

DEPARTMENT OF LABOR**Mine Safety and Health Administration****Proposed Information Collection Request Submitted for Public Comment and Recommendations; Independent Contractor Registration and Identification****ACTION:** Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden conducts a pre-clearance 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 Mine Safety and Health Administration (MSHA) is soliciting comments concerning the proposed extension of the information collection related to the Independent Contractor Registration and Identification.

DATES: Submit comments on or before November 29, 2005.

ADDRESSES: Send comments to U.S. Department of Labor, Mine Safety and Health Administration, John Rowlett, Director, Management Services Division, 1100 Wilson Boulevard, Room 2134, Arlington, VA 22209-3939. Commenters are encouraged to send their comments on a computer disk, or via e-mail to Rowlett.John@dol.gov, along with an original printed copy. Mr. Rowlett can be reached at (202) 693-9827 (voice), or (202) 693-9801 (facsimile).

FOR FURTHER INFORMATION: Contact the employee listed in the **ADDRESSES** section of this notice.

SUPPLEMENTARY INFORMATION:**I. Background**

Independent contractors performing services or construction at mines are subject to the Federal Mine Safety and Health Act of 1977. Title 30 CFR 45.4(b) requires mine operators to maintain a written summary of information concerning each independent contractor present on the mine site. The information includes the trade name, business address, and telephone number; a brief description and the

location on the mine of the work to be performed; MSHA identification number, if any; and the contractor's business address of record. This information is required to be provided for inspection and enforcement purposes by the mine operator to any MSHA inspector upon request.

Title 30 CFR 45.3 provides that independent contractors may voluntarily obtain a permanent MSHA identification number by submitting to MSHA their trade name and business address, a telephone number, an estimate of the annual hours worked by the contractor on mine property for the previous calendar year, and the address of record for service of documents upon the contractor. Independent contractors performing services or construction at mines are subject to the Federal Mine Safety and Health Act of 1977 (Mine Act) and are responsible for violations of the Mine Act committed by them or their employees.

Although Independent Contractors are not required to apply for the identification number, they will be assigned one by MSHA the first time they are cited for a violation of the Mine Act. MSHA uses the information to issue a permanent MSHA identification number to the independent contractor.

II. Desired Focus of Comments

Currently, the Mine Safety and Health Administration (MSHA) is soliciting comments concerning the proposed extension of the information collection requirement related to Independent Contractor Registration and Identification. MSHA is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of MSHA's functions, including whether the information has practical utility;
- Evaluate the accuracy of MSHA's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Suggest methods to enhance the quality, utility, and clarity of the information to be collected; and
- Address 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) to minimize the burden of the collection of information on those who are to respond.

A copy of the proposed information collection request can be obtained by contacting the employee listed in the **ADDRESSES** section of this notice or

viewed on the Internet by accessing the MSHA home page (<http://www.msha.gov>) and then choosing "Compliance Assistance", "Compliance Information" and the "Paperwork Reduction Act Submissions."

III. Current Actions

The information obtained from the contractors is used by MSHA during inspections to determine proper responsibility for compliance with safety and health standards.

Type of Review: Extension.

Agency: Mine Safety and Health Administration.

Title: Independent Contractor Registration and Identification.

OMB Number: 1219-0040.

Affected Public: Business or other for-profit.

Cite/Reference/Form/etc: 30 CFR part 45.

Total Respondents: 15,140.

Frequency: On occasion.

Total Responses: 100,665.

Estimated Total Burden Hours: 13,396 hours.

Estimated Total Burden Cost: \$183,742.

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 at Arlington, Virginia, this 20th day of September, 2005.

David L. Meyer,

Director, Office of Administration and Management.

[FR Doc. 05-19550 Filed 9-29-05; 8:45 am]

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DEPARTMENT OF LABOR**Occupational Safety and Health Administration**

[Docket No. ICR 1218-0247 (2005)]

State Plans for the Development and Enforcement of State Standards; Extension of the Office of Management and Budget's (OMB) Approval of Information-Collection (Paperwork) Requirements

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Request for public comment.

SUMMARY: OSHA solicits public comment concerning its request for an extension of the information collection requirements associated with its regulations and program regarding State Plans for the development and enforcement of state standards (29 CFR 1902, 1952, 1953, 1954, 1955, 1956).

DATES: Comments must be submitted by the following dates:

Hard Copy: Your comments must be submitted (postmarked or received) by November 29, 2005.

Facsimile and electronic transmission: Your comments must be received by November 29, 2005.

ADDRESSES: You may submit written comments, identified by OSHA Docket No. ICR 1218-0247 (2005), by any of the following methods:

Regular mail, express delivery, hand-delivery, and messenger service: Submit your comments and attachments to the OSHA Docket Office, U.S. Department of Labor, Room N-2625, 200 Constitution Avenue, NW., Washington, DC 20210. Telephone: (202) 693-2350. The OSHA Docket Office hours of operation are 8:15 a.m. to 4:45 p.m., ET.

