SUPPORTING STATEMENT

Safety Defects; Examination, Correction and Records, 30 C.F.R. §§ 56/57.14100, 56/57.13015, 56/57.13030, and 56/57.18002 (pertains to metal and nonmetal surface and underground mines)

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.

Section 103(h) of the Federal Mine Safety and Health Act of 1977 (Mine Act), 30 U.S.C. § 813, authorizes MSHA to collect information necessary to carry out its duty in protecting the safety and health of miners.

Title 30 C.F.R. §§ 56.13015 and 57.13015 require compressed-air receivers and other unfired pressure vessels be inspected by inspectors holding a valid National Board Commission and in accordance with the applicable chapters of the National Board Inspection Code, a Manual for Boiler and Pressure Vessels Inspectors, 1979. Safety defects found on compressed-air receivers and other unfired pressure vessels have caused injuries and fatalities in the mining industry.

Records of inspections shall be kept in accordance with the requirements of the National Board Inspection Code and the records shall be made available to the Secretary or his/her authorized representative.

Title 30 C.F.R. §§ 56.13030 and 57.13030 require that fired pressure vessels (boilers) be equipped with water level gauges, pressure gauges, automatic pressure-relief valves, blowdown piping and other safety devices approved by the American Society of Mechanical Engineers (ASME) to protect against hazards from overpressure, flameouts, fuel interruptions and low water level.

These sections also require that records of inspection and repairs be retained by the mine operator in accordance with the requirements of the ASME Boiler and Pressure Vessel Code and the National Board Inspection Code (progressive records - no limit on retention time) and shall be made available to the Secretary or his authorized representative.

Title 30 C.F.R. §§ 56.14100 and 57.14100 require operators to inspect equipment, machinery, and tools that are to be used during a shift for safety defects before the equipment is placed in operation. Defects affecting safety are required to be corrected in a timely manner. In instances where the defect makes continued operation of the equipment hazardous to persons, the standards require removal from service, tagging to

identify that it is out of use, and repair before use is resumed.

Safety defects on self-propelled equipment account for many injuries and fatalities in the mining industry. Inspection of this equipment prior to use is required to ensure safe operation. The equipment operator is required to make a visual and operational check of the various primary operating systems that affect safety, such as brakes, lights, tires, steering, and related items. Any defects found are required to be either corrected immediately, or reported to and recorded by the mine operator prior to the timely correction.

A record is not required if unsafe conditions are not present upon examination prior to use if the defect is corrected immediately. The precise format in which the record is kept is left to the discretion of the mine operator.

Reports of uncorrected defects are required to be recorded by the mine operator and kept at the mine office from the date the defects are recorded, until the defects are corrected.

Title 30 C.F.R. §§ 56.18002 and 57.18002 require that a competent person designated by the operator examine each working place at least once each shift for conditions which may adversely affect safety or health. A record of such examinations shall be kept by the operator for a period of one year and shall be made available for review by the Secretary or his/her authorized representative.

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 are used by industry management and maintenance personnel to ensure that defects are not overlooked, that repairs are made, and to monitor when and how often maintenance is performed on certain equipment, machinery, and tools. Additionally, the inspection records denote any hazards that were discovered and how the hazards or unsafe conditions were abated. Federal mine inspectors use the records to ensure that unsafe conditions are identified and corrected.

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.

No improved information technology has been identified that would reduce the burden; however, in order to comply with the Government Paperwork Elimination Act, mine operators may retain the records in whatever method they choose, which may include utilizing computer technology.

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.

There are no similar records that could be used or modified for use in lieu of the required records. The Agency requires a record to be kept to comply with requirements of 30 C.F.R. §§ 56.14100 and 57.14100 only when conditions or situations need close monitoring, maintenance, or repair to safeguard miners using the equipment. Title 30 C.F.R. §§ 56.13015, 57.13015, 56.13030, 57.13030, 56.18002 and 57.18002 require that records be kept of inspections. Such records are used to ensure that a regular inspection schedule is maintained and/or that any unsafe conditions are discovered and corrected.

