

## DEPARTMENT OF LABOR

## Mine Safety and Health Administration

## Proposed Information Collection Request Submitted for Public Comment and Recommendations; Explosive Materials and Blasting Units

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 Mine Safety and Health Administration (MSHA) is soliciting comments concerning the proposed reinstatement of the information collection related to Explosive Materials and Blasting Units used in gassy underground metal and nonmetal mines. MSHA 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 submission of responses.

A copy of the proposed information collection request can be obtained by contacting the person listed in the For Further Information Contact section of this notice.

**DATES:** Submit comments on or before August 18, 1997.

**ADDRESSES:** Send comments to Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances, U.S. Department of Labor, Mine Safety and Health Administration, Office of Standards, Regulations, and Variances, 4015 Wilson Boulevard, Arlington, VA 22203-1984. Commenters are encouraged to send their comments on a computer disk, or via E-mail to [psilvey@msha.gov](mailto:psilvey@msha.gov), along with an original printed copy. Ms. Silvey can be reached at (703) 235-1910 (voice) or (703) 235-5551 (facsimile).

**FOR FURTHER INFORMATION CONTACT:** George M. Fesak, Director, Office of Program Evaluation and Information Resources, U.S. Department of Labor, Mine Safety and Health Administration, Room 715, 4015 Wilson Boulevard, Arlington, VA 22203-1984. Mr. Fesak can be reached at [gfsak@msha.gov](mailto:gfsak@msha.gov) (Internet E-mail), (703) 235-8378 (voice), or (703) 235-1563 (facsimile).

**SUPPLEMENTARY INFORMATION:****I. Background**

MSHA evaluates and approves explosive materials and blasting units as permissible for use in the mining industry. However, since there are no permissible explosives or blasting units available that have adequate blasting capacity for some metal and nonmetal gassy mines, Standard 57.22606 was promulgated to provide procedures for mine operators to follow for the use of non-approved explosive materials and blasting units. Mine operators must notify MSHA in writing, of all non-approved explosive materials and blasting units to be used prior to their use. MASH evaluates the non-approved explosive materials and determines if they are safe for blasting in a potentially gassy environment.

**II. Current Actions**

MSHA uses the information to determine that the explosives and procedures to be used are safe for blasting in a gassy underground mine. Federal inspectors use the notification to ensure that safe procedures are followed.

*Type of Review:* Reinstatement without change.

*Agency:* Mine Safety and Health Administration.

*Title:* Explosive Materials and Blasting Units.

*OMB Number:* 1219-0095.

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

*Total Respondents:* 7.

*Frequency:* On occasion.

*Total Responses:* 7.

*Average Time per Response:* 1 hour.

*Estimated Total Burden Hours:* 7.  
*Estimated Total Burden Hour Cost:* \$252.

Comments submitted in response to this notice will be summarized and 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: June 10, 1997

**George M. Fesak,**  
Director, Program Evaluation and Information Resources.

[FR Doc. 97-15875 Filed 6-16-97; 8:45 am]

BILLING CODE 4510-43-M

**LEGAL SERVICES CORPORATION****1997 Interim Grant Agreement To Recipient for Funds To Provide Civil Legal Services To Eligible Low-Income Clients in Blair County, Pennsylvania**

**AGENCY:** Legal Services Corporation.

**ACTION:** Announcement of 1997 Interim Grant Agreements.

**SUMMARY:** The Legal Services Corporation (LSC or Corporation) hereby announces its intention to award an interim contract to provide economical and effective delivery of high quality civil legal services to eligible low-income clients in service area PA-16 for Blair County, Pennsylvania. The anticipated grant term is July 1, 1997 through December 31, 1997. The tentative grant amount is \$69,812.

**DATES:** All comments and recommendations must be received on or before the close of business on July 17, 1997.

**ADDRESSES:** Legal Services Corporation—Competitive Grants, 750 First Street NE., 10th Floor, Washington, DC 20002-4250.

**FOR FURTHER INFORMATION CONTACT:** Merceria Ludgood, Deputy Director, Office of Program Operations, (202) 336-8848.

**SUPPLEMENTARY INFORMATION:** Pursuant to Section 1007(f) of the LSC Act, with a request for comments and recommendations within a period of thirty (30) day from the date of publication, LSC will award funds to the following organization to provide civil legal services in the indicated service area.

Service area	Applicant name
PA-16 ....	Keystone Legal Services, Inc.

Date Issued: June 11, 1997.

**Kathleen A. Welch,**

*Managing Program Counsel, Office of  
Program Operations.*

[FR Doc. 97-15733 Filed 6-16-97; 8:45 am]

BILLING CODE 7050-01-P

## LIBRARY OF CONGRESS

### Copyright Office

[Docket No. 96-5 CARP DSTRA]

### Determination of Statutory License Rates and Terms for Certain Digital Subscription Transmissions of Sound Recordings

**AGENCY:** Copyright Office, Library of Congress.

**ACTION:** Announcement of the schedule for the proceeding.

**SUMMARY:** The Copyright Office of the Library of Congress is announcing the schedule for the 180 day arbitration period for determining the rates and terms for certain digital subscription transmissions of sound recordings, as required by the regulations governing this proceeding.

