

excludes Federal employees operating within their professional capacity, it was only necessary in the currently approved collection to account for the time it takes the medical professional completing Part II of the form in assessing the burden when seeking the emergency PRA clearance. However, since student volunteers are not Federal employees, the time it takes student volunteers to complete the entire form must be accounted for in the burden assessment and requires approval by OMB. As a result, the Department of Labor is requesting approval for an additional 10 respondents, with an equal number of responses, and an additional 2.5 hours of time burden, for respective totals of 160 respondents with an equal number of responses and 44.5 annual burden hours for this form.

The Department of Labor is also proposing to add a new instrument to this ICR. DOL is proposing to add the form Request for a Religious Exception or Delay to the COVID-19 Vaccination Requirement. This religious exemption form is necessary for DOL to determine legal exemptions to the vaccine requirement from student volunteers under Title VII of the Civil Rights Act of 1964. As with the medical exemption noted above, the collection of this form from Federal employees does not require OMB approval. As student volunteers are not considered to be Federal employees, the Department must also account for the burden to complete the form to obtain approval from OMB in order to collect this information from student volunteers. Of the estimated 100 student volunteers the Department is anticipating this summer, DOL is estimating that 10% may request a religious accommodation, for a total of 10 respondents. The Department estimates that it will take respondents 15 minutes to fill out the form. Therefore, the Department of Labor is requesting approval for 10 respondents, with an equal number of responses, and 2.5 hours of time burden, for this form. Accordingly, the total estimated burden for this ICR is 270 respondents, with an equal number of responses, and 47 burden hours.

A Notice Regarding Injunctions

The vaccination requirement issued pursuant to E.O. 14043, is currently the subject of a nationwide preliminary injunction. While that injunction remains in place, DOL will not process requests for a medical or religious exceptions from the COVID-19 vaccination requirement pursuant to E.O. 14043. DOL will also not request the submission of any medical or religious information related to a

request for an exception from the vaccination requirement pursuant to E.O. 14043 while the injunction remains in place. But DOL may nevertheless receive information regarding a medical exception. That is because, if DOL were to receive a request for an exception from the COVID-19 vaccination requirement pursuant to E.O. 14043 during the pendency of the injunction, DOL will accept the request, hold it in abeyance, and notify the volunteer who submitted the request that implementation and enforcement of the COVID-19 vaccination requirement pursuant to E.O. 14043 is currently enjoined and that an exception therefore is not necessary so long as the injunction is in place. In other words, during the pendency of the injunction, any information collection related to requests for medical or religious exceptions from the COVID-19 vaccination requirement pursuant to E.O. 14043 will not be undertaken to implement or enforce the COVID-19 vaccination requirement.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL-OASAM.

Type of Review: Revision.

Title of Collection: Request for a Medical or Religious Exception or Delay to the COVID-19 Vaccination Requirement.

OMB Control Number: 1225-0092.

Forms: Request for a Medical Exception or Delay to the COVID-19 Vaccination Requirement; Request for a Religious Exception or Delay to the COVID-19 Vaccination Requirement.

Affected Public: Individuals or Households.

Total Estimated Number of Respondents: 270.

Frequency: Once.

Total Estimated Number of Responses: 270.

Estimated Average Time per Response: Varies.

Total Estimated Annual Time Burden: 47 hours.

Total Estimated Annual Other Costs Burden: \$0.

(Authority: 44 U.S.C. 3506(c)(2)(A))

Dated: March 1, 2022.

Milton Stewart,

Deputy Assistant Secretary for Operations.

[FR Doc. 2022-04864 Filed 3-7-22; 8:45 am]

BILLING CODE 4510-23-P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by the party listed below.

DATES: All comments on the petitions must be received by MSHA's Office of Standards, Regulations, and Variances on or before April 7, 2022.

ADDRESSES: You may submit comments identified by Docket No. MSHA-2022-0010 by any of the following methods:

1. *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA-2022-0010.
2. *Fax:* 202-693-9441.
3. *Email:* petitioncomments@dol.gov.
4. *Regular Mail or Hand Delivery:*

MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Suite 4E401, Arlington, Virginia 22202-5452.

