

[FR Doc. 97-1101 Filed 1-15-97; 8:45 am]  
BILLING CODE 4510-30-C

## Mine Safety and Health Administration

### Proposed Information Collection Request Submitted for Public Comment and Recommendations; Product Testing by Applicant or Third Party

**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 extension of the information collection related to "Product Testing by Applicant or Third Party." 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 contact section of this notice.

**DATES:** Submit comments on or before March 17, 1997.

**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, 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 [gfesak@msha.gov](mailto:gfesak@msha.gov) (Internet E-mail), (703) 235-8378 (voice), or (703) 235-1563 (facsimile).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Section 318 of the Federal Mine Safety and Health Act of 1977, 30 U.S.C. 878, defines "permissible" equipment as that which has been approved according to specifications which are prescribed by the Secretary of Labor. This approval indicates that the Mine Safety and Health Administration's specifications and tests, designed to ensure that a product will not present a fire, explosion, or other specific safety hazard related to use, have been met. Additionally, 30 CFR Part 7 provides procedures whereby products may be tested and certified by the applicant or a third party.

##### II. Current Actions

MSHA is seeking to continue the requirements for approving certain products and equipment for use in underground mines.

*Type of Review:* Reinstatement.

*Agency:* Mine Safety and Health Administration.

*Title:* Product Testing by Applicant or Third Party.

*OMB Number:* 1219-0100.

*Recordkeeping:* 30 CFR 7.4(a) requires respondents to maintain records of test results and procedures for a period of at least 3 years. Section 7.6(c) requires respondents to maintain records of the initial sale of each unit having an approval marking for at least the expected shelf life of and service life of the product.

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

*Total Respondents:* 392.

*Frequency:* On occasion.

*Total Responses:* 403 responses.  
*Average Time per Response:* 0.54 hours.

*Estimated Total Burden Hours:* 219 hours.

*Estimated Total Burden Cost:* \$52,547.

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: January 9, 1997.

George M. Fesak,

*Director, Program Evaluation and Information Resources.*

[FR Doc. 97-1100 Filed 1-15-97; 8:45 am]

BILLING CODE 4510-43-M

## LEGAL SERVICES CORPORATION

### Sunshine Act Meeting of the Presidential Search Committee of the Board of Directors

**TIME AND DATE:** The Presidential Search Committee of the Legal Services Corporation Board of Directors will meet by teleconference on January 22, 1997, from 10:00 a.m. until approximately 11:30 a.m.

**STATUS OF MEETING:** Open, except that a portion of the meeting may be closed pursuant to a unanimous vote of the Board of Directors to hold an executive session. At the executive session, the Committee will hear a status report by representatives of the independent search firm assisting the Committee to identify and recruit candidates for the position of President of the Legal Services Corporation and will provide direction to the search firm. The closing is authorized by the relevant provisions of the Government in the Sunshine Act [5 U.S.C. §552b(c)(2) & (6)] and the corresponding regulation of the Legal Services Corporation [45 C.F.R. §1622.5(a) & (e)]. A copy of the General Counsel's Certification that the closing is authorized by law will be posted for public inspection at Corporation headquarters, 750 First Street NE., Washington, DC 20002, in its 11th floor reception area, and will also be available upon request.

**LOCATION:** Members of the Committee and directors wishing to participate, as well as members of the Corporation's staff and the public, will be able to hear and participate in the meeting by means of telephonic conferencing equipment set up for this purpose in the Corporation's Conference Room, on the 11th floor of 750 First Street, NE., Washington, DC 20002.

**MATTERS TO BE CONSIDERED:**

## OPEN SESSION:

1. Approval of agenda.
2. Approval of minutes of November 22, 1996.

## Closed Session:

3. Discussion with and direction to representatives of Isaacson Miller, the independent search firm assisting the Committee to identify candidates for consideration for the position of President of the Legal Services Corporation, about specific candidates for the position.

## Open Session:

4. Other business, including public comment and scheduling of the Committee's next meeting.

**CONTACT PERSON FOR INFORMATION:**

Victor M. Fortuno, General Counsel & Secretary of the Corporation, (202) 336-8810.

**SPECIAL NEEDS:** Upon request, meeting notices will be made available in alternate formats to accommodate visual and hearing impairments. Individuals who have a disability and need an accommodation to attend the meeting may notify Barbara Asante, at (202) 336-8800.

Dated: January 14, 1997.

