

would require mine operators to undertake the following actions and to incur associated compliance costs: take corrective action(s) in order to get back into compliance with the applicable dust standard; perform abatement sampling; complete dust data cards; send abatement samples to MSHA; post abatement sample results; write

respirable dust plans; and post a copy of dust plans.

In addition to these estimated compliance costs, mine operators would incur yearly penalty cost increases of about \$1.7 million. Penalty costs conventionally are not considered to be a cost of a rule (and, in fact, are clearly not a compliance cost) but merely a transfer payment to the government

from a party violating a rule. Therefore, the penalty costs are not included as part of the compliance costs of the proposed Single Sample rule. These penalty costs are relevant, however, in determining the economic feasibility of the proposed Single Sample rule.

The derivation of the above cost figures are presented in Chapter IV of the PREA that accompanies this rule.

Table XIII-1
Summary of Compliance Costs
for Single Sample Proposed Rule

| Estimated Costs by Category | <20 emp. | ≥20 emp. ≤500 | >500 emp. | Total |
|--|-----------|------------------|-----------|-------------|
| UNDERGROUND COAL MINES | | | | |
| Corrective Actions | \$370,226 | \$2,247,736 | \$99,686 | \$2,717,648 |
| Dust Plan Revisions | \$659 | \$8,677 | \$330 | \$9,666 |
| Mail Plan Revisions | \$116 | \$785 | \$30 | \$930 |
| Post or Provide Dust Plan | \$125 | \$845 | \$32 | \$1,001 |
| Abatement Sampling | \$43,414 | \$229,250 | \$6,730 | \$279,395 |
| Complete Dust Cards and Mail Cards and Samples | \$2,438 | \$13,993 | \$675 | \$17,105 |
| Post Sample Results | \$270 | \$1,541 | \$72 | \$1,882 |