29 CFR 1910.1047). The standard protects workers from adverse health effects from occupational exposure to ethylene oxide.

**DATES:** Comments must be submitted (postmarked, sent, or received) by March 25, 2014.

**ADDRESSES:**

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

*Facsimile:* If your comments, including attachments, are not longer than 10 pages you may fax them to the OSHA Docket Office at (202) 693-1648.

*Mail, hand delivery, express mail, messenger, or courier service:* When using this method, you must submit a copy of your comments and attachments to the OSHA Docket Office, OSHA Docket No. OSHA-2009-0035, U.S. Department of Labor, Occupational Safety and Health Administration, Room N-2625, 200 Constitution Avenue NW., Washington, DC 20210. Deliveries (hand, express mail, messenger, and courier service) are accepted during the Department of Labor's and Docket Office's normal business hours, 8:15 a.m. to 4:45 p.m., e.t.

*Instructions:* All submissions must include the Agency name and the OSHA docket number (OSHA-2009-0035) for the Information Collection Request (ICR). All comments, including any personal information you provide, are

placed in the public docket without change, and may be made available online at <http://www.regulations.gov>. For further information on submitting comments see the "Public Participation" heading in the section of this notice titled **SUPPLEMENTARY INFORMATION**.

*Docket:* To read or download comments or other material in the docket, go to <http://www.regulations.gov> or the OSHA Docket Office at the address above. All documents in the docket (including this **Federal Register** notice) are listed in the <http://www.regulations.gov> index; however, some information (e.g., copyrighted material) is not publicly available to read or download from the Web site. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. You may also contact Theda Kenney at the address below to obtain a copy of the ICR.

#### FOR FURTHER INFORMATION CONTACT:

Theda Kenney or Todd Owen, Directorate of Standards and Guidance, OSHA, U.S. Department of Labor, Room N-3609, 200 Constitution Avenue NW., Washington, DC 20210; 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 accord with the Paperwork Reduction Act of 1995 (PRA-95) (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 (the 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 OSHA to obtain such information with minimum burden upon employers, especially those operating small businesses, and to reduce to the maximum extent feasible unnecessary duplication of efforts in obtaining information (29 U.S.C. 657).

The EtO Standard specifies a number of paperwork requirements. The following is a brief description of the collection of information requirements contained in the standard.

The information collection requirements specified in the Ethylene Oxide Standard protect workers from the adverse health effects that may result from occupational exposure to ethylene oxide. The principal information collection requirements in the EtO Standard include conducting worker exposure monitoring, notifying workers of the exposure, implementing a written compliance program, and implementing medical surveillance of workers. Also, the examining physician must provide specific information to ensure that workers receive a copy of their medical examination results. The employer must maintain exposure-monitoring and medical records for specific periods, and provide access to these records by OSHA, the National Institute for Occupational Safety and Health, the affected workers, and their authorized representatives and other designated parties.

##### 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, 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

OSHA is requesting that OMB extend its approval of the information collection requirements specified in the Ethylene Oxide Standard. The Agency is requesting an overall adjustment decrease of 6,433 burden hours, from 41,484 to 35,051 burden hours. The decrease in burden hours is primarily due to the decrease in the number of hospital facilities, from 4,001 to 3,155 facilities. The Agency will summarize the comments submitted in response to this notice, and will include this summary in its request to OMB.

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

*Title:* Standard on Ethylene Oxide (29 CFR 1910.1047).

*OMB Control Number:* 1218-0108.

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

*Number of Respondents:* 3,155.

*Frequency of Responses:* On occasion.

*Total Responses:* 204,878.

*Average Time per Response:* Varies from five minutes (.08 hour) for employers to maintain records to one hour for employers to update their compliance plans.

*Estimated Total Burden Hours:* 35,051.

*Estimated Cost (Operation and Maintenance):* \$5,910,696.

#### 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 <http://www.regulations.gov>, which is the Federal eRulemaking Portal; (2) by facsimile (fax); or (3) by hard copy. All comments, attachments, and other material must identify the Agency name and the OSHA docket number for the ICR (Docket No. OSHA-2009-0035). You may supplement electronic submissions by uploading document files electronically. If you wish to mail additional materials in reference to an electronic or 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 the Agency can attach them to your comments.

Because of security procedures, the use of regular mail may cause a significant delay in the receipt of comments. For information about security procedures concerning the delivery of materials by hand, express delivery, messenger, or courier service, please contact the OSHA Docket Office at (202) 693-2350, (TTY) (877) 889-5627).

