

**[NAFTA-00728]**

**Karl J. Marx Company, Inc., New York, New York; Negative Determination Regarding Eligibility To Apply for NAFTA-Transitional Adjustment Assistance**

Pursuant to Title V of the North American Free Trade Agreement Implementation Act (Pub. L. 103-182) concerning transitional adjustment assistance, hereinafter called (NAFTA-TAA) and in accordance with Section 250(a), Subchapter D, Chapter 2, Title II, of the Trade Act of 1974, as amended (19 U.S.C. 2331), the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for NAFTA-TAA.

The investigation was initiated on December 13, 1995 in response to a petition filed on behalf of workers at the Karl J. Marx Company, Inc. located in New York, New York. The workers were engaged in the activities solely related to buying and selling fully manufactured clothing goods. The Karl J. Marx Company, Inc. is a buying service that serves both small stores and major chain stores in assisting them in finding the best prices [of clothing and houseware goods] in the market.

The investigation revealed that the workers of the subject firm do not produce an article within the meaning of Section 250(a) of the Trade Act, as amended. The Department of Labor has consistently determined that the performance of services does not constitute production of an article, as required by the Trade Act of 1974, and this determination has been upheld in the United States Court of Appeals.

Therefore, workers at the Karl J. Marx Company, Inc. located in New York, New York may be certified only if their separation was caused importantly by a reduced demand for their services from a parent firm, a firm otherwise related to the subject firm by ownership, or a firm related by control. In any case, the reduction in demand for services must originate at a production facility whose workers independently meet the statutory criteria for certification and the reduction must directly relate to the product impacted by imports. The workers of the subject firm were not in direct support to any company affiliated production facility; therefore, these conditions have not been met for workers at the subject firm.

**Conclusion**

After careful review, I determine that all workers at Karl J. Marx Company, Inc. located in New York, New York are denied eligibility to apply for NAFTA-

TAA under Section 250 of the Trade Act of 1974.

An investigation was instituted on January 22, 1996 for trade adjustment assistance (TA-W-31,789) under Section 223 of the Trade Act (19 U.S.C. 2273). A final determination should be made within 60 days of the institution date.

Signed at Washington, DC., this 25th day of January 1996.

Russell T. Kile,

*Acting Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.*

[FR Doc. 96-4619 Filed 2-28-96; 8:45 am]

**BILLING CODE 4510-3-M**

**[NAFTA-00707]**

**S.E.A. Enterprises, Inc., Kent, Washington; Notice of Termination of Investigation**

Pursuant to Title V of the North American Free Trade Agreement Implementation Act (P.L. 103-182) concerning transitional adjustment assistance, hereinafter called (NAFTA-TAA), and in accordance with Section 250(a), Subchapter D, Chapter 2, Title II, of the Trade Act of 1974, as amended (19 U.S.C. 2273), an investigation was initiated on November 20, 1995 in response to a petition filed by a company official on behalf of workers at S.E.A. Enterprises, Inc. located in Kent, Washington. The subject firm is engaged in the coupon redemption service. Workers sort coupons that have been redeemed to grocery stores and send them back to the manufacturer.

In a letter dated February 16, 1996 to the Department of Labor investigator, the petitioner requested that the petition for NAFTA-TAA be withdrawn. Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed at Washington, D.C., this 16th day of February 1996.

Russell T. Kile,

*Acting Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.*

[FR Doc. 96-4616 Filed 2-28-96; 8:45 am]

**BILLING CODE 4510-30-M**

**Employment Standards Administration**

**Proposed Information Collection Request Submitted for Public Comment and Recommendations**

1. Rehabilitation Plan and Award (OWCP-16)
2. Rehabilitation Action Report (OWCP-44)
3. Report of Changes That May Affect Your Black Lung Benefits (CM-929)

4. Report of Construction Contractor's Wage Rates (WD-10)
5. 20 CFR Part 825—The Family and Medical Leave Act of 1993
6. Notice of Recurrence of Disability and Claim for Continuation of Pay/ Compensation (CA-2a)

**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 extension collection of: (1) Rehabilitation Plan and Award; (2) Rehabilitation Action Report; (3) Report of Changes that May Affect Your Black Lung Benefits; (4) Report of Construction Contractor's Wage Rates; (5) 20 CFR Part 825—The Family and Medical Leave Act of 1993; (6) Notice of Recurrence of Disability and Claim for Continuation of Pay/Compensation.

Copies of the proposed information collection requests can be obtained by contacting the employee listed below in the addressee section of this notice.

**DATES:** Written comments must be submitted on or before May 6, 1996. 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.

**ADDRESSEE:** Ms. Patricia A. Forkel, U.S. Department of labor, 200 Constitution Ave., N.W., Room S-3201, Washington, D.C. 20210, telephone (202) 219-7601 (this is not a toll-free number), fax 202-219-6592.

