

DEPARTMENT OF LABOR**Mine Safety and Health Administration****30 CFR Parts 18 and 75**

RIN 1219-AA75

Electric Motor-Driven Mine Equipment and Accessories and High-Voltage Longwall Equipment Standards for Underground Coal Mines**AGENCY:** Mine Safety and Health Administration, (MSHA) Labor.**ACTION:** Proposed rule; limited reopening of the record; request for public comments.

SUMMARY: This notice announces that we (MSHA) have updated our Preliminary Regulatory Impact and Flexibility Analysis (PRIA) for our proposed rule on high-voltage longwall equipment and that we are reopening the rulemaking record for the limited purpose of providing interested parties an opportunity to comment on the updated PRIA. The updated PRIA includes an evaluation of the impact of the part 18 approval requirements on small manufacturers and the impact of the proposed part 75 requirements on small mines. The updated PRIA concludes that the proposal would not have a significant economic impact on a substantial number of these small entities. Only comments addressing the updated PRIA, including the economic impact of the proposal on small manufacturers and small mine operators described in the PRIA, will be considered by MSHA. You may obtain a copy of the updated PRIA from MSHA's Office of Standards, Regulations, and Variances, 4015 Wilson Boulevard, Room 631, Arlington, VA 22203; telephone (703) 235-1910. You may also access our Internet website at <http://www.msha.gov> to obtain an electronic copy.

DATES: Please submit your comments on or before February 28, 2000.

ADDRESSES: You may use mail, facsimile (fax), or electronic mail to MSHA. Clearly identify your comments as such and send them—

(1) By mail to Carol J. Jones, Acting Director, Office of Standards, Regulations, and Variances, 4015 Wilson Boulevard, Room 631, Arlington, VA 22203-1984; or

(2) By fax to MSHA, Office of Standards, Regulations, and Variances, 703-235-5551; or

(3) By electronic mail to comments@msha.gov.

We would appreciate receiving an original hard copy of your comments for accuracy.

FOR FURTHER INFORMATION CONTACT:

Carol J. Jones, Acting Director; Office of Standards, Regulations, and Variances, MSHA; 703-235-1910. Copies of this reopening notice and updated PRIA in alternate formats may be obtained by calling (703) 235-1910.

SUPPLEMENTARY INFORMATION:**I. Background**

On December 4, 1989, (54 FR 50062), we issued a proposed rule revising our electrical safety standards for underground coal mines. That proposal addressed all of our electrical standards for underground coal mines and would have allowed the use of high-voltage longwall equipment; however, it did not specifically focus on the safety issues related to the use of high-voltage longwall equipment. We published a new proposed rule on August 27, 1992, (57 FR 39036) related specifically to the use of high-voltage longwall equipment in underground coal mines. This proposal also addressed approval requirements for high-voltage electrical equipment operated in longwall face areas of underground coal mines. The comment period on the proposal was scheduled to close on October 23, 1992, but was extended to November 13, 1992 (57 FR 48350). Because considerable time had passed since the record had closed, we reopened the rulemaking record on October 18, 1995 (60 FR 53891), to provide all interested parties an opportunity to submit additional comments on the proposed rule. The comment period was scheduled to close on November 14, 1995, but was extended to December 18, 1995 (60 FR 57203), the date on which the record closed. We received no requests for a public hearing on the proposal.

The high-voltage longwall proposal would revise our existing standards to allow the use of high voltage longwall mining systems. Longwall mining is a mining method which has undergone advances in technology during the past 25 years. These technological advances have led to improved, safer systems. The proposal would be implemented in conjunction with revisions to 30 CFR part 18 which would make conforming changes to approval and design requirements for high-voltage equipment. The additional requirements under part 18 are also consistent with advances in mine technology in that they would require high-voltage switchgear used on face equipment to have enhanced safety protection from fire, explosion, and shock hazards.

II. Specific Issue: Regulatory Flexibility Act (RFA)

The RFA requires an agency to analyze a proposed rule's impact on small entities, publish the analysis for public comment, discuss regulatory alternatives considered that are consistent with the purpose of applicable statutes, and explain the rationale for the regulatory option proposed. If there is no significant economic impact on a substantial number of small entities, an agency can so certify, providing a factual basis for the certification. In Chapter V of the PRIA on the high-voltage longwall proposal (available simultaneously with the proposed rule on August 27, 1992), we preliminarily assessed the impact of the proposal and determined that the proposed rule would not have a significant economic impact on a substantial number of small mining operations. The preamble to the proposal also included a discussion of our preliminary conclusions about the impact and cost of the rule. The 1992 PRIA invited the public to comment on these small entity and cost conclusions.

At the time the high voltage proposal was published, we used our traditional definition of a small mine as one that employed fewer than 20 miners. In order to comply fully with the RFA requirements, we must use the Small Business Administration (SBA) definition of a small entity. For the mining industry, SBA defines a "small" mine as one with 500 or fewer employees. To ensure that the high-voltage longwall proposed rule conforms with the RFA, MSHA has analyzed the impact of the proposed rule on mines with 500 or fewer employees (as well as on those with fewer than 20 employees). MSHA determined that the proposed rule would not have a significant economic impact on a substantial number of small mines, whether a small mine is defined as one with 500 or fewer miners or one with fewer than 20 miners. The Agency has further determined that the proposed rule would not have a significant economic impact on a substantial number of small entities engaged in the manufacture of high-voltage longwall equipment. The SBA has defined these small entities as those manufacturers with 750 or fewer employees. To ensure that the PRIA for the high voltage proposal conforms with the appropriate criteria, we have updated our evaluation of the proposal's impact on small mines and small manufacturers in the updated PRIA using the SBA definitions. The updated PRIA also reflects current economic and

industry data and addresses comments received on the PRIA from commenters on the 1992 proposal.