Victor M. Fortuno,

*General Counsel.*

[FR Doc. 97-1270 Filed 1-14-97; 2:13 pm]

BILLING CODE 7050-01-P

**FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION****Sunshine Act; Meeting**

**TIME AND DATE:** 10:00 a.m., Thursday, January 16, 1997.

**PLACE:** Room 6005, 6th Floor, 1730 K Street, N.W., Washington, D.C.

**STATUS:** Open.

**MATTERS TO BE CONSIDERED:** The Commission will hear oral argument on the following:

1. Secretary of Labor on behalf of Dixon v. Pontiki Coal Corp., Docket No. KENT 94-1274-D. (Issues include whether the judge correctly determined that the Commission does not have jurisdiction over complaints filed by the Secretary of Labor that allege discrimination against miners who have not filed an initiating complaint under section 105(c)(2) of the Mine Act, and whether the judge correctly determined that a person may become a miners' representative before complying with 30 C.F.R. Part 40.)

**TIME AND DATE:** 1:00 p.m., Thursday, January 16, 1997.

**PLACE:** Room 6005, 6th Floor, 1730 K Street, N.W., Washington, D.C.

**STATUS:** Closed [Pursuant to 5 U.S.C. § 552b(c)(10)].

**MATTERS TO BE CONSIDERED:** It was determined by a unanimous vote of the Commissioners that the Commission consider and act upon the following in closed session.

1. Secretary of Labor o.b.o. Dixon v. Pontiki Coal Corp., Docket No. KENT 94-1274-D. (See oral argument listing, supra, for issues).

**TIME AND DATE:** 10:00 a.m., Thursday, January 23, 1997.

**PLACE:** Room 6005, 6th Floor, 1730 K Street, N.W., Washington, D.C.

**STATUS:** Open.

**MATTERS TO BE CONSIDERED:** The Commission will consider and act upon the following:

1. Secretary of Labor v. Mingo Logan Coal Co., Docket No. WEVA 93-392 (Issues include whether the judge properly determined that the mine operator was liable for a training violation committed by one of its independent contractors).

**TIME AND DATE:** 10:00 a.m., Thursday, January 30, 1997.

**PLACE:** Room 6005, 6th Floor, 1730 K Street, N.W., Washington, D.C.

**STATUS:** Open.

**MATTERS TO BE CONSIDERED:** The Commission will consider and act upon the following:

1. Secretary of Labor on behalf of Knotts v. Tanglewood Energy, Inc., et al., Docket No. WEVA 94-357-D (Issues include whether the judge correctly found that the mine operator discriminated against the complainant in violation of section 105(c) of the Mine Act and whether the judge erred in finding individual liability for discriminatory acts under that provision, in assessing the civil penalty for the violation, and in taking unemployment compensation into account when calculating the backpay award).

Any person attending oral argument or an open meeting who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs. Subject to 29 C.F.R. § 2706.150(a)(3) and § 2706.160(d).

**CONTACT PERSON FOR MORE INFO:** Jean Ellen (202) 653-5629 / (202) 708-9300 for TDD Relay / 1-800-877-8339 for toll free.

Jean H. Ellen,

*Chief Docket Clerk.*

[FR Doc. 97-1192 Filed 1-14-97; 9:46 am]

BILLING CODE 6735-01-M

**NUCLEAR REGULATORY COMMISSION****Commonwealth of Massachusetts: Staff Assessment of Proposed Agreement Between the Nuclear Regulatory Commission and the Commonwealth of Massachusetts**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of proposed Agreement with the Commonwealth of Massachusetts.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) has received, from the Governor of the Commonwealth of Massachusetts, a proposal to enter into an Agreement pursuant to Section 274 of the Atomic Energy Act of 1954, as amended (Act). The proposed Agreement would permit Massachusetts to assume certain portions of the Commission's regulatory authority. As required by the Act, NRC is publishing the proposed Agreement for public comment. NRC is also publishing a summary of the NRC staff assessment of the proposed Massachusetts radiation control program. Comments are requested on the proposed Agreement, especially public health and safety aspects, and the assessment.

The Agreement will effectively release (exempt) persons in Massachusetts from certain portions of the Commission's regulatory authority. The Act also requires that NRC publish those exemptions. Notice is hereby given that the pertinent exemptions have been previously published in the Federal Register and are codified in the Commission's regulations as 10 CFR Part 150.

**DATES:** The comment period expires January 23, 1997.

Comments received after this date will be considered if it is practical to do so, but the Commission is able to assure consideration only for comments received on or before this date.

**ADDRESSES:** Written comments may be submitted to Mr. David L. Meyer, Chief, Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, Washington, DC 20555-0001. Copies of comments received by NRC may be examined at the NRC Public Document Room, 2120 L Street, NW. (Lower Level), Washington, DC. Copies of the proposed Agreement, along with copies of the request by Governor Weld including referenced enclosures, applicable legislation, regulations for the control of radiation, and the full text of the NRC staff assessment are also available for public