#### SUPPLEMENTARY INFORMATION:

##### Rehabilitation Plan and Award

*I. Background:* The Office of Workers' Compensation Programs (OWCP) administers the Longshore and Harbor Workers' Compensation Act (LSHWCA) and the Federal Employees Compensation Act (FECA). Both of these Acts provide for rehabilitation services to eligible injured workers. This form (OWCP-16) is used to document the plan for rehabilitation services submitted to OWCP by the injured worker and the rehabilitation counselor, and is used by OWCP to award payment from funds provided for rehabilitation. The form summarizes the nature and costs of the rehabilitation program for a prompt decision on funding by OWCP. The signatures of the parties on the form document their collective approval of the plan.

*II. Current Actions:* The Department of Labor seeks the extension of approval to collect this information in order to carry out its responsibility to provide and fund rehabilitation for injured workers.

##### Rehabilitation Action Report

*I. Background:* The Office of Workers' Compensation administers the Federal Employees' Compensation Act. This Act provides rehabilitation services to eligible injured workers. The cost of these services are paid from the Employees' Compensation Fund. The Rehabilitation Action Report is submitted to OWCP by the rehabilitation counselor and gives prompt notification of key events requiring action in the vocational rehabilitation process.

*II. Current Actions:* The Department of Labor seeks the extension of approval to collect this information in order to carry out its responsibility to provide and fund rehabilitation for injured workers.

##### Report of Changes That May Affect Your Black Lung Benefits

*I. Background:* The Office of Workers' Compensation Programs Division of Coal Mine Workers' Compensation, provides for the payments of benefits to coal miners who are totally disabled due to pneumoconiosis and to certain survivors of miners who die due to pneumoconiosis. Once a miner or survivor is found eligible for benefits,

the primary beneficiary is requested to report certain changes that may affect benefits. Responses to the form (CM-929) are reviewed to verify information in the claim file and to identify changes such as income, marital and dependency status.

*II. Current Actions:* The Department of Labor seeks the extension of approval to collect this information in order to carry out its responsibility to verify and update on a regular basis factors that affect a beneficiary's entitlement to benefits.

##### Report of Construction Contractor's Wage Rates

*I. Background:* The Wage and Hour Division administers the Davis-Bacon Act. The Act provides, in part, that ". . . every contract in excess of \$2,000 . . . 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 performed . . ."

*II. Current Actions:* The Department of Labor seeks the extension of this information collection in order to carry out its responsibility under the Davis-Bacon and Related Acts to determine locally prevailing wage rates.

##### 20 CFR Part 825—The Family and Medical Leave Act of 1993

*I. Background:* The Family and Medical Leave Act of 1993 (FMLA) requires private sector employers of 50 or more employees, and public agencies, to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for certain family and medical reasons. The Act imposes certain recordkeeping and reporting requirements in order for the Department of Labor to determine employer compliance with FMLA.

*II. Current Actions:* The Department of Labor seeks the extension of approval to collect this information in order to ensure that both employers and employees are aware of, and can exercise their rights and meet their respective obligations under FMLA, and to carry out its statutory responsibility to investigate and ensure employer compliance.

Notice of Recurrence of Disability and Claim for Continuation of Pay/Compensation

*I. Background:* The Office of Workers' Compensation Programs administers the Federal Employee's Compensation Act. This statute provides for continuation of pay or compensation for work related injury or disease resulting from Federal employment. This form requests information from claimants with previously accepted injuries who claim a recurrence of disability, and from their supervisors. The form requests information relating to the specific circumstances leading up to the recurrence and employment and earnings information.

*II. Current Actions:* The Department of Labor seeks the extension of approval to collect this information in order to determine if benefits are payable for a recurrence of an injury.

*Type of Review:* Extension.

*Agency:* Employment Standards Administration.

*Title:* Rehabilitation Plan and Award.

*OMB Number:* 1215-0067.

*Agency Number:* OWCP-16.

*Affected Public:* Business or other for-profit; Individuals or households.

*Total Respondents:* 7,000.

*Frequency:* On occasion.

*Total Responses:* 7,000.

*Average Time per Response:* 30 minutes.

*Estimated Total Burden Hours:* 3,500.

*Estimated Total Burden Cost:* \$0.

*Type of Review:* Extension.

*Agency:* Employment Standards Administration.

*Title:* Rehabilitation Action Award.

*OMB Number:* 1215-0182.

*Agency Number:* OWCP-44.

*Affected Public:* Businesses or other for-profit; Individuals or households.

*Total Respondents:* 7,000.

*Frequency:* On occasion.

*Total Responses:* 7,000.

*Average Time per Response:* 30 minutes.

*Estimated Total Burden Hours:* 3,500.

*Estimated Total Burden Cost:* 0.

*Type of Review:* Extension.

*Agency:* Employment Standards Administration.

*Title:* Report of Changes That May Affect Your Black Lung Benefits.

*OMB Number:* 1215-0084.

*Agency Number:* CM-929.

*Affected Public:* Individuals or households.

*Total Respondents:* 35,000.

*Frequency:* Biennially.

*Total Responses:* 35,000.

*Average Time per Response:* 5 to 8 minutes.