III. Request for Comments

This is a limited reopening of the record to provide you an opportunity to comment on our updated PRIA and its assessment that the high voltage longwall proposal would not have a significant economic impact on a substantial number of small entities, either small mines or small manufacturers of high voltage equipment, as defined by the SBA. We will consider comments addressing the economic impact of the proposal on small manufacturers and small mines and our conclusion, in the updated PRIA, that the proposal would not have a significant economic impact on a substantial number of small entities. Comments addressing the substantive provisions of proposed parts 18 and 75 will not be considered due to the limited scope of this reopening notice.

We encourage you to take advantage of this opportunity to provide information and express your concerns on the specific issues discussed here.

Again, you can obtain a copy of this reopening notice and the updated PRIA by contacting MSHA at the address or telephone number provided at the beginning of this notice. These documents are also available on our website at <http://www.msha.gov>.

Dated: December 13, 1999.

J. Davitt McAteer,

Assistant Secretary for Mine Safety and Health.

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DEPARTMENT OF DEFENSE

Department of the Air Force

32 CFR Part 811

RIN 0701-AA-62

Release, Dissemination, and Sale of Visual Information Materials

AGENCY: Department of the Air Force, DoD.

ACTION: Proposed rule.

SUMMARY: The Department of the Air Force is revising our rules on the Release, Dissemination, and Sale of Visual Information Materials to reflect current policies. Part 811 implements Air Force Instruction (AFI) 33-117, Visual Information Management, and applies to all Air Force activities.

DATES: Submit comments on or before February 28, 2000.

ADDRESSES: Mr. Raymond Dabney, HQ AFCIC/ITSM, 1250 Air Force Pentagon, Washington, DC 20330-1250, 703-588-6136.

FOR FURTHER INFORMATION CONTACT: Mr. Raymond Dabney, HQ AFCIC/ITSM, 703-588-6136.

SUPPLEMENTARY INFORMATION: The Department of the Air Force is revising our rules on the Release, Dissemination, and Sale of Visual Information Materials of the Code of Federal Regulations (CFRs) to reflect current policies. This part implements Air Force Instruction (AFI) 33-117, Visual Information Management, and applies to all Air Force activities.

List of Subjects in 32 CFR Part 811

Archives and records, Motion pictures.

For the reasons stated in the preamble, the Department of the Air Force is proposing to revise 32 CFR part 811 as follows:

PART 811—RELEASE, DISSEMINATION, AND SALE OF VISUAL INFORMATION MATERIALS

Sec.

- 811.1 Exceptions.
- 811.2 Release of visual information materials.
- 811.3 Official requests for visual information productions or materials.
- 811.4 Selling visual information materials.
- 811.5 Customers exempt from fees.
- 811.6 Visual information product/material loans.
- 811.7 Collecting and controlling fees.
- 811.8 Forms prescribed.

Authority: 10 U.S.C. 8013.

§ 811.1 Exceptions.

The following does not apply to:

(a) Visual information (VI) materials made for the Air Force Office of Special Investigations for use in an investigation or a counterintelligence report. (See Air Force Instruction (AFI) 90-301, The Inspector General Complaints, describes who may use these materials.)

(b) VI materials made during Air Force investigations of aircraft or missile mishaps according to AFI 91-204, Safety Investigations and Reports. (See AFI 90-301.)

§ 811.2 Release of visual information materials.

(a) Only the Secretary of the Air Force for Public Affairs (SAF/PA) clears and releases Air Force materials for use outside Department of Defense (DoD), according to AFI 35-205, Air Force Security and Policy Review Program.

(b) The Secretary of the Air Force for Legislative Liaison (SAF/LL) arranges the release of VI material through SAF/

PA when a member of Congress asks for them for official use.

(c) The International Affairs Division (HQ USAF/CVAII) or, in some cases, the major command (MAJCOM) Foreign Disclosure Office, must authorize release of classified and unclassified materials to foreign governments and international organizations or their representatives.

§ 811.3 Official requests for visual information productions or materials.

(a) Send official Air Force requests for productions or materials from the DoD Central Records Centers by letter or message. Include:

(1) Descriptions of the images needed, including media format, dates, etc.

(2) Visual information record identification number (VIRIN), production, or Research, development, test, and evaluation (RDT&E) identification numbers, if known.

(3) Intended use and purpose of the material.

(4) The date needed and a statement of why products are needed on a specific date.

(b) Send inquiries about motion picture or television materials to the Defense Visual Information Center (DVIC), 1363 Z Street, Building 2730, March ARB, CA 92518-2703.

(c) Send Air Force customer inquiries about still photographic materials to 11 CS/SCUA, Bolling AFB, Washington, DC 20332-0403 (the Air Force accessioning point).

(d) Send non-Air Force customers' inquiries about still photographic materials to the DVIC.

§ 811.4 Selling visual information materials.

(a) Air Force VI activities cannot sell materials.

(b) HQ AFCIC/ITSM may approve the loan of copies of original materials for federal government use.

(c) Send requests to buy:

(1) Completed, cleared, productions, to the National Archives and Records Administration, National Audiovisual Center, Information Office, 8700 Edgeworth Drive, Capitol Heights, MD 20722-3701.

(2) Nonproduction VI motion media to the DVIC. The center may sell other Air Force VI motion picture and television materials, such as historical and stock footage. When it sells VI motion media, the DVIC assesses charges, unless § 811.5 exempts the requesting activity.

(3) VI still media to the DoD Still Media Records Center (SMRC), Attn: SSRC, Washington, DC 20374-1681. When SMRC sells VI still media, the