

Commission's deliberations may request permission to present a short statement at the conference.

**Written submissions.**—As provided in sections 201.8 and 207.15 of the Commission's rules, any person may submit to the Commission on or before April 29, 2008, a written brief containing information and arguments pertinent to the subject matter of the investigations. Parties may file written testimony in connection with their presentation at the conference no later than three days before the conference. If briefs or written testimony contain BPI, they must conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means, except to the extent permitted by section 201.8 of the Commission's rules, as amended, 67 Fed. Reg. 68036 (November 8, 2002). Even where electronic filing of a document is permitted, certain documents must also be filed in paper form, as specified in II (C) of the Commission's Handbook on Electronic Filing Procedures, 67 Fed. Reg. 68168, 68173 (November 8, 2002).

In accordance with sections 201.16(c) and 207.3 of the rules, each document filed by a party to the investigation must be served on all other parties to the investigations (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

**Authority:** These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.12 of the Commission's rules.

By order of the Commission.

Issued: April 4, 2008.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E8-7830 Filed 4-11-08; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Park System Resource Protection Act

Notice is hereby given that on April 7, 2008, a proposed Consent Decree ("Decree") in *United States v. Kristin R. Blake*, Civil Action No. 07-5001 MMM (FMOx), was lodged with the United States District Court for the Central District of California, Western Division.

In this action the United States sought to recover response costs and damages

pursuant to the Park System Resource Protection Act ("PSRPA"), 16 U.S.C. 1911 to 1911j-4, and treble damages pursuant to California trespass law for injury to and destruction of vegetation resulting from the defendant's alleged cutting of a horse trail on a parcel owned by the United States and located within the Santa Monica Mountains National Recreation Area. The Decree would settle these claims in return for a payment of \$56,500, to be deposited in the Department of the Interior's Natural Resource Damage Assessment and Restoration Fund, and applied toward response and damage assessment costs incurred as a result of the defendant's alleged incursion onto property of the United States and/or natural resource restoration projects related to this incident.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should reference *United States v. Kristin R. Blake*, Civil Action No. 07-5001 MMM (FMOx), D.J. Ref. No. 90-5-1-1-08909.

The Decree may be examined at the Office of the United States Attorney, 300 North Los Angeles Street, room 7516, Los Angeles, CA 90012. During the public comment period, the Decree may also be examined on the following Department of Justice Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy of the Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$2.75 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if by email or fax, forward a check in that amount to the Consent Decree Library at the stated address.

**Henry Friedman,**

*Assistant Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

[FR Doc. E8-7779 Filed 4-11-08; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Petitions for Modification

**AGENCY:** Mine Safety and Health Administration, Labor.

**ACTION:** Notice of petitions for modification of existing mandatory safety standards.

**SUMMARY:** Section 101(c) of the Federal Mine Safety and Health Act of 1977 and 30 CFR part 44 govern the application, processing, and disposition of petitions for modification. This notice is a summary of petitions for modification filed by the parties listed below to modify the application of existing mandatory safety standards published in Title 30 of the Code of Federal Regulations.

**DATES:** All comments on the petitions must be received by the Office of Standards, Regulations, and Variances on or before May 14, 2008.

**ADDRESSES:** You may submit your comments, identified by "docket number" on the subject line, by any of the following methods:

1. *Electronic mail:* [Standards-Petitions@dol.gov](mailto:Standards-Petitions@dol.gov).

2. *Facsimile:* 1-202-693-9441.

3. *Regular Mail:* MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2349, Arlington, Virginia 22209, Attention: Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances.

4. *Hand-Delivery or Courier:* MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2349, Arlington, Virginia 22209, Attention: Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances.

We will consider only comments postmarked by the U.S. Postal Service or proof of delivery from another delivery service such as UPS or Federal Express on or before the deadline for comments. Individuals who submit comments by hand-delivery are required to check in at the receptionist desk on the 21st floor.

Individuals may inspect copies of the petitions and comments during normal business hours at the address listed above.