Facsimile: If your comments, including any attachments, are 10 pages or fewer, you may fax them to the OSHA Docket Office at (202) 693-1648.

Electronic: You may submit comments through the Internet at <http://dockets.osha.gov/>. Follow instructions on the OSHA Web page for submitting comments.

Docket: For access to the docket to read or download comments or background materials, such as the complete Information Collection Request (ICR), containing the Supporting Statement, OMB 83-I Form and attachments, go to OSHA's Web page at <http://www.OSHA.gov>. Comments, submissions and the ICR are available for inspection and copying at the OSHA Docket Office at the above address. You may also contact Barbara Bryant at the address below to obtain a copy of the ICR. For additional information on submitting comments, please see the "Public Participation" heading in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Barbara Bryant, Directorate of Cooperative and State Programs, Office of State Programs, Occupational Safety and Health Administration, U.S. Department of Labor, Room N-3700, 200 Constitution Avenue, NW., Washington, DC 20210; telephone: (202) 693-2244; e-mail, bryant.barbara@dol.gov.

SUPPLEMENTARY INFORMATION:

I. Background

The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public with an opportunity to comment on proposed and/or continuing collections of

information in accordance with the Paperwork Reduction Act of 1995 (PRA 95) (44 U.S.C. 3506(c)(2)(A)).

This program ensures that information is in the desired format, has practical utility, reporting burden (time and cost) is minimized, collection instruments are understandable, and OSHA's estimate of the information collection burden is correct. Currently, OSHA is soliciting comments concerning the extension of the information collection requirements contained in the series of regulations establishing requirements for the submission, initial approval, continuing approval, final approval, monitoring and evaluation of OSHA-approved State Plans:

- 29 CFR Part 1902, State Plans for the Development and Enforcement of State Standards;
- 29 CFR Part 1952, Approved State Plans for Enforcement of State Standards;
- 29 CFR Part 1953, Changes to State Plans for the Development and Enforcement of State Standards;
- 29 CFR Part 1954, Procedures for the Evaluation and Monitoring of Approved State Plans;
- 29 CFR Part 1955, Procedures for Withdrawal of Approval of State Plans; and
- 29 CFR Part 1956, State Plans for the Development and Enforcement of State Standards Applicable to State and Local Government Employees in States without Approved Private Employee Plans.

Section 18 of the Occupational Safety and Health Act offers an opportunity to the States to assume responsibility for the development and enforcement of State standards through the mechanism of an OSHA-approved State Plan. Absent an approved plan, States are precluded from enforcing occupational safety and health standards in the private sector with respect to an issue that is addressed by OSHA. Once approved and operational, the State provides most occupational safety and health enforcement and compliance assistance in the State in lieu of Federal OSHA. States also must extend jurisdiction to State and local government employees. In order to obtain and maintain State Plan approval, a State must submit various documents to OSHA describing its program structure and operation, including any modifications thereto as they occur, in accordance with the identified regulations. OSHA funds 50% of the costs required to be incurred by an approved State Plan with the State at least matching and providing additional funding at its discretion.

II. Special Issues for Comment

OSHA has a particular interest in comments on the following issues:

- Whether the proposed collection of information is necessary for the proper performance of OSHA's functions, including whether the information is useful;
- The accuracy of OSHA's estimate of the burden (time and cost) of the information collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility and clarity of the information collected; and
- Ways to minimize the burden on participating States, for example, by using automated or other technological information collection and transmission techniques.

III. Proposed Actions

OSHA is proposing to extend the collection-of-information requirements associated with its State Plan regulations. In doing so, the Agency is proposing to adjust the total burden hours associated with the six regulations affecting the States that currently operate, or propose to operate, OSHA-approved State Plans from 8,522 hours to 10,522 to reflect the on-going development of a possible new State Plan. The Agency will summarize the comments submitted in response to this notice and will include this summary in its request to OMB to extend the approval of the information collection requirements related to its six State Plan regulations.

Agency: U.S. Department of Labor, Occupational Safety and Health Administration.

Title: State Plans for the Development and Enforcement of State Standards.

OMB Number: 1218-0247.

Affected Public: Designated State government agencies which are seeking or have submitted and obtained approval for State Plans for the development and enforcement of occupational safety and health standards.

Number of Respondents: 27.

Frequency of Response: On occasion; quarterly; annually.

Average Time Per Response: Varies from one hour to respond to an information survey to 80 hours to document State annual performance goals.

Estimated Total Burden Hours: 10,522.

Estimated Cost (Operation and Maintenance): \$0.

IV. Public Participation-Submission of Comments on This Notice and Internet Access to Comments and Submissions

You may submit comments and supporting materials in response to this document by (1) hard copy, (20 FAX transmission (facsimile) or (3) electronically through the OSHA Webpage. Because of security-related problems, a significant delay may occur in the receipt of comments by regular mail. Please contact the OSHA Docket Office at (202) 693-2350 (TTY (877) 889-5627) for information about security procedures concerning the delivery of materials by express delivery, hand delivery and courier service.

