

*Total Annualized capital/startup costs:* \$0.

*Total Annual Costs (operating/maintaining systems or purchasing services):* \$0.

**Description:** The Service Contract Act (SCA) and Regulation 29 CFR part 4 impose certain recordkeeping and incidental reporting requirements applicable to employers with employees performing on service contracts within the Federal government. The basic payroll recordkeeping requirements contained in this regulation, Sec. 4.6(g)(1)(i) through (iv), have been previously approved under OMB-1215-0017, which constitutes the basic recordkeeping regulations for all laws administered by the Wage and Hour Division. This information collection contains three requirements not cleared under the above information collection. They are: A vacation benefit seniority list, which is used by the contractor to determine vacation fringe benefit entitlements earned and accrued by service contract employees who were employed by predecessor contractors; a conformance record report, which is used by Wage and Hour to determine the appropriateness of the conformance and compliance with the SCA and its regulations; and a collective bargaining agreement, submitted by the contracting agency to Wage and Hour to be used in the issuance of wage determinations for successor contracts subject to section 2(a) and 4(c) of the SCA.

**Darrin A. King,**

*Acting Departmental Clearance Officer.*

[FR Doc. 04-16540 Filed 7-20-04; 8:45 am]

**BILLING CODE 4510-27-P**

## DEPARTMENT OF LABOR

### Employment Standards Administration

#### Proposed collection; comment request

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection

requirements on respondents can be properly assessed. Currently, the Employment Standards Administration is soliciting comments concerning the proposed collection: Report of Construction Contractor's Wage Rates (WD-10). A copy of the proposed information collection request can be obtained by contacting the office listed below in the addresses section of this Notice.

**DATES:** Written comments must be submitted to the office listed in the addresses section below on or before September 20, 2004.

**ADDRESSES:** Ms. Hazel M. Bell, U.S. Department of Labor, 200 Constitution Ave., NW, Room S-3201, Washington, DC 20210, telephone (202) 693-0418, fax (202) 693-1451, *Email bell.hazel@dol.gov*. Please use only one method of transmission for comments (mail, fax, or Email).

#### SUPPLEMENTARY INFORMATION

##### I. Background

The Davis-Bacon Act (40 U.S.C. 3141, *et seq.*) provides that every contract in excess of \$2,000 to which the United States or the District of Columbia is a party for construction, alteration, and/or repair which requires or involves the employment of mechanics and/or laborers shall contain a provision stating the minimum wages to be paid various classes of laborers and mechanics which shall be based upon the wages that will be determined by the Secretary of Labor to be prevailing for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work in the city, town, village or other civil subdivision of the State in which the work is to be performed. Further, Section 1.3 of Regulations 29 CFR part 1 provides that the Administrator of the Wage and Hour Division (WHD), through a delegation of authority, is responsible for making these wage determinations. Form WD-10 is used by the U.S. Department of Labor to elicit construction project data from contractor associations, contractors and unions. The wage data is used to determine locally prevailing wages under the Davis-Bacon and Related Acts. This information collection is currently approved for use through February 28, 2005.

##### II. Review Focus

The Department of Labor is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including

whether the information will have practical utility;

- evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- enhance the quality, utility and clarity of the information to be collected; and
- minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

##### III. Current Actions

The Wage and Hour Division seeks the approval of the extension of this information collection to obtain wage data in order to determine current prevailing wage rates in the various localities throughout the country.

*Type of Review:* Extension.

*Agency:* Employment Standards Administration.

*Title:* Report of Construction Contractor's Wage Rates.

*OMB Number:* 1215-0046.

*Agency Number:* WD-10.

*Affected Public:* Business or other for-profit.

*Total Respondents:* 37,500.

*Total Annual Responses:* 75,000.

*Time Per Response:* 20 minutes.

*Estimated Total Burden Hours:* 25,000.

*Frequency:* On occasion.

*Total Burden Cost (capital/startup):* \$0.

