



## ILLINOIS COAL ASSOCIATION

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December 29, 2017

Mr. Michael A. Chance, Director  
Division of Coal Mine Workers' Compensation  
200 Constitution Avenue, NW  
Room S-3323  
Washington, D.C. 20210

Re: Proposed Collection of Information

Dear Director Chance:

The Illinois Coal Association (ICA) is a professional trade association responsible for the promotion of the Illinois coal industry. In 2016 ICA Members were responsible for over 95% of the coal produced in Illinois, contributing over \$1.5 billion to the state's economy. These comments are submitted by the ICA in response to the Proposed Collection of Information notice published in the Federal Register on October 30, 2017, 82 Fed. Reg. 50166. In addition, the ICA is a member of the National Mining Association and hereby incorporates its comments (attached) herein.

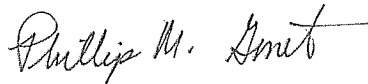
The ICA objects to the proposed information collection requirements for the following reasons:

- 1) The process used by the Department of Labor (Department) to "collect information" violates the Federal Mine Safety and Health Act and the Administrative Procedures Act. Both statutes define the process that a federal agency must pursue when promulgating new, or revising existing, regulatory requirements.
- 2) The information that operators will have to provide and the stipulation for filing a parental guarantee expand well beyond the existing regulatory requirements and impose a level of oversight and financial responsibility not envisioned by the law or the existing regulations.
- 3) The Department is advancing data collection requirements designed to provide cover to reject operator self-insurance applications.

- 4) The new requirement to submit actuarial reports is unnecessary. The current annual review of the operator's financial suitability to self-insure is sufficient.
- 5) The new requirements to include three years of payroll data and the types of security/amounts for each state a company self-insures for Workers' Compensation are excessive and unnecessary.

The ICA respectfully requests withdrawal of the proposed collection requirement forms. Thank you for the opportunity to submit comments.

Sincerely,

A handwritten signature in cursive script that reads "Phillip M. Gonet". The signature is written in black ink and is positioned above the printed name and title.

Phillip M. Gonet  
President