All comments, submissions and background documents are available for inspection and copying at the OSHA Docket Office at the above address. Comments and submissions are also posted on OSHA's Webpage and are available at <http://www.OSHA.gov>. Contact the OSHA Docket Office for information about material not available through the OSHA Webpage, and for assistance using the Webpage to locate docket submissions.

Electronic copies of this **Federal Register** notice, as well as other relevant documents, are available on OSHA's Webpage. All submissions become public; therefore, private information, such as a social security number, should not be submitted.

V. Authority and Signature

Jonathan L. Snare, Acting Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506 *et seq.*) and Secretary of Labor's Order No. 5-2002 (67 FR 65008).

Signed at Washington, DC, on September 27, 2005.

Jonathan L. Snare,

Acting Assistant Secretary of Labor.

[FR Doc. 05-19648 Filed 9-29-05; 8:45 am]

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NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Nixon Presidential Historical Materials; Opening of Materials

AGENCY: National Archives and Records Administration.

ACTION: Notice of opening of materials.

SUMMARY: This notice announces the opening of additional files from the Nixon Presidential historical materials.

Notice is hereby given that, in accordance with sections 104 of Title I of the Presidential Recordings and Materials Preservation Act (PRMPA, 44 U.S.C. 2111 note) and 1275.42(b) of the PRMPA Regulations implementing the Act (36 CFR Part 1275), the agency has identified, inventoried, and prepared for public access integral file segments among the Nixon Presidential historical materials.

DATES: The National Archives and Records Administration (NARA) intends to make these materials described in this notice available to the public beginning November 16.

In accordance with 36 CFR 1275.44, any person who believes it necessary to file a claim of legal right or privilege concerning access to these materials should notify the Archivist of the United States in writing of the claimed right, privilege, or defense before October 31, 2005.

ADDRESSES: The materials will be made available to the public at the National Archives at College Park research room, located at 8601 Adelphi Road, College Park, Maryland beginning at 8:45 a.m. on November 16, 2005. Researchers must have a NARA researcher card, which they may obtain when they arrive at the facilities.

Petitions asserting a legal or constitutional right or privilege which would prevent or limit access must be sent to the Archivist of the United States, National Archives at College Park, 8601 Adelphi Road, College Park, Maryland 20740-6001.

FOR FURTHER INFORMATION CONTACT: Michael Woywod, Acting Director, Nixon Presidential Materials Staff, 301-837-3117.

SUPPLEMENTARY INFORMATION: The integral file segments of textual materials to be opened on November 16, 2005, consists of 40.8 cubic feet. The White House Central Files Unit is a permanent organization within the White House complex that maintains a central filing and retrieval system for the records of the President and his staff.

1. One file group from the Staff Member and Office Files, listed below, will be made available to the public. This consists of materials that were transferred to the Central Files but were not incorporated into the Subject Files.

File Group: Joseph Fred Buzhardt Jr.: Pardon File for James R. Hoffa. Volume: 2.6 cubic feet.

2. *White House Central Files, Name Files:* Volume: 1 Cubic Foot. Nine files are from the White House Central Files, Name Files. The Name Files were used for routine materials filed alphabetically

by the name of the correspondent; copies of documents in the Name Files are usually filed by subject in the subject files. The Name Files relating to the following nine individuals will be made available with this opening: Bessell, Peter; Malchow, Karin; Massa, Kevin; Rehnquist, William; Rockefeller, Nelson; Schneider, Joseph E.; Vanoun, Sander; Weegar, Hannah; Whalen, Steve.

3. In accordance with the provisions of Executive Order 12958, as amended, several series within the National Security Council files have been systematically reviewed for declassification and will be made available.

National Security Council Files series: Volume: 35.2 cubic feet.

4. *Previously restricted materials* Volume: 2 cubic feet.

A number of documents which were previously withheld from public access have been re-reviewed for release and or declassified under the provisions of Executive Order 12958, as amended, or in accordance with 36 CFR 1275.56 (Public Access Regulations).

Public access to some of the items in the file segments listed in this notice will be restricted as outlined in 36 CFR 1275.50 or 1275.52 (Public Access Regulations).

Dated: September 26, 2005.

Allen Weinstein,

Archivist of the United States.

[FR Doc. 05-19571 Filed 9-29-05; 8:45 am]

BILLING CODE 7515-01-P

NUCLEAR REGULATORY COMMISSION

Agency Information Collection Activities: Submission for the Office of Management and Budget (OMB) Review; Comment Request

AGENCY: U.S. Nuclear Regulatory Commission (NRC).

ACTION: Notice of the OMB review of information collection and solicitation of public comment.

SUMMARY: The NRC has recently submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

1. Type of submission, new, revision, or extension: Extension.