Attention: S. Aromie Noe, Acting Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk in Suite 4E401. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202-693-9455 to make an appointment, in keeping with the Department of Labor's COVID-19 policy. Special health precautions may be required.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202-693-9440 (voice), Petitionsformodification@dol.gov (email), or 202-693-9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and Title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

3. In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M–2022–002–M.

Petitioner: Nevada Gold Mines, LLC, 1655 Mountain City Highway, Elko, Nevada 89801.

Mine: Exodus Mine, MSHA ID No. 26–02661, located in Eureka County, Nevada.

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

Modification Request: The petitioner requests a modification of 30 CFR 57.11052(d) to permit the use of sealed purified drinking water in lieu of providing potable water through waterlines in the existing refuge chambers and future refuge chambers and locations.

The petitioner states that:

(a) The mine is an underground portal gold mine with 11 refuge chambers located throughout the underground portion of the mine. In the refuge areas, drinkable water is supplied via commercially purchased water in sealed pouches.

(b) The refuge chambers are MineARC refuge chambers and are made of steel. The refuge chambers are equipped for a maximum capacity of between 6 and 16 miners each. This capacity exceeds the normal work crew of approximately 32 miners underground on any shift.

(c) Each refuge chamber is provided with a waterline. The water flowing through these lines is not potable due to the configuration of the waterlines and the water source. Installing waterlines to

provide potable drinking water to each refuge chamber is not feasible due to the lack of essential infrastructure.

(d) The waterlines are susceptible to damage during an emergency and under normal working conditions. The water supply could be cut off completely.

(e) In an emergency, there can be no guarantee of potable drinking water via the waterline for miners using the refuge area. Application of the standard could adversely impact the safety of the affected miners if they were to rely on waterlines running from the portal to the refuge chambers, as these lines are subject to interruption and are inherently less safe than sanitary sealed water pouches located inside the refuge chambers. Sealed water stored inside each refuge chamber ensures that affected miners will have sanitary drinking water available to them in an emergency.

(f) The 11 refuge chambers at the mine are portable. Allowing the use of refuge chambers which do not have to be connected to waterlines provides greater flexibility in the location of the refuge chambers. Refuge chambers can be located in direct relation to where miners are working and relocated quickly to working areas as needed for the protection of miners.

The petitioner proposes the following alternative method:

(a) Drinking water will be supplied via commercially purchased water in sealed individual portion-sized pouches in each refuge chamber. The water is supplied by the case and packaged into 4.227 fluid ounce/125 milliliter portions with 50 individual portion sizes per case.

(b) At a minimum, the refuge chamber will be supplied with 2.25 quarts of water per day per person for 4 days. The total amount of water provided will vary depending on the maximum capacity of the refuge chamber. In a 6-man refuge chamber, a minimum of nine cases of water will be provided. In a 16-man refuge chamber, a minimum of 24 cases of water will be provided.

(c) The water will have a maximum shelf life of 5 years. The operator will replace the existing water supply with fresh water before the water's expiration date. The condition and quantity of water will be confirmed by inspection on no less than a monthly basis.

(d) Written instructions for conservation of water will be provided with the refuge chamber supplies.

(e) All miners affected will receive training in the operation of the refuge chamber and will receive refresher training annually.

(f) The refuge chamber will be inspected monthly and documented by

the Mine Manager or the Manager's designee.

The petitioner asserts that the alternative 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

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by the party listed below.

DATES: All comments on the petitions must be received by MSHA's Office of Standards, Regulations, and Variances on or before April 7, 2022.

ADDRESSES: You may submit comments identified by Docket No. MSHA–2022–0012 by any of the following methods:

1. *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA–2022–0012.

2. *Fax:* 202–693–9441.

3. *Email:* petitioncomments@dol.gov.

4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Suite 4E401, Arlington, Virginia 22202–5452.

Attention: S. Aromie Noe, Acting Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk in Suite 4E401. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202–693–9455 to make an appointment, in keeping with the Department of Labor's COVID–19 policy. Special health precautions may be required.

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