

the President, practitioners, researchers, students, the media, and others interested in criminal justice statistics.

In 2003, the Prison Rape Elimination Act (PREA or the Act) was signed into law. The Act requires BJS to “carry out, for each calendar year, a comprehensive statistical review and analysis of the incidence and effects of prison rape.” The Act further instructs BJS to collect survey data: “. . . the Bureau shall . . . use surveys and other statistical studies of current and former inmates. . . .”

To implement the Act, BJS developed the National Prison Rape Statistics Program (NPRS), which includes four separate data collection efforts: the Survey on Sexual Violence (SSV), the National Inmate Survey (NIS), the National Survey of Youth in Custody (NSYC), and the National Former Prisoner Survey (NFPS). The NIS collects information on sexual victimization self-reported by inmates held in adult correctional facilities, both prisons and jails. The NIS has been conducted three times, in 2007 (NIS-1), in 2008–09 (NIS-2), and in 2011–12 (NIS-3). Each iteration of NIS was conducted in at least one facility in all 50 states and the District of Columbia. In each iteration of the survey, inmates completed the survey using an audio computer-assisted self-interview (ACASI), whereby they heard questions and instructions via headphones and responded to the survey items via a touchscreen interface.

The collection requested in this notice is the fourth iteration of the National Inmate Survey in Jails. For NIS-4, administration of the survey in prisons will take place separately from survey administration in jails. This collection request is specific to conducting the survey in adult jail facilities.

The survey instrument for the NIS-4 in Jails is slightly modified from the previous iterations. The main difference is the addition of a new set of incident-specific questions administered to respondents who affirmatively indicate they were sexually victimized at some point in the previous 12 months while housed in their current jail facility. These incident-specific questions will provide information to the public on the nature of sexual victimization in jails, such as where incidents occurred within the facility, the relationship between the victim and the alleged perpetrator(s), and whether the victim suffered any injuries as a result of the incident, among other incident characteristics.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* Prior to data collection

commencing in 2021, BJS will coordinate the logistics of NIS-4 survey administration with staff at jail facilities. Because the administration of this survey in prisons is not included in this request, the overall number of burden hours is lower than in the last request approved in 2010. However, the reported burden also different due to changes in reporting. It is estimated that 290 facility respondents will devote 150 minutes of time to this coordination effort, not including staff escort time. During data collection in 2023, jail staff will escort an estimated 65,360 jail inmates to/from the interviews, which consists of a short consent administration and an approximately 35-minute survey.

6. *An estimate of the total public burden (in hours) associated with the collection:* This collection was previously approved for implementation in both adult prisons and jails. The current request will only be implemented in adult jails, thereby reducing the total number of facility staff and respondents required to participate. The total estimated NIS-4 Jails public burden, inclusive of facility staff and respondent burden estimates, is 64,010 hours. This comprises 17,065 hours of facility staff burden and 46,945 hours of respondent interviewing burden. This burden estimate assumes 100% participation from both facilities and inmates, but historically both facility and inmate participation have not reached 100%. For purposes of comparison, during Year 3 of the NIS, the total maximum burden was estimated at 68,078 hours for the jail sample. The total burden used was 33,022 hours.

If additional information is required contact: Robert Houser, Assistant Director, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 3E.405A, Washington, DC 20530.

Dated: July 14, 2022.

**Robert Houser,**  
Assistant Director, Policy and Planning Staff,  
U.S. Department of Justice.

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## DEPARTMENT OF LABOR

### Agency Information Collection Activities; Coke Oven Emissions Standard

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** The Department of Labor (DOL) is submitting this Occupational Safety & Health Administration (OSHA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

**DATES:** The OMB will consider all written comments that the agency receives on or before August 19, 2022.

**ADDRESSES:** Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency’s estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

**FOR FURTHER INFORMATION CONTACT:** Nicole Bouchet by telephone at 202-693-0213, or by email at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

**SUPPLEMENTARY INFORMATION:** The purpose of this standard and its information collection requirements is to provide protection for workers from the adverse effects associated with occupational exposure to coke oven emissions. Employers must monitor worker exposure, reduce worker exposure to permissible exposure limits, and provide medical examinations and other information to workers pertaining to coke oven emissions. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on May 2, 2022 (87 FR 25674).

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-OSHA.

*Title of Collection:* Coke Oven Emissions Standard.

*OMB Control Number:* 1218-0128.

*Affected Public:* Private Sector—Businesses or other for-profits.

*Total Estimated Number of Respondents:* 1,378.

*Total Estimated Number of Responses:* 18,470.

*Total Estimated Annual Time Burden:* 34,787 hours.

*Total Estimated Annual Other Costs Burden:* \$369,173.

(Authority: 44 U.S.C. 3507(a)(1)(D))

**Nicole Bouchet,**

*Senior PRA Analyst.*

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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 of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by the party listed below.

**DATES:** All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before August 19, 2022.

**ADDRESSES:** You may submit comments identified by Docket No. MSHA-2022-0036 by any of the following methods:

1. *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA-2022-0036.
2. *Fax:* 202-693-9441.
3. *Email:* [petitioncomments@dol.gov](mailto: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, 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](mailto: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.

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-2022-011-C.

*Petitioner:* Canyon Fuels Company, LLC, HC35, Box 380, Helper, Utah 84526.

*Mine:* Skyline Mine No. 3, MSHA ID No. 42-01566, located in Carbon County, Utah.

*Regulation Affected:* 30 CFR 75.312(c), Main mine fan examinations and records.

*Modification Request:* The petitioner requests a modification of 30 CFR 75.312 (c) to permit an alternate method of performing the automatic fan

signaling device testing without stopping the fan and without removing the miners from the mine.

The petitioner states that:

(a) Fan stoppage for testing introduces contaminants into the mine atmosphere from the worked-out area behind the longwall tailgate.

(b) Any delay of a fan restart beyond 15 minutes after shutdown for testing could result in a lengthy restart of the mine operating systems.

The petitioner proposes the following alternative method:

(a) Installing a valve in the system monitoring the water gauge of the fan pressure monitoring system. The water gauge installed at each main mine fan is a magnehelic gauge with electronic pickups, which are integrated into the atmospheric monitoring system (AMS). When the valve is closed, the AMS will detect zero fan pressure and activate the alarm.

(b) The electrical current of each main mine fan motor is monitored with amp gauges integrated into the AMS system. An interruption in the electrical current to a main mine fan motor will activate the audible fan alarm signal.

(c) When the fan stoppage signal system is tested, an audible fan signal alarm sounds at the surface location where a responsible person is on duty, verifying the performance of the fan alarm signal system. The responsible person is provided with two-way communication to working sections and workstations.

(d) Every 5 to 7 months, each automatic fan signal device and signal alarm shall be tested by stopping the fan to ensure that the automatic signal device activates the alarm when the fan stops.

(e) By the end of the shift on which the test of the automatic fan signal devices is completed, the person(s) performing the test(s) shall record the result of the test(s) in a secure book. The record book shall be retained at a surface location at the mine for at least 1 year and shall be made available for inspection by an authorized representative of the Secretary and the representative of the miners. Such recording shall also indicate the general repair of the system.

(f) Within 60 days of the PDO being granted, the Petitioner shall submit proposed revisions for its approved Part 48 training plan to the MSHA District Manager. These proposed revisions shall include initial and refresher training regarding compliance with the PDO.

(g) Persons performing tests under the provisions of the PDO must be specifically trained on the proper