

DEPARTMENT OF LABOR**Office of the Secretary****Submission for OMB Review;
Comment Request**

September 3, 1996.

The Department of Labor (DOL) has submitted the following public information collection requests (ICRs) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (P.L. 104-13, 44 U.S.C. Chapter 35). Copies of these individual ICRs, with applicable supporting documentation, may be obtained by calling the Department of Labor Acting Departmental Clearance Officer, Theresa M. O'Malley ({202} 219-5095). Individuals who use a telecommunications device for the deaf (TTY/TDD) may call {202} 219-4720 between 1:00 p.m. and 4:00 p.m. Eastern time, Monday through Friday.

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for (BLS/DM/ESA/ETA/OAW/MSHA/OSHA/PWBA/VETS), 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: Employment Standards Administration.

Title: Certificate of Medical Necessity.

OMB Number: 1215-0113.

Agency Number: CM-893.

Frequency: On occasion.

Affected Public: Business or other-for-profit; Not-for-profit institutions.

Number of Respondents: 7,000.

Estimated Time per Response: 40 minutes.

Total Burden Hours: 2,799.

Total Respondent Cost (capital/startup): 0.

Total Respondent Cost (operating and maintenance): 0.

Description: Form Cm-893, Certificate of Medical Necessity, is completed by the miner's doctor and is used by the Division of Coal Miners Workers' Compensation (DCMWC) to determine if the miner meets the specific impairment standard to qualify for durable medical equipment, home nursing care and/or pulmonary rehabilitation. Without the information provided, the DCMWC could not carry out its responsibility to determine eligibility for black lung medical benefits.

Theresa M. O'Malley,

Acting Departmental Clearance Officer.

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Mine Safety and Health Administration**Proposed Information Collection
Request Submitted for Public
Comment and Recommendations;
Hearing Conservation Plans**

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondents' 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 (PRA 95) [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 Hearing Conservation Plans for coal 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 must respond through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., electronic submissions of responses.

A copy of the proposed information collection request can be obtained by contacting the employee listed below in the Addressee section of this notice.

DATES: Submit comments on or before November 12, 1996.

ADDRESSES: Written comments shall be mailed to Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances, U.S. Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203-1984. Commenters are encouraged to send their comments on a computer disk, or via E-mail to 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 gfesak@msha.gov (Internet E-mail), (703) 235-8378 (voice) or (703) 235-1563 (facsimile).

SUPPLEMENTARY INFORMATION:**I. Background**

Section 206 of the Federal Mine Safety and Health Act of 1977 (Mine Act), 30 U.S.C. § 846, requires the Secretary of Labor to promulgate mandatory health standards establishing maximum noise exposure levels for underground coal mines. The Secretary, through the Mine Safety and Health Administration (MSHA), promulgated a regulation governing permissible noise exposure levels which may be found at 30 CFR § 70.510. Additionally, 30 CFR Part 70, Subpart F and Part 71, Subpart I, require that periodic noise surveys be taken by each mine operator every three to six months. The surveys must be taken by a certified person, and they must be taken where each miner in the active workings of the mine is exposed during the performance of duties to which he is normally assigned. If a mine operator is found to have violated the