*Estimated Total Burden Hours:* 3,092.

**Estimated Total Burden Cost:** 0.

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

**Total Respondents:** 37,500.

**Frequency:** On occasion.

**Total Responses:** 75,000.

**Average Time per Response:** 20 minutes.

**Estimated Total Burden Hours:** 25,000.

**Estimated Total Burden Cost:** 0.

**Type of Review:** Extension.

**Agency:** Employment Standards Administration.

**Title:** 29 CFR Part 285—The Family and Medical Leave Act of 1993.

**OMB Number:** 1215-0181.

**Agency Number:** WH-380 and WH-381.

**Recordkeeping:** 3 years.

**Affected Public:** Individuals or households, Businesses or other For-Profit, Not-for-profit institutions, Farms, State, local or Tribal Government.

**Total Respondents:** 3.9 million.

**Frequency:** Recordkeeping; Reporting On occasion.

**Total Responses:** 9.1425 million.

**Average Time per Response:** 10 minutes.

**Estimated Total Burden Hours:** 645,625.

**Estimated Total Burden Cost:** \$0.

**Type of Review:** Extension.

**Agency:** Employment Standards Administration.

**Title:** Notice of Recurrence of Disability and Claim for Continuation of Pay/Compensation.

**OMB Number:** 1215-0167.

**Agency Number:** CA-2a.

**Affected Public:** Individuals or households.

**Total Respondents:** 550.

**Frequency:** Once per recurrence of injury.

**Total Responses:** 550.

**Average Time per Response:** 30 minutes.

**Estimated Total Burden Hours:** 275.

**Estimated Total Burden Cost:** \$176.

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: February 23, 1996.

Cecily A. Rayburn,

*Chief, Division of Financial Management,  
Office of Management, Administration and  
Planning, Employment Standards  
Administration.*

[FR Doc. 96-4614 Filed 2-28-96; 8:45 am]

BILLING CODE 4510-27-M

## NUCLEAR REGULATORY COMMISSION

### Documents Containing Reporting or Recordkeeping Requirements: Office of Management and Budget (OMB) Review

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

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

**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).

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

**2. The title of the information collection:** 10 CFR Part 36, Licenses and Radiation Safety Requirements for Irradiators.

**3. The form number if applicable:** Not applicable.

**4. How often the collection is required:** There is a one-time submittal of information to receive a license. Once a specific license has been issued, there is a 5-year resubmittal of the information for renewal of the license. In addition, recordkeeping must be performed on an on-going basis, and reports of accidents and other abnormal events must be reported on an as-necessary basis.

**5. Who will be required or asked to report:** All irradiators licensed by NRC or an Agreement State

**6. An estimate of the number of responses:** 15 reports per year.

**7. The estimated number of annual respondents:** 60 NRC licensees and 120 Agreement State licensees

**8. An estimate of the total number of hours needed annually to complete the requirement or request:** 84,030 hours (1500 hours for reporting requirements and 82,530 hours for recordkeeping requirements)

**9. An indication of whether Section 3507(d), Pub. L. 104-13 applies:** Not applicable.

**10. Abstract:** 10 CFR Part 36 contains mandatory requirements for the issuance of a license authorizing the use of sealed sources containing radioactive materials in irradiators used to irradiate objects or materials for a variety of purposes in research, industry, and other fields. The subparts cover specific requirements for obtaining a license or license exemption; design and performance criteria for irradiators; and radiation safety requirements for operating irradiators, including requirements for operator training, written operating and emergency procedures, personnel monitoring, radiation surveys, inspection, and maintenance. 10 CFR Part 36 also contains the recordkeeping and reporting requirements that are necessary to ensure that the irradiator is being safely operated so that it poses no danger to the health and safety of the general public and the irradiator employees.

A copy of the submittal may be viewed free of charge at the NRC Public Document Room, 2120 L Street, NW (Lower Level), Washington, DC. Members of the public who are in the Washington, DC, area can access the submittal via modem on the Public Document Room Bulletin Board (NRC's Advance Copy Document Library) NRC subsystem at FedWorld, 703-321-3339. Members of the public who are located outside of the Washington, DC, area can dial FedWorld, 1-800-303-9672, or use the FedWorld Internet address: fedworld.gov (Telnet). The document will be available on the bulletin board for 30 days after the signature date of this notice. If assistance is needed in accessing the document, please contact the FedWorld help desk at 703-487-4608. Comments and questions should be directed to the OMB reviewer by April 1, 1996: Troy Hillier, Office of Information and Regulatory Affairs (3150-0158), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be submitted by telephone at (202) 395-3084.

The NRC Clearance Officer is Brenda Jo. Shelton, (301) 415-7233.

Dated at Rockville, Maryland, this 21st day of February 1996.

For the Nuclear Regulatory Commission.  
Gerald F. Cranford,

*Designated Senior Official for Information Resources Management.*

[FR Doc. 96-4681 Filed 2-28-96; 8:45 am]

BILLING CODE 7590-01-P