

Form	Annual responses	Average response time (hours)	Annual burden hours
ETA-935 .....	87,000	0.08	116
Total: .....	208,800	.....	217

*Total Annualized Capital/Startup Costs:* \$0.

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

*Description:* Federal law (5 U.S.C. 8501-8509) provides unemployment insurance protection to former or partially unemployed Federal civilian employees. The forms contained throughout the Handbook No. 391 are used in conjunction with the provision of this benefit assistance.

**Ira L. Mills,**

*Departmental Clearance Officer.*

[FR Doc. 03-8082 Filed 4-2-03; 8:45 am]

**BILLING CODE 4510-23-M**

**DEPARTMENT OF LABOR**

**Office of the Secretary**

**Submission for OMB Review; Comment Request**

March 27, 2003.

The Department of Labor (DOL) has submitted the following public 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 (Pub. L. 104-13, 44 U.S.C. chapter 35). A copy of this ICR, with applicable supporting documentation, may be obtained by calling the Department of Labor. To obtain documentation, contact Darrin King on (202) 693-4129 or e-mail: [King.Darrin@dol.gov](mailto:King.Darrin@dol.gov).

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for OSHA, Office of Management and Budget, Room 10235, Washington, DC 20503 ((202) 395-7316), within 30 days from the date of this publication in the **Federal Register**.

*The OMB 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.

*Agency:* Occupational Safety and Health Administration (OSHA).

*Type of Review:* Extension of a currently approved collection.

*Title:* Presence Sensing Device Initiation (PSDI).

*OMB Number:* 1218-0143.

*Affected Public:* Business or other for-profit; Federal Government; and State, Local, or Tribal Government.

*Frequency:* On occasion, initially, and annually.

*Type of Response:* Recordkeeping and Third party disclosure.

*Number of Respondents:* 0.

*Number of Annual Responses:* 0.

*Estimated Time Per Response:* 0 minutes.

*Total Burden Hours:* 1.

*Total Annualized Capital/Startup Costs:* \$0.

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

*Description:* A number of paragraphs in OSHA's Standard on Presence Sensing Device Initiation (PSDI) (29 CFR 1910.217(h)) (the "Standard") contain paperwork requirements that are necessary to validate employer and manufacturer certifications that their PSDI equipment and practices meet the requirements of the Standard.

*These requirements include:* Certifying brake-monitor adjustments, alternatives to photoelectric Presence Sensing Devices (PSDs), safety-system design and installation, and employee training; annual recertification of safety systems; establishing and maintaining the original certification and validation records, as well as the most recent recertification and revalidation records; affixing labels to test rods and to certified and recertified presses; and notifying an OSHA-recognized third-party validation organization when a safety system component fails, the employer modifies the safety system, or a point-of-operation injury occurs. In

addition, Appendix A of § 1910.217 provides detailed information and procedures required to meet the certification/validation provisions, as well as the design requirements, contained in the Standard. Accordingly, Appendix A supplements and explains the certification/validation provisions of the PSDI Standard, and does not specify new or additional paperwork requirements for employers. Appendix C § 1910.217 describes the requirements and procedures for obtaining OSHA recognition as a third-party validation organization; therefore, the paperwork requirements specified by this appendix do not impose burden hours or cost directly on employers who use PSDs.

By complying with these paperwork requirements, employers ensure that PSDI-equipped mechanical power presses are in safe working order, thereby preventing severe injury and death to press operators and other employees who work near this equipment. In addition, these records provide the most efficient means for an OSHA compliance officer to determine that an employer performed the requirements and that the equipment is safe.

OSHA is proposing to extend OMB approval of the information-collection requirements specified by the Standard even though the Agency can attribute no burden hours and cost to these requirements—to date, no such presses appear to be in use, either because employers selected other stroke-control devices for mechanical power presses, or because no third-party organization is available to validate employer and manufacturer certifications that their PSDI equipment and practices meet the requirements of the Standard. Therefore, the Standard does not currently affect any known employer; accordingly, the paperwork requirements currently result in no burden hours or cost to employers.

On August 28, 2002, OSHA published a **Federal Register** notice (67 FR 55181, Docket No. S225A) that initiated a Regulatory Flexibility Act review of the Presence Sensing Device Initiation (PSDI) requirements of the Mechanical Power Press Standard, pursuant to Section 610 of the Regulatory Flexibility Act and Section 5 of Executive Order 12866 on Regulatory Planning and Review.

The purpose of this review is to determine, while protecting worker

safety, whether there are ways to modify this standard to make implementation more practical, to reduce regulatory burden on small business and to improve its effectiveness.