*Total Burden Cost (operating/maintenance):* \$0.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: July 15, 2004.

**Sue R. Blumenthal,**

*Acting Chief, Branch of Management Review and Internal Control, Division of Financial Management, Office of Management, Administration and Planning, Employment Standards Administration.*

[FR Doc. 04-16539 Filed 7-20-04; 8:45 am]

**BILLING CODE 4510-27-P**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Petitions for Modification

The following parties have filed petitions to modify the application of

existing safety standards under section 101(c) of the Federal Mine Safety and Health Act of 1977.

### 1. Consolidation Coal Company

[Docket No. M-2004-025-C]

Consolidation Coal Company, 1800 Washington Road, Pittsburgh, Pennsylvania 15241 has filed a petition to modify the application of 30 CFR 75.312(c) and (d) (Main mine fan examinations and records) to its Loveridge No. 22 Mine (MSHA I.D. No. 46-01433) located in Marion County, West Virginia. The petitioner requests a modification of the existing standard to permit testing at least every 31 days of the automatic closing door(s) and the automatic fan signal device without shutting down the fan and without removing miners from the mine. The petitioner proposes to provide the fans with an alarm system consisting of a mechanical switch that will be mounted to the fan housing and designed to activate a relay in the fan monitoring panel when the air reversal prevention door is in the closed position. The relay will activate a warning light near the door location and provide an audible and visible alarm at a location where a responsible person will always be on duty when miners are working underground, and will have two-way communication with working sections. The petitioner states that a magnetic switch may be used if approved by the District Manager. The petitioner has listed in this petition for modification specific terms and conditions that will be used when the proposed alternative method is implemented. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

### 2. Ohio County Coal Company

[Docket No. M-2004-026-C]

Ohio County Coal Company, PO Box 39, Centertown, Kentucky 42328 has filed a petition to modify the application of 30 CFR 75.1103-4 (Automatic fire sensor and warning device systems; installation; minimum requirements) to its Big Run Underground Mine (MSHA I.D. No. 15-18552) located in Ohio County, Kentucky. The petitioner proposes to install a carbon monoxide monitoring system as an early warning fire detection system near the center and in the upper third of the belt entry in a location that would not expose personnel working on the system to unsafe situations. The petitioner has listed in this petition for modification specific terms & conditions that will be

used when the proposed alternative method is implemented. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

### 3. Snyder Coal Company

[Docket No. M-2004-027-C]

Snyder Coal Company, 66 Snyder Lane, Hegins, Pennsylvania 17938 has filed a petition to modify the application of 30 CFR 49.2 (Availability of mine rescue teams) to its No. 1 Rock Slope (MSHA I.D. No. 36-09256) located in Schuylkill County, Pennsylvania. The petitioner requests a modification of the standard to permit the reduction of two mine rescue teams with five members and one alternate each, to two mine rescue teams of three members with one alternate for either team. The petitioner asserts that an attempt to utilize five or more rescue team members in the mine's confined working places would result in diminution of safety to both the miners at the mine and members of the rescue team, and that the proposed alternative method would provide at least the same measure of protection as the existing standard.

### 4. Snyder Coal Company

[Docket No. M-2004-028-C]

Snyder Coal Company, 66 Snyder Lane, Hegins, Pennsylvania 17938 has filed a petition to modify the application of 30 CFR 75.1100-2(a) (Quantity and location of firefighting equipment) to its No. 1 Rock Slope (MSHA I.D. No. 36-09256) located in Schuylkill County, Pennsylvania. The petitioner requests a modification of the standard to permit use of only portable fire extinguishers to replace existing requirements where rock dust, water cars, and other water storage equipped with three (3) ten quart pails is not practical. The petitioner proposes to use two (2) portable fire extinguishers near the slope bottom and an additional portable fire extinguisher within 500 feet of the working face for equivalent fire protection for the No. 1 Rock Slope Mine. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

### 5. Snyder Coal Company

[Docket No. M-2004-029-C]