Comments and submissions are posted without change at <http://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 <http://www.regulations.gov> index, some information (e.g., copyrighted material) is not publicly available to read or download from this Web site. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Information on using the <http://www.regulations.gov>

[www.regulations.gov](http://www.regulations.gov) Web site to submit comments and access the docket is available at the Web site's "User Tips" link. Contact the OSHA Docket Office for information about materials not available from this Web site and for assistance in using the Internet to locate docket submissions.

#### V. Authority and Signature

David Michaels, Ph.D., MPH, 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 January 17, 2014.

**David Michaels,**

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

[FR Doc. 2014-01323 Filed 1-23-14; 8:45 am]

BILLING CODE 4510-26-P

---

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA-2010-0064]

#### OSHA-7 Form ("Notice of Alleged Safety and Health Hazard"); Extension of the Office of Management and Budget's 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 the Office of Management and Budget's (OMB) approval of the information collection requirements specified in the OSHA-7 Form.

**DATES:** Comments must be submitted (postmarked, sent or received) by March 25, 2014.

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

*Facsimile:* If your comments, including attachments, are not longer than 10 pages you may fax them to the OSHA Docket Office at (202) 693-1648.

*Mail, hand delivery, express mail, messenger, or courier service:* When using this method, you must submit a copy of your comments and attachments to the OSHA Docket Office, Docket No.

OSHA-2010-0064, U.S. Department of Labor, Occupational Safety and Health Administration, Room N-2625, 200 Constitution Avenue NW., Washington, DC 20210. Deliveries (hand, express mail, messenger, and courier service) are accepted during the Department of Labor's and Docket Office's normal business hours, 8:15 a.m. to 4:45 p.m., ET.

*Instructions:* All submissions must include the Agency name and the OSHA docket number (OSHA-2010-0064) for the Information Collection Request (ICR). All comments, including any personal information you provide, are placed in the public docket without change, and may be made available online at <http://www.regulations.gov>. For further information on submitting comments see the "Public Participation" heading in the section of this notice titled **SUPPLEMENTARY INFORMATION**.

*Docket:* To read or download comments or other materials in the docket, go to <http://www.regulations.gov> or the OSHA Docket Office at the address above. All documents in the docket (including this **Federal Register** notice) are listed in the <http://www.regulations.gov> index; however, some information (*e.g.*, copyrighted material) is not publically available to read or download from the Web site. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. You may contact Theda Kenney at the address below to obtain a copy of the ICR.

#### FOR FURTHER INFORMATION CONTACT:

Todd Owen or Theda Kenney, Directorate of Standards and Guidance, OSHA, U.S. Department of Labor, Room N-3909, 200 Constitution Avenue NW., Washington, DC 20210; 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.*, workers filing occupational safety or health complaints) burden, conducts a preclearance consultation program to provide the public with an opportunity to comment on proposed and continuing information collection requirements in accord with the Paperwork Reduction Act of 1995 (PRA-95) (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 (the 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 extent feasible unnecessary duplication of efforts in obtaining information (29 U.S.C. 657).

Under paragraphs (a) and (c) of 29 CFR 1903.11 ("Complaints by employees") workers and their representatives may notify the OSHA area director or an OSHA compliance officer of safety and health hazards regulated by the Agency that they believe exist in their workplaces at any time. These provisions state further that this notification must be in writing and "shall set forth with reasonable particularity the grounds for the notice, and shall be signed by the employee or representative of the employee."

In addition to providing specific hazard information to the Agency, paragraph (a) permits workers/worker representatives to request an inspection of the workplace. Paragraph (c) also addresses situations in which workers/worker representatives may provide the information directly to the OSHA compliance officer during an inspection. An employer's former workers may also submit complaints to the Agency.

To address the requirements of paragraphs (a) and (c), especially the requirement that the information be in writing, the Agency developed the OSHA-7 Form; this form standardized and simplified the hazard reporting process. For paragraph (a), they may complete an OSHA-7 Form obtained from the Agency's Web site and then send it to OSHA online, or deliver a hardcopy of the form to the OSHA area office by mail or facsimile, or by hand. They may also write a letter containing the information and hand deliver it to the area office, or send it by mail or facsimile. In addition, they may provide the information orally to the OSHA area office or another party (*e.g.*, a federal safety and health committee for federal workers), in which case the area office or other party completes the hard copy version of the form. For the typical situation addressed by paragraph (c), a worker/worker representative informs an OSHA compliance officer orally of the alleged hazard during an inspection, and the compliance officer then