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. However, MSHA has made available on our web-site various sources of information, such as "Technical Assistance," "Best Practices," and an "Accident Prevention" site which may aid such small businesses and other small entities in complying with and reducing the burden associated with these standards.

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.

Further reductions of these requirements could allow unsafe equipment to remain in operation; thereby, jeopardizing the safety of miners. Section 101(a)(9) of the Mine Act prohibits any regulatory action which would reduce the protection given miners by an existing standard.

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.**

This collection of information is consistent with the guidelines in 5 C.F.R. § 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.

MSHA published a 60-day preclearance Federal Register notice on May 9, 2007 (Volume 72, Number 89, Pages 26427-26428), soliciting public comments regarding the extension of this information collection. No comments were received.

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.

There is no assurance of confidentiality provided to respondents. Records are maintained by the operator.

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.**

Burden cost figures used in this section are based on salaries reported by MSHA - 2005 Survey Results. The salary of a mine supervisor is $47.10 per hour; a MNM miner $22.55 per hour; and clerical staff $22.17per hour.

30 C.F.R. §§ 56.13015 and 57.13015

Approximately 12,557mines are subject to the standards. The standards require that compressed-air receivers and other unfired pressure vessels be inspected by inspectors holding a valid National Board Commission and in accordance with the applicable chapters of the National Board Inspection Code, a manual for Boiler and Pressure Vessels Inspectors, 1979. There are approximately 3,389 compressed-air receivers and other unfired pressure vessels that must be inspected annually. MSHA estimates that the time required for recording would be approximately 10 minutes (.166 hour) per vessel.

3,389 vessels x 1 exam/vessel x .166 hour = 563 hours

56 hours x $47.10/hour wages = $26,517

§§56/57.13015 TOTAL BURDEN 563 HOURS
§§. 56/57.13015 TOTAL COST $ 26,517

Increased burden costs are due to the increase in wages and the increase in vessels at mine sites.

30 C.F.R. §§ 56.13030 and 57.13030

Approximately 12,557mines are subject to the standards. The standards require that records of inspection and repairs be retained by the mine operator in accordance with the requirements of the ASME Boiler and Pressure Vessel Code and the National Board Inspection Code. There are approximately 504 fired pressure vessels (boilers) that must be inspected annually. MSHA estimates that the time required for recording would be approximately 10 minutes (.166 hour).

Recording times:

504 vessels x 1 exam/vessel x .166 hour = 84 hours

84 hours X $47.10/hour wages = $3,853.98

TOTAL BURDEN: 84 HOURS
TOTAL COST: $ 3,956

30 C.F.R. §§ 56.14100 and 57.14100

For the purpose of this analysis, approximately 12,557 metal and nonmetal mines are subject to these standards. These standards require that an inspection be made for every shift for equipment that is to be used. Further, a record is required to be made of any defects affecting safety that are not corrected. A small mine is defined by MSHA as a mine or mill employing fewer than 20 miners and a large mine is defined as a mine or mill employing 20 miners or more. Small mining operations usually have only a few pieces of equipment; larger mines may have 100 or more pieces of equipment.

MSHA estimates that 2,521,568 work shifts occur each year at all mines covered by these standards. Small mines, as defined above, comprise 88% of Metal and Nonmetal mines; large mines comprise 12% of Metal and Nonmetal mines. Small mines are estimated to conduct two inspections every shift. Large mines are estimated to conduct fifteen inspections each shift. MSHA estimates that it will take an average of 5 minutes (.08 hour) to record the required information.