#### FOR FURTHER INFORMATION CONTACT:

Lawrence D. Reynolds, Office of Standards, Regulations, and Variances at 202-693-9449 (Voice), [reynolds.lawrence@dol.gov](mailto:reynolds.lawrence@dol.gov) (E-mail), or 202-693-9441 (Telefax), or contact Barbara Barron at 202-693-9447 (Voice), [barron.barbara@dol.gov](mailto:barron.barbara@dol.gov) (E-

mail), or 202-693-9441 (Telefax). [These are not toll-free numbers].

#### **SUPPLEMENTARY INFORMATION:**

##### **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 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) that the application of such standard to such mine will result in a diminution of safety to the miners in such mine. In addition, the regulations at 30 CFR 44.10 and 44.11 establish the requirements and procedures for filing petitions for modifications.

##### **II. Petitions for Modification**

*Docket Number:* M-2008-008-C.

*Petitioner:* D. Molesevic & Sons Construction Company, Inc., 333 South Pine Street, Mount Carmel, Pennsylvania 17851.

*Mine:* Snake Road Stripping Mine, MSHA I.D. No. 36-09485, located in Northumberland County, Pennsylvania.

*Regulation Affected:* 30 CFR 77.1200(c) & (k) (Mine map).

*Modification Request:* The petitioner requests a modification of the existing standard to permit the use of cross-sections in lieu of contour lines at regular intervals through the area to be mined and to limit the required mapping of mine workings below to those present within 100 feet of the vein(s) being mined. The petitioner states that: (1) 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; (2) use of cross-sections in lieu of contour lines has been practiced since the late 1800s thereby providing critical information relative to the spacing between veins and proximity to other mine workings which fluctuate considerably; (3) the vast majority of current surface anthracite mining involves either the mining of remnant pillars from previous mining/mine operators or the mining of veins of lower quality in proximity to inaccessible and frequently flooded abandoned mine workings which may or may not be mapped; and (4) the mine workings below are usually inactive and abandoned, therefore, are not subject to changes during the life of the mine, but

active mines will be mapped. The petitioner asserts that the proposed alternative method will in no way provide less than the same measure of protection than that afforded the miners under the existing standard.

*Docket Number:* M-2008-009-C.

*Petitioner:* XMV, Inc., 215 Suppliers Road, Bluefield, Virginia 24605.

*Mine:* Mine No. 35, MSHA I.D. No. 46-08131, located in McDowell County, West Virginia.

*Regulation Affected:* 30 CFR 75.364(b)(4) (Weekly examination).

*Modification Request:* The petitioner requests a modification of the existing standard to permit the following examinations to be conducted in lieu of evaluating the seals underground: (1) Establish Monitoring Point P at an abandoned portal used by Postar Coal Company, Inc., Postar No. 1 Mine, MSHA I.D. No. 46-07983 for bleeder flow evaluation and establish Evaluation Point X at a drill hole near the Mine No. 35, MSHA I.D. No. 46-08131 side of the separator seals; (2) use Monitoring Point P to evaluate the atmosphere behind the separator seals in the abandoned Postar No. 1 Mine to insure that the atmosphere remains at a non-explosive range and use Evaluation Point X to insure that the No. 35 Mine side of the separator seals are being ventilated with intake air provided by the exhausting bleeder fan; and (3) have a certified person conduct weekly examinations and evaluations that will be maintained in an approved record book. The petitioner states that: (1) The Mine is a drift operation with multiple outcrop and surface openings with no history of methane or ventilation problems; (2) the separator seals existed when the cross through to the U.S. Steel No. 9 Mine, MSHA I.D. No. 46-01418 old panel took place and the bleeder system was established; and (3) ventilation is set up to prevent any contaminant from the abandoned area to reach the working section. The petitioner asserts that Monitoring Point P and Evaluation Point X will provide a level of safety as is required by the existing standard.

*Docket Number:* M-2008-010-C.

*Petitioner:* Pleasant View Mining Company, Inc., 755 Nebo Road, Madisonville, Kentucky 42431.

*Mine:* Richland No. 9 Mine, MSHA I.D. No. 15-17232, located in Hopkins County, Kentucky.

