

TABLE IX-2-4.—OVER A WORKING LIFETIME AMONG AFFECTED MINERS, ESTIMATED NUMBER OF CASES OF CWP^a AND PMF^b PREVENTED DUE TO THE IMPLEMENTATION OF SINGLE SAMPLE AND PLAN VERIFICATION

Type of miner	Affected miners, n=	Simple CWP categories 1, 2, 3 or PMF		Simple CWP categories 2 or 3 or PMF		PMF	
		Reduction in risk ^c	Prevented cases, n=	Reduction in risk	Prevented cases, n=	Reduction in risk	Prevented cases, n=
Affected Designated Occupational Miners ^d	901	24.4/1000	22.0	15.5/1000	14.0	7.6/1000	6.8
Affected Non-Designated Occupational Miners ^e	5,406	2.3/1000	12.4	1.5/1000	8.1	0.7/1000	3.18
Affected Roofbolters in Designated Areas ^f	368	19.6/1000	7.2	12.1/1000	4.5	6.0/1000	2.2
Total ^g	6,675	na	42	na	27	na	13

^a Simple CWP: simple coal workers' pneumoconiosis.

^b PMF: progressive massive fibrosis.

^c Reduction in Risk per 1,000 affected miners, over a 45-year working lifetime, at age 73.

^d Affected Designated Occupation (DO) Miners: includes all miners who work at the 57.0 percent of the Mechanized Mining Units under consideration and who are exposed to dust concentrations similar to the DO, over a 45-year occupational lifetime.

^e Affected Non-Designated Occupation (NDO) Miners: includes all underground faceworkers under consideration who are not classified as the DO or a designated area roofbolter.

^f Affected Roofbolter Designated Area (DA) Miners: includes all miners working as roofbolters in the 29.4 percent of roofbolter designated areas exhibiting a pattern of recurrent overexposures.

^g The total miners affected (6,675) is a sub-population of the estimated number of underground coal miners (12,317) working at the mine face.

B. Regulatory Flexibility Certification and Regulatory Flexibility Analysis

MSHA has consulted with the Chief Counsel for Advocacy on this proposed rule and on the Agency's certification of no significant economic impact on a substantial number of small entities covered by this rule. Consistent with Agency practice, notes of any meetings

with the Chief Counsel's office on these rules, or any written communications, will be placed in the rulemaking record.

Using both definitions of small mines, one with fewer than 20 employees and one with 500 or fewer employees, the estimated compliance costs of the proposed rule is either negative or substantially less than 1 percent of

estimated coal revenues, well below the level suggesting that they might have a significant economic impact on a substantial number of small entities. Accordingly, MSHA has certified that this proposed rule would not have a significant economic impact on a substantial number of small entities that are covered by this proposed rule.

TABLE IX-3.—ESTIMATED YEARLY COSTS OF THE PROPOSED PLAN VERIFICATION RULE RELATIVE TO YEARLY REVENUES FOR UNDERGROUND COAL MINES
[dollars in thousands]

Mine size	PV rule net yearly costs ^a	Underground coal mine revenues ^b	Costs as percentage of revenues
< 20 emp.	(\$685)	\$201,700	N/A
≤ 500 emp.	(\$2,535)	5,644,194	N/A

^a Estimated yearly costs are composed of "adjusted" first year costs that have been annualized plus annual costs.

^b Data for revenues derived from: U.S. Department of Labor, Mine Safety and Health Administration, 2000 PEIR data; and U.S. Department of Energy, Energy Information Administration, *Coal Industry Annual 2000*, January 2002, p. 206.

X. Other Statutory Requirements

A. Unfunded Mandates Reform Act of 1995

For purposes of the Unfunded Mandates Reform Act of 1995, this rule does not include any Federal mandate that may result in increased expenditures by State, local, and tribal governments, or increased expenditures by the private sector of more than \$100 million.

B. Paperwork Reduction Act of 1995

The proposed plan verification rule contains information collections which are subject to review by the Office of Management and Budget (OMB) under

the Paperwork Reduction Act of 1995 (PRA95). The proposed plan verification rule has first year only burden hours (those that occur only in the first year) and annual burden hours (which occur in the first year and every year thereafter).

In the First Year of the Plan Verification Proposed Rule

In the first year the proposed plan verification rule is in effect, there would be a *net* decrease of 34,929 burden hours and a related cost reduction of \$704,474.

Table VII-2 in the PREA shows that with respect to first year-only burden hours and costs, there would be a net

increase of 7,609 burden hours and related costs of \$371,273. Table VII-2(a) in the PREA shows that with respect to every year that the proposed plan verification rule is in effect (including the first year), there would be a *net* decrease of 42,538 burden hours and a related cost reduction of \$1,075,747.

In the Second Year of the Proposed Plan Verification Rule and for Every Year Thereafter

After the first year of the proposed plan verification rule, those burden hours and related costs occurring only in the first year would no longer occur, and what remains are only the annual burden hours and related costs.