Small Mine Burden and Cost:

2,521,568 work shifts/year X .88 = 2,218,979 shifts/year
2,218,979 shifts/year x 2 inspections/shift = 4,437,960 inspections/year
4,437,960 inspection/year x .08 hour = 355,037 hours/year
355,037 hours/year x $22.55/hour wage = $8,006,084

Large Mine Burden and Cost:

2,521,568 work shifts/year X .12 = 302,588 shifts/year

302,588 shifts/year x 15 inspections/shift = 4,538,820 inspections/year
4,538,820 inspection/year x .08 hour = 363,106 hours/year
363,106 hours/year x $22.55/hour wage = $8,188,040/year

355,037 hours	Small mine burden
363,106 hours	Large mine burden
718,143 hours	Total mine burden

$8,006,084	Small mine cost
$8,188,040	Large mine cost
$16,194,124	Total mine cost

§§ 56/57.14100 TOTAL HOUR BURDEN 718,143 HOURS
§§ 56/57.14100 TOTAL COST $16,194,124

30 C.F.R. §§ 56.18002 and 57.18002

For the purpose of this analysis there are approximately 12,557 mines that are subject to these standards. These standards require that a competent person designated by the mine operator examine each working place at least once each shift for conditions which may adversely affect safety or health. A record that such examinations were conducted shall be kept by the operator for a period of one year and shall be made available for review by the Secretary or his/her authorized representative.

Of the 12,557 mines subject to these standards, 6,687 mines have been designated as intermittent mines. To determine the number of work place examinations occurring at intermittent mines, the average number of hours reported was divided by the average number of employees providing the average number of hours per employee per year. The resultant figure was divided by eight hours, resulting in the estimated number of eight hour work shifts per year. The average number of shifts was multiplied by the number of intermittent mines to obtain 719,187, the total number of workplace examinations for intermittent mines per year.

To determine the number of work place examinations occurring at other Metal and Nonmetal mines, the number of shifts for each day was calculated. The number of shifts each day was multiplied by the calculated number of workdays per year for a total of 1,802,381, the number of work place examinations conducted at all mines except intermittent mines.

The numbers of work place examinations for intermittent and all other mines were added to provide the total number of workplace examinations conducted in Metal and Nonmetal mines for the year. MSHA estimates that the time required for the recordkeeping activities would be approximately 12 minutes (.20 hour) per mine.

Cost/burden determinations are:

719,187 workplace examinations for intermittent mines per year
+1,802,381 workplace examinations for all other mines per year
2,521,568 work place examinations total

2,521,568 x .20 = 504,314 hours spent conducting work place examinations

504,314 hrs x $47.10/hour (Supervisor wage/hour) = $23,753,189

§§ 56/57.18002 TOTAL HOUR BURDEN 504,314 Hours
56/57.18002 TOTAL COST $23,753,189

GRAND TOTAL HOUR BURDEN 1,223,104
GRAND TOTAL COST $39,977,786

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.

There are no additional costs.

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.

Records are examined by Federal mine inspectors in the course of routine mine inspections. Therefore, these requirements do not result in additional cost to the Federal government.

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

The increase in respondents (from 12,163 to 12,557), responses (from 11,442,570 to 11,502,241), and hour burden (from 1,208,407 to 1,223,104) reflects the increase in the number of mines. Burden cost remains unchanged at $0.

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.

There are no forms associated with this information collection; therefore, MSHA is not seeking approval to not display the expiration date for OMB approval of this information collection.

B. Collection of Information Employment 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 methods 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 frequently 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 person(s) who will actually collect and/or analyze the information for the agency.

As statistical analysis is not required by the regulation, questions 1 through 5 do not apply.

Federal Mine Safety & Health Act of 1977,
Public Law 91-173,
as amended by Public Law 95-164

An Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That this Act may be cited as the "Federal Mine Safety and Health Act of 1977".

MANDATORY SAFETY AND HEALTH STANDARDS

SEC. 101. (a) The Secretary shall by rule in accordance with procedures set forth in this section and in accordance with section 553 of title 5, United States Code (without regard to any reference in such section to sections 556 and 557 of such title), develop, promulgate, and revise as may be appropriate, improved mandatory health or safety standards for the protection of life and prevention of injuries in coal or other mines.

(9) No mandatory health or safety standard promulgated under this title shall reduce the protection afforded miners by an existing mandatory health or safety standard.