*Regulation Affected:* 30 CFR 75.1101-1(b) (Deluge-type water spray systems).

*Modification Request:* The petitioner requests a modification of the existing standard to permit an alternative method of compliance in lieu of using

blow-off dust covers for deluge-type water spray nozzles. The petitioner proposes to have a person trained in the testing procedures specific to the deluge-type water spray fire suppression systems used at each belt drive to conduct the following procedures once each week: (1) A visual examination of each of the deluge-type water spray fire suppression system; (2) a functional test of the deluge-type water spray fire suppression systems by actuating the system and observing its performance; and (3) record the results of the examination and functional test in a book maintained on the surface and made available to the authorized representative of the Secretary. The record book will be retained for one year. The petitioner asserts that the proposed alternative method will provide a measure of protection equal to or greater than that of the standard.

*Docket Number:* M-2008-011-C.

*Petitioner:* Chevron Mining, Inc., 12398 New Lexington Road, Barry, Alabama 35546.

*Mine:* North River Mine, MSHA I.D. No. 01-00759, located in Fayette County, Alabama.

*Regulation Affected:* 30 CFR 75.507 (Power Connection Points).

*Modification Request:* The petitioner requests a modification of the existing standard to permit the use of three-phase, alternating current, and deep-well non-permissible pumps in boreholes in the mine. The petitioner proposes to use non-permissible pumps in boreholes into an area of the North River Mine where water has accumulated and not on intake air. The petitioner states that: (1) The pump will be equipped with sensors to determine high and low water level; (2) pumps in inaccessible underground locations will utilize undercurrent shutdown protection with redundant electronic pressure transducers that are suitable for submersible pump applications; (3) the low water probe will be located not less than 30 feet above the pump inlet and motor and electrical connections of the pump; (4) the high, low, or level water probes will include redundant electronic pressure transducers that are suitable for submersible pump control application; (5) all probe circuits will be protected by MSHA approved intrinsically safe barriers; and (6) the pumps will also be equipped with intrinsically safe ultrasonic water level sensors isolated by MSHA approved barriers. The petitioner further states that within 60 days of the Proposed Decision and Order, proposed revisions of its Part 48 training plan will be submitted to the District Manager for the

area in which the mine is located. Persons may review a complete description of petitioner's alternative method and procedures at the MSHA address listed in this notice. The petitioner asserts that the proposed alternative method will at all times guarantee no less than the same measure of protection to all miners as would be provided by the standard.

**Jack Powasnik,**

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

[FR Doc. E8-7804 Filed 4-11-08; 8:45 am]

**BILLING CODE 4510-43-P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

#### Agency Information Collection Activities; Announcement of the Office of Management and Budget (OMB) Control Numbers Under the Paperwork Reduction Act

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

**ACTION:** Notice; announcement of OMB approval of information collection requirements.

**SUMMARY:** The Occupational Safety and Health Administration announces that OMB has extended its approval for a number of information collection requirements found in sections of 29 CFR parts 1910, 1915, and 1926. OSHA sought approval under the Paperwork Reduction Act of 1995 (PRA-95), and, as required by that Act, is announcing the approval numbers and expiration dates for those requirements.

**DATES:** This notice is effective April 14, 2008.

#### FOR FURTHER INFORMATION CONTACT:

Todd Owen or Theda Kenney, Directorate of Standards and Guidance, Occupational Safety and Health Administration, U.S. Department of Labor, Room N-3609, 200 Constitution Avenue, NW., Washington, DC 20210, telephone: (202) 693-2222.

**SUPPLEMENTARY INFORMATION:** In a series of **Federal Register** notices, the Agency announced its requests to OMB to renew its current extensions of approvals for

various information collection (paperwork) requirements in its safety and health standards for general industry, shipyard employment, and the construction industry, (*i.e.*, 29 CFR Parts 1910, 1915, and 1926). In these **Federal Register** announcements, the Agency provided 60-day comment periods for the public to respond to OSHA's burden hour and cost estimates.

