

New Mexico State Law, Sections 50-9-1 through 50-9-25.

Substantially Identical Standards

By letter dated October 2, 1986, from Sam A. Rogers, Bureau Chief, to Gilbert J. Saulter, former Regional Administrator, and incorporated as part of the plan, the State submitted OHS Regulation 402, Field Sanitation, which adopted OSHA's proposed 1984 Field Sanitation standard. The State standard was promulgated on June 12, 1986, and went into effect on July 23, 1986, pursuant to New Mexico State Law, Sections 50-9-1 through 50-9-25.

In May 1987, OSHA published a final Field Sanitation standard, 29 CFR 1928.110, which extended coverage to mushroom harvesting operations, and added a training requirement provision. On October 26, 1987, in response to OSHA's revised standard, the State resubmitted its earlier version of the Field Sanitation standard, and was informed that the mushroom harvesting and training requirement provisions of the standard must be addressed either by amending the standard, or through administrative action.

On February 5, 1993, New Mexico submitted documentation attesting to the fact that there is no mushroom harvesting industry in the State, and that the training requirements have been implemented through administrative action.

Independent State Standard

By letter dated October 2, 1986, from Sam A. Rogers, Bureau Chief, to Gilbert J. Saulter, former Regional Administrator, New Mexico submitted a State-initiated standard on Hoes for Weeding and Thinning Crops, OHSR 401. The standard was promulgated on June 12, 1986, and went into effect on July 23, 1986, in accordance with New Mexico State Law, sections 50-9-1 through 50-9-25. The standard prohibits the use of a hoe with a handle less than four feet in length for weeding and thinning crops, based on the existence of other practical and adequate alternatives to the use of these short-handled hoes. There are no comparable Federal standards or compliance policies that would apply to the conditions regulated by New Mexico under this standard.

2. *Decision.* Having reviewed the State submissions [dated 7/26/94; 7/11/95; 6/18/96; and 2/17/97] in comparison with the Federal standards, it has been determined that the State's standards are identical to the comparable Federal standards, and are accordingly approved. OSHA has also determined that the State's recodified standards at

11 NMAC 5.2 (General Industry), 11 NMAC 