INSPECTIONS, INVESTIGATIONS, AND RECORDKEEPING

SEC 103(h) In addition to such records as are specifically required by this Act, every operator of a coal or other mine shall establish and maintain such records, make such reports, and provide such information, as the Secretary or the Secretary of Health, Education, and Welfare may reasonably require from time to time to enable him to perform his functions under this Act. The Secretary or the Secretary of Health, Education, and Welfare is authorized to compile, analyze, and publish, either in summary or detailed form, such reports or information so obtained. Except to the extent otherwise specifically provided by this Act, all records, information, reports, findings, citations, notices, orders, or decisions required or issued pursuant to or under this Act may be published from time to time, may be released to any interested person, and shall be made available for public inspection.

30 C.F.R. § 56.14100

Safety defects; examination, correction and records.

SAFETY DEVICES AND MAINTENANCE REQUIREMENTS

(a) Self-propelled mobile equipment to be used during a shift shall be inspected by the equipment operator before being placed in operation on that shift.

(b) Defects on any equipment, machinery, and tools that affect safety shall be corrected in a timely manner to prevent the creation of a hazard to persons.

(c) When defects make continued operation hazardous to persons, the defective items including self-propelled mobile equipment shall be taken out of service and placed in a designated area posted for that purpose, or a tag or other effective method of marking the defective items shall be used to prohibit further use until the defects are corrected.

(d) Defects on self-propelled mobile equipment affecting safety, which are not corrected immediately, shall be reported to and recorded by the mine operator. The records shall be kept at the mine or nearest mine office from the date the defects are recorded, until the defects are corrected. Such records shall be made available for inspection by an authorized representative of the Secretary.

30 C.F.R. § 57.14100

Safety defects; examination, correction and records.

(a) Self-propelled mobile equipment to be used during a shift shall be inspected by the equipment operator before being placed in operation on that shift.

(b) Defects on any equipment, machinery, and tools that affect safety shall be corrected in a timely manner to prevent the creation of a hazard to persons.

(c) When defects make continued operation hazardous to persons, the defective items including self-propelled mobile equipment shall be taken out of service and placed in a designated area posted for that purpose, or a tag or other effective method of marking the defective items shall be used to prohibit further use until the defects are corrected.

(d) Defects on self-propelled mobile equipment affecting safety, which are not corrected immediately, shall be reported to, and recorded by, the mine operator. The records shall be kept at the mine or nearest mine office from the date the defects are recorded, until the defects are corrected. Such records shall be made available for inspection by an authorized representative of the Secretary.

30 C.F.R. § 56.13015

Inspection of compressed-air receivers and other unfired pressure vessels.

(a) Compressed-air receivers and other unfired pressure vessels shall be inspected by inspectors holding a valid National Board Commission and in accordance with the applicable chapters of the National Board Inspection Code, a Manual for Boiler and Pressure Vessel Inspectors, 1979. This code is incorporated by reference and made a part of this standard. It may be examined at any Metal and Nonmetal Mine Safety and Health District Office of the Mine Safety and Health Administration, and may be obtained from the publisher, the National Board of Boiler and Pressure Vessel Inspector, 1055 Crupper Avenue, Columbus, Ohio 43229.

(b) Records of inspections shall be kept in accordance with requirements of the National Board Inspection Code, and the records shall be made available to the Secretary or his authorized representative.

30 C.F.R. § 57.13015

Inspection of compressed-air receivers and other unfired pressure vessels.

(a) Compressed-air receivers and other unfired pressure vessels shall be inspected by inspectors holding a valid National Board Commission and in accordance with the applicable chapters of the National Board Inspection Code, a Manual for Boiler and Pressure Vessel Inspectors, 1979. This code is incorporated by reference and made a part of this standard. It may be examined at any Metal and Nonmetal Mine Safety and Health District Office of the Mine Safety and Health Administration, and may be obtained from the publisher, the National Board of Boiler and Pressure Vessel Inspectors, 1055 Crupper Avenue, Columbus, Ohio 43229.