OSHA is proposing that OMB extend its approval of the information-collection requirements specified by the Standard so that the Agency can enforce these requirements if employers begin using PSDI.

**Ira L. Mills,**

*Departmental Clearance Officer.*

[FR Doc. 03-8083 Filed 4-2-03; 8:45 am]

**BILLING CODE 4510-26-M**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Petitions for Modification

This notice revises the safety standard number referenced in a petition for modification notice that was published in the **Federal Register** on February 4, 2003 (68 FR 5664), for the Dakota Westmoreland Corporation, Beulah Mine. In a letter from the petitioner dated March 7, 2003, the petitioner requests that the safety standard in its petition for modification, docket number M-2003-005-C, be changed from 30 CFR 77.405(b) to 30 CFR 77.803. The petitioner's request is to modify the existing safety standard, 30 CFR 77.803, to allow an alternative method to permit its boom/mast machine to be raised or lowered during initial dragline assembly or disassembly at construction sites. The petitioner asserts that its proposed alternative method would not result in a diminution of safety to the miners but would provide at least the same measure of protection as the existing standard.

Dated in Arlington, Virginia, this 26th day of March, 2003.

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

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

[FR Doc. 03-8019 Filed 4-2-03; 8:45 am]

**BILLING CODE 4510-43-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. HB Coal Co., Inc.

[Docket No. M-2003-021-C]

HB Coal Co., Inc., 22 Mary Ann Dr., Gray, Kentucky 40734 has filed a petition to modify the application of 30 CFR 75.342 (Methane monitors) to its No. 1 Mine (MSHA I.D. No. 15-18606) located in Whitley County, Kentucky. The petitioner proposes to use hand-held continuous-duty methane and oxygen detectors in lieu of machine mounted methane monitors on three-wheel tractors with drag bottom buckets. The petitioner asserts that the operator will be qualified in the proper use of said detector and that application of the existing standard would reduce the safety of the miners.

#### 2. HB Coal Co., Inc.

[Docket No. M-2003-022-C]

HB Coal Co., Inc., 22 Mary Ann Dr., Gray, Kentucky 40734 has filed a petition to modify the application of 30 CFR 75.380(f)(4)(i) (Escapeways; bituminous and lignite mines) to its No. 1 Mine (MSHA I.D. No. 15-18606) located in Whitley County, Kentucky. The petitioner proposes to use two ten-pound portable chemical fire extinguishers in the operator's deck of each Mescher tractor operated at its No. 1 Mine. The petitioner states that the equipment operator will inspect each fire extinguisher on a daily basis prior to entering the primary escapeway. The petitioner further states that a record of the daily inspection will be kept at the mine, and a sufficient number of spare fire extinguishers will be maintained at the mine in case a defective fire extinguisher is detected. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

#### 3. Bowie Resources Limited

[Docket No. M-2003-023-C]

Bowie Resources Limited, P.O. Box 483, Paonia, Colorado 81428 has filed a petition to modify the application of 30 CFR 75.1002 (Installation of electric equipment and conductors; permissibility) to its Bowie No. 2 Mine (MSHA I.D. No. 05-04591) located in Delta County, Colorado. The petitioner requests a modification of the standard to allow the use of permissible high-voltage continuous miners in by the last open crosscut and within 150 feet of the pillar workings. The petitioner states that the high-voltage continuous miner will be used to develop longwall gateroads and mains. 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), or on a computer disk along with an original hard copy to the Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, 1100 Wilson Boulevard, Room 2352, Arlington, Virginia 22209. All comments must be postmarked or received in that office on or before May 5, 2003. Copies of these petitions are available for inspection at that address.

Dated at Arlington, Virginia, this 27th day of March, 2003.

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

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

[FR Doc. 03-8020 Filed 4-2-03; 8:45 am]

**BILLING CODE 4510-43-P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. NRTL2-98]

#### NSF International, Expansion of Recognition

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the Agency's final decision on the application of NSF International for expansion of its recognition as a Nationally Recognized Testing Laboratory under 29 CFR 1910.7.

**EFFECTIVE DATE:** This recognition becomes effective on April 3, 2003 and, unless modified in accordance with 29 CFR 1910.7, continues in effect while NSF remains recognized by OSHA as an NRTL.

**FOR FURTHER INFORMATION CONTACT:** Sherrey Nicolas, Office of Technical Programs and Coordination Activities, NRTL Program, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N3653, Washington, DC 20210, or phone (202) 693-2110.

#### SUPPLEMENTARY INFORMATION:

##### Notice of Final Decision

The Occupational Safety and Health Administration (OSHA) hereby gives notice of the expansion of recognition of NSF International (NSF) as a Nationally Recognized Testing Laboratory (NRTL). NSF's expansion covers the use of