Snyder Coal Company, 66 Snyder Lane, Hegins, Pennsylvania 17938 has filed a petition to modify the application of 30 CFR 75.1200(d) & (i) (Mine map) to its No. 1 Rock Slope Mine (MSHA I.D. No. 36-09256) located

in Schuylkill County, Pennsylvania. The petitioner proposes to use cross-sections instead of contour lines through the intake slope, at locations of rock tunnel connections between veins, and at 1,000 foot intervals of advance from the intake slope; and to limit the required mapping of the mine workings above and below to those present within 100 feet of the vein being mined except when veins are interconnected to other veins beyond the 100-foot limit through rock tunnels. The petitioner asserts that due to the steep pitch encountered in mining anthracite coal veins, contours provide no useful information and their presence would make portions of the map illegible. The petitioner further asserts that use of cross-sections in lieu of contour lines has been practiced since the late 1800's thereby providing critical information relative to the spacing between veins and proximity to other mine workings which fluctuate considerably. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

### 6. Snyder Coal Company

[Docket No. M-2004-030-C]

Snyder Coal Company, 66 Snyder Lane, Hegins, Pennsylvania 17938 has filed a petition to modify the application of 30 CFR 75.1202 and 75.1202-1(a) (Temporary notations, revisions, and supplements) to its No. 1 Rock Slope Mine (MSHA I.D. No. 36-09256) located in Schuylkill County, Pennsylvania. The petitioner proposes to revise and supplement mine maps annually instead of every 6 months as required, and to update maps daily by hand notations. The petitioner also proposes to conduct surveys prior to commencing retreat mining and whenever either a drilling program under 30 CFR 75.388 or plan for mining into inaccessible areas under 30 CFR 75.389 is required. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

### 7. Eastern Associated Coal Corporation

[Docket No. M-2004-031-C]

Eastern Associated Coal Corporation, 1970 Barrett Court, PO Box 1990, Henderson, Kentucky 42419 has filed a petition to modify the application of 30 CFR 75.364(b)(7) (Weekly examination) to its Federal No. 2 Mine (MSHA I.D. No. 46-01456) located in Monongalia County, West Virginia. The petitioner requests a modification of the existing standard to permit the use of a 480-volt 3 phase alternating current electric

power circuit for its non-permissible deep well submersible pump that would: (i) Contain either a direct or derived neutral resistor at the source transformer or power center, and a grounding circuit originating at the grounded side of the grounding resistor extended along with the power conductors and serve as the grounding conductor for the frame of the pump; (ii) contain a grounding resistor that limits the ground fault current to not more than 15 amperes, and rated for the maximum fault current available and insulated from the ground for a voltage equal to the phase-to-phase voltage of the system; (iii) provide protection by suitable circuit breaker of adequate interrupting capacity with devices to provide protection against under voltage, grounded phase, short-circuit, and overload; (iv) contain a disconnecting device installed in conjunction with the circuit breaker to provide visual evidence that the power is disconnected; and (v) provide controls to shut the pumps down in low flow conditions. The petitioner states that the controls will monitor for low current which is an indication of low flow conditions; that a certified person will conduct weekly electrical checks; and that the monthly examination of electrical equipment required by 30 CFR 77.502 will include a functional test of the grounded phase protective devices to determine the proper operation and record. The results of the functional tests will be recorded in the approved "Examination of Electrical Equipment" record books. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

### 8. Cotter Corporation

[Docket No. M-2004-007-M]

Cotter Corporation, 7800 E. Dorado Place, Suite 210, Englewood, Colorado 80111 has filed a petition to modify the application of 30 CFR 57.11055 (Inclined escapeways) to its C-JD-9 Mine (MSHA I.D. No. 05-03066) located in Montrose County, Colorado. The petitioner requests modification of the existing standard to permit the portable emergency hoisting facility (truck) to be stored in a safe area at the Nucla, Colorado office and yard and transported to the mine site when necessary for the emergency escape of the miners, and allow the provisions of 30 CFR 57.11050(b) to be used until the emergency hoisting facility is located over the borehole and ready to evacuate the miners. The petitioner has listed in this petition specific terms and conditions that will be applied when

the proposed alternative method is implemented. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

Request for Comments: Persons interested in these petitions are encouraged to submit comments via e-mail to [comments@msha.gov](mailto:comments@msha.gov), by fax at (202) 693-9441, or by regular mail to the Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209. All comments must be postmarked or received in that office on or before August 20, 2004. Copies of these petitions are available for inspection at that address.