(b) Records of inspections shall be kept in accordance with requirements of the National Board Inspection Code, and the records shall be made available to the Secretary or his authorized representative.

30 CFR § 56.13030

Boilers.

(a) Fired pressure vessels (boilers) shall be equipped with water level gauges, pressure gauges, automatic pressure-relief valves, blowdown piping, and other safety devices approved by the American Society of Mechanical Engineers to protect against hazards from overpressure, flameouts, fuel interruptions and low water level, all as required by the appropriate sections, chapters and appendices listed in paragraphs (b)(1) and (2) of this section.

(b) These gauges, devices and piping shall be designed, installed, operated, maintained, repaired, altered, inspected, and tested by inspectors holding a valid National Board Commission and in accordance with the following listed sections, chapters and appendices:

(1) The ASME Boiler and Pressure Vessel Code, 1977, Published by the American Society of Mechanical Engineers.

Section and Title
I Power Boilers.
II Material Specifications--Part A--Ferrous.
II Material Specifications--Part B--Non-ferrous.
II Material Specifications--Part C--Welding Rods, Electrodes,
and Filler Metals.
IV Heating Boilers
V Nondestructive Examination
VI Recommended Rules for Care and Operation of Heating Boilers
VII Recommended Rules for Care of Power Boilers

(2) The National Board Inspection Code, a Manual for Boiler and Pressure Vessel Inspectors, 1979, published by the National Board of Boiler and Pressure Vessel Inspectors.

Chapter and Title
I Glossary of Terms
II Inspection of Boilers and Pressure Vessels
III Repairs and Alterations to Boiler and Pressure Vessels by Welding
IV Shop Inspection of Boilers and Pressure Vessels
V Inservice Inspection of Pressure Vessels by Authorized Owner-User
Inspection Agencies

Appendix and Title
A Safety and Safety Relief Valves
B Non-ASME Code Boilers and Pressure Vessels

C Storage of Mild Steel Covered Arc Welding Electrodes
D-R National Board "R" (Repair) Symbol Stamp
D-VR National Board "VR" (Repair of Safety and Safety Relief Valve) Symbol Stamp
D-VR1 Certificate of Authorization for Repair Symbol Stamp for Safety and Safety Relief Valves
D-VR2 Outline of Basic Elements of Written Quality Control System for Repairers of ASME Safety and Safety Relief Valves
D-VR3 Nameplate Stamping for "VR"
E Owner-user Inspection Agencies
F Inspection Forms

(c) Records of inspections and repairs shall be kept in accordance with the requirements of the ASME Boiler and Pressure Vessel Code and the National Board Inspection Code. The records shall be made available to the Secretary or his authorized representative.

(d) Sections of the ASME Boiler and Pressure Vessel Code, 1977, listed in paragraph (b)(1) of this section, and chapters and appendices of the National Board Inspection Code, 1979, listed in paragraph (b)(2) of this section, are incorporated by reference and made a part of this standard. These publications may be obtained from the publishers, the American Society of Mechanical Engineers, 345 East Forty-seventh Street, New York, N.Y. 10017, and the National Board of Boiler and Pressure Vessel Inspectors, 1055 Crupper Avenue, Columbus, Ohio 43229. The publications may be examined at any Metal and Nonmetal Mine Safety and Health District Office of the Mine Safety and Health Administration.

Subpart M--Machinery and Equipment

SOURCE: 53 FR 32521, Aug. 25, 1988, unless otherwise noted.

30 C.F.R. § 57.13030

Boilers.

(a) Fired pressure vessels (boilers) shall be equipped with water level gauges, pressure gauges, automatic pressure-relief valves, blowdown piping, and other safety devices approved by the American Society of Mechanical Engineers to protect against hazards from overpressure, flameouts, fuel interruptions and low water level, all as required by the appropriate sections, chapters and appendices listed in paragraphs (b) (1) and (2) of this section.