**EFFECTIVE DATE:** June 17, 1997.

**ADDRESSES:** All hearings and meetings for the determination of the royalty fees for certain digital subscription transmissions of sound recordings shall take place in the James Madison Building, Room 414, First and

Independence Avenue, S.E.,  
Washington, D.C. 20540.

**FOR FURTHER INFORMATION CONTACT:**  
Nanette Petruzzelli, Acting General  
Counsel, or Tanya Sandros, Attorney  
Advisor, at: Copyright Arbitration  
Royalty Panel (CARP), P.O. Box 70977,  
Southwest Station, Washington, D.C.  
20024. Telephone: (202) 707-8380.  
Telefax: (202) 707-8366.

**SUPPLEMENTARY INFORMATION:** Section 251.11(b) of the regulations governing the Copyright Arbitration Royalty Panels, 37 CFR subchapter B, provides that:

At the beginning of each proceeding, the CARP shall develop the original schedule of the proceeding which shall be published in the **Federal Register** at least seven calendar days in advance of the first meeting. Such announcement shall state the times, dates, and places of the meetings, the testimony to be heard, whether any of the meetings, or any portion of a meeting, is to be closed, and if so, which ones, and the name and telephone number of the person to contact for further information.

This notice fulfills the requirements of § 251.11(b) for the proceeding to determine the rates and terms for transmissions of sound recordings by certain digital subscription services.

On August 2, 1996, the Library announced the precontroversy discovery period for this docket and requested interested parties to file Notices of Intent to Participate. 61 FR 40464 (August 2, 1996). On October 11, 1996, Digital Cable Radio Associates

and Muzak, L.P. filed a motion to suspend the proceeding, which DMX, Inc. joined on October 15, 1996. These three parties are collectively referred to as the "Subscription Services" throughout this notice. The Subscription Services requested the suspension pending the resolution of their motion to compel document production. On November 27, 1996, the Office denied the motion to suspend the proceeding, but in recognition that the precontroversy schedule was already in a *de facto* state of suspension due to the Subscription Services' refusal to exchange documents, the Office adopted a new schedule. See Order in Docket No. 96-5 CARP DSTRA (November 27, 1996). In a subsequent order, the Office notified the parties that the 180 day arbitration period would commence on June 2, 1997. See Order in Docket No. 96-5 CARP DSTRA (March 28, 1997). Then on June 2, 1997, the Office published a **Federal Register** notice announcing the names of the arbitrators and the initiation of the 180 day period. 62 FR 29742 (June 2, 1997).

On June 3, 1997, the parties to this proceeding met with the arbitrators for the purpose of setting a schedule for this proceeding. At that meeting, the parties agreed to present their cases in two phases. Phase I will address the proposed royalty rates and phase II will address the terms associated with those rates. The schedule for the proceeding is as follows:

Opening Remarks for all parties .....	June 9, 1997.	
Presentation of Direct Cases (Phase I):		
Recording Industry Association of America (RIAA) .....	June 9, 1997. ....	Jay Berman, Hilary Rosen.
RIAA .....	June 10, 1997 .....	Zachary Horowitz, Gary Morris, James Trautman.
RIAA .....	June 11 .....	Barry Massarsky, Larry Gerbrandt.
RIAA .....	June 12 .....	David Wilkofsky.
Subscription Services:		
• Digital Cable Radio Associates	June 16, 1997. ....	David J. Beccaro, W. Barry McCarthy, Jr.
	June 17, 1997. ....	Lou Simon.
• DMX, Inc. ....	June 17, 1997 .....	Jerold H. Rubinstein, Douglas G. Talley.
• Muzak .....	June 18, 1997 .....	Bruce B. Funkhouser.
• Joint witness .....	June 19, 1997 .....	John R. Woodbury, Ph.D.
Presentation of Direct Cases (Phase II):	June 30, 1997 .....	(witness list is not available for Phase II at this time).
	July 1, 1997 .....	
	July 3, 1997 .....	
Presentation of Rebuttal Cases:	July 26-31, 1997.	
Close of 180 day period .....	November 28, 1997.	

During this proceeding, the Subscription Services plan to present evidence submitted under a protective order issued by the Librarian of Congress. See Recommendation and Order in Docket No. 96-5 CARP DSTRA (September 18, 1996). In anticipation of the need to close portions of these meetings, the Subscription Services filed a motion on June 6, 1997, requesting the CARP to close the meetings scheduled for June 9, 11, 12,

and June 16-20, 1997, because various expert witnesses and representatives of the Subscription Services expect to discuss substantial amounts of confidential and trade secret information on these days. The arbitrators considered the motion on June 9, 1997, before hearing the opening statements, and voted to close the meetings pursuant to their authority under 37 CFR 251.13(d). This provision allows a CARP to close its meetings "[i]f

the matter involves privileged or confidential trade secrets or financial information." The record of the vote to close the meetings is as follows:

The Hon. Lenore Ehrig, Chairperson—  
Yes

The Hon. Thomas A. Fortkort—Yes  
The Hon. Sharon T. Nelson—Yes

The regulations require that the Copyright Office publish the original schedule for the CARP proceeding in