Dated at Arlington, Virginia this 15th day of July 2004.

**Marvin W. Nichols, Jr.,**

*Director, Office of Standards, Regulations, and Variances.*

[FR Doc. 04-16481 Filed 7-20-04; 8:45 am]

**BILLING CODE 4510-43-P**

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 04-091]

### National Environmental Policy Act; Development of Advanced Radioisotope Power Systems

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Extension of the scoping period.

**SUMMARY:** Pursuant to the National Environmental Policy Act of 1969, as amended (NEPA) (42 U.S.C. 4321 *et seq.*), the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA (40 CFR parts 1500-1508), and NASA's policy and procedures (14 CFR subpart 1216.3), NASA announced its intent to conduct scoping and to prepare a Tier I Environmental Impact Statement (EIS) for the development of advanced Radioisotope Power Systems (RPSs) on April 22, 2004 in the **Federal Register** (69 FR 21867). This notice is to inform the public that the scoping period for the Advanced Radioisotope Power Systems EIS has been extended through July 30, 2004.

NASA, in cooperation with the U.S. Department of Energy (DOE), proposes to develop two types of advanced RPSs to satisfy a wide of range of future space exploration mission requirements. These advanced RPSs would be capable of functioning in the vacuum of space and in the environments encountered on the surfaces of the planets, moons

and other solar system bodies. These power systems would be based upon the General Purpose Heat Source (GPHS) previously developed by DOE and used in the Radioisotope Thermoelectric Generators for the Galileo, Ulysses, and Cassini missions. The advanced RPSs would be capable of providing long-term, reliable electrical power to spacecraft across the range of conditions encountered in space and planetary surface missions. The Tier I EIS will address in general terms the development and qualification for flight of advanced RPSs using passive or dynamic systems to convert the heat generated from the decay of plutonium to electrical energy, and research and development of technologies that could enhance the capability of future RPS systems. This development activity would include, but not necessarily be limited to: (1) New power conversion technologies to more efficiently use the heat energy from the GPHS module, and (2) improving the versatility of the RPS so that it would be capable of operating for extended periods both in the vacuum of space and in planetary atmospheres. For more detailed information see the original **Federal Register** notice cited above.

**DATES:** Interested parties are invited to submit comments on environmental concerns in writing on or before July 30, 2004, to assure full consideration during the scoping process.

**ADDRESSES:** Comments should be addressed to Dr. George Schmidt, NASA Headquarters, Code S, Washington, DC 20546-0001. While hardcopy comments are preferred, comments may be sent by electronic mail to: [rpseis@nasa.gov](mailto:rpseis@nasa.gov).

**FOR FURTHER INFORMATION CONTACT:** Dr. George Schmidt, NASA Headquarters, Code S, Washington, DC 20546-0001, by telephone at 202-358-0113, or by electronic mail at [rpseis@nasa.gov](mailto:rpseis@nasa.gov).

**Jeffrey E. Sutton,**

*Assistant Administrator for Institutional and Corporate Management.*

[FR Doc. 04-16592 Filed 7-20-04; 8:45 am]

**BILLING CODE 7501-01-P**

## NATIONAL COUNCIL ON DISABILITY

### Cultural Diversity Advisory Committee Meetings (Teleconference)

*Time and Date:* 1 p.m. e.d.t., August 20, 2004.

*Place:* National Council on Disability, 1331 F Street, NW., Suite 850, Washington, DC.

**AGENCY:** National Council on Disability (NCD).