(b) These gauges, devices and piping shall be designed, installed, operated, maintained, repaired, altered, inspected, and tested by inspectors holding a valid National Board Commission and in accordance with the following listed sections, chapters and appendices:

(1) The ASME Boiler and Pressure Vessel Code, 1977, published by the American Society of Mechanical Engineers. SECTION AND TITLE

I Power Boilers
II Material Specifications--Part A--Ferrous
II Material Specifications--Part B--Non-ferrous
II Material Specifications--Part C--Welding Rods, Electrodes, and Filler Metals
IV Heating Boilers
V Nondestructive Examination
VI Recommended Rules for Care and Operation of Heating Boilers
VII Recommended Rules for Care of Power Boilers

(2) The National Board Inspection Code, a Manual for Boiler and Pressure Vessel Inspectors, 1979, published by the National Board of Boiler and Pressure Vessel Inspectors.

CHAPTER AND TITLE

I Glossary of Terms
II Inspection of Boilers and Pressure Vessels
III Repairs and Alterations to Boiler and Pressure Vessels by Welding
IV Shop Inspection of Boilers and Pressure Vessels
V Inservice Inspection of Pressure Vessels by Authorized Owner-User Inspection Agencies

APPENDIX AND TITLE

A Safety and Safety Relief Valves
B Non-ASME Code Boilers and Pressure Vessels
C Storage of Mild Steel Covered Arc Welding Electrodes
D-R National Board "R" (Repair) Symbol Stamp
D-VR National Board "VR" (Repair of Safety and Safety Relief Valve) Symbol Stamp
D-VR1 Certificate of Authorization for Repair Symbol Stamp for Safety and Safety Relief Valves
D-VR2 Outline of Basic Elements of Written Quality Control System for Repairers of ASME Safety and Safety Relief Valves
D-VR3 Nameplate Stamping for "VR"
E Owner-User Inspection Agencies
F Inspection Forms

(c) Records of inspections and repairs shall be kept in accordance with the requirements of the ASME Boiler and Pressure Vessel Code and the National Board Inspection Code. The records shall be made available to the Secretary or his authorized representative.

(d) Sections of the ASME Boiler and Pressure Vessel Code, 1977, listed in paragraph (b)(1) of this section, and chapters and appendices of the National Board Inspection Code, 1979, listed in paragraph (b)(2) of this section, are incorporated by reference and made a part of this standard. These publications may be obtained from the publishers, the American Society of Mechanical Engineers, 345 East Forty-seventh Street, New York, N.Y. 10017, and the National Board of Boiler and Pressure Vessel Inspectors, 1055 Crupper Avenue, Columbus, Ohio 43229. The publication may be examined at any Metal and Nonmetal Mine Safety and Health District Office of the Mine Safety and Health Administration.

Subpart M--Machinery and Equipment

Source: 53 FR 32528, Aug. 25, 1988, unless otherwise noted.

30 C.F.R. § 56.18002

Examination of working places.

(a) A competent person designated by the operator shall examine each working place at least once each shift for conditions which may adversely affect safety or health. The operator shall promptly initiate appropriate action to correct such conditions.

(b) A record that such examinations were conducted shall be kept by the operator for a period of one year, and shall be made available for review by the Secretary or his authorized representative.

(c) In addition, conditions that may present an imminent danger which are noted by the person conducting the examination shall be brought to the immediate attention of the operator who shall withdraw all persons from the area affected (except persons referred to in section 104(c) of the Federal Mine Safety and Health Act of 1977) until the danger is abated.

30 C.F.R. § 57.18002

Examination of working places.

SURFACE AND UNDERGROUND

(a) A competent person designated by the operator shall examine each working place at least once each shift for conditions which may adversely affect safety or health. The operator shall promptly initiate appropriate action to correct such conditions.

(b) A record that such examinations were conducted shall be kept by the operator for a period of one year, and shall be made available for review by the Secretary or his authorized representative.

(c) In addition, conditions that may present an imminent danger which are noted by the person conducting the examination shall be brought to the immediate attention of the operator who shall withdraw all persons from the area affected (except persons referred to in section 104(c) of the Federal Mine Safety and Health Act of 1977) until the danger is abated.