In accordance with PRA-95 (44 U.S.C. 3501-3520), OMB renewed its approval for these information collection requirements and assigned OMB control numbers to these requirements. The table below provides the following information for each of these OMB-approved requirements: The title of the collection; the date of the **Federal Register** notice; the **Federal Register** reference (date, volume, and leading page); OMB's control number; and the new expiration date.

Title	Date of Federal Register publication, Federal Register reference, and OSHA docket number	OMB control number	Expiration date
Access to Employee Exposure and Medical Records (29 CFR 1910.1020).	02/15/2007, 72 FR 7465, Docket No. OSHA-2007-0009.	1218-0065	05/31/2010
Additional Requirements for Special Dipping and Coating Operations (Dip Tanks) (29 CFR 1910.126(g)(4)).	03/15/2007, 72 FR 12200, Docket No. OSHA-2007-0014.	1218-0237	08/31/2010
Application for Training Grant .....	06/21/2007, 72 FR 34299, Docket No. OSHA-2007-0056.	1218-0020	11/30/2010
Asbestos in General Industry (29 CFR 1910.1001) .....	04/05/2007, 72 FR 16830, Docket No. OSHA-2007-0026.	1218-0133	08/31/2010
Bloodborne Pathogens (29 CFR 1910.1030) .....	07/27/2007, 72 FR 41357, Docket No. OSHA-2007-0063.	1218-0180	01/31/2011
Concrete and Masonry Construction (29 CFR Part 1926, Subpart Q).	07/24/2007, 72 FR 40337, Docket No. OSHA-2007-0059.	1218-0095	12/31/2010
Construction Fall Protection Plans and Training Requirements (29 CFR 1926.502 and 1926.503).	03/28/2007, 72 FR 14615, Docket No. OSHA-2007-0037.	1218-0197	08/31/2010
Cranes and Derricks for Construction (29 CFR 1926.550).	07/31/2007, 72 FR 41775, Docket No. OSHA-2007-0060.	1218-0113	12/31/2010
Crawler, Locomotive, and Truck Cranes (29 CFR 1910.180).	05/04/2007, 72 FR 25333, Docket No. OSHA-2007-0035.	1218-0221	09/30/2010
Definition and Requirements for a Nationally Recognized Testing Laboratory (29 CFR 1910.7).	01/05/2007, 72 FR 583, Docket No. OSHA-2007-0050.	1218-0147	06/30/2010
Derricks (29 CFR 1910.181) .....	03/23/2007, 72 FR 13825, Docket No. OSHA-2007-0025.	1218-0222	08/31/2010
Fire Protection in Shipyard Employment (29 CFR Part 1915, Subpart P).	07/23/2007, 72 FR 40172, Docket No. OSHA-2007-0057.	1218-0248	01/31/2011
Formaldehyde (29 CFR 1910.1048) .....	02/15/2007, 72 FR 7464, Docket No. OSHA-2008-2007.	1218-0145	05/31/2010
Gear Certification, OSHA-70 Form (29 CFR Part 1919).	09/17/2007, 72 FR 52912, Docket No. OSHA-2007-0061.	1218-0003	01/31/2011
Grantee Quarterly Progress Report .....	06/08/2007, 72 FR 31863, Docket No. OSHA-2007-0048.	1218-0100	10/31/2010
Ionizing Radiation (29 CFR 1910.1096) .....	07/27/2007, 72 FR 41358, Docket No. OSHA-2007-0049.	1218-0103	01/31/2011
Logging Operations (29 CFR 1910.266) .....	08/22/2007, 72 FR 47081, Docket No. OSHA-2007-0018.	1218-0198	12/31/2010
Manlifts (29 CFR 1910.68(e)) .....	09/06/2007, 72 FR 51253, Docket No. OSHA-2007-0020.	1218-0226	01/31/2011
Mechanical Power Presses (29 CFR 1910.217(e)(1)(i) and (e) (1)(ii)).	06/04/2007, 72 FR 30729, Docket No. OSHA-2007-0036.	1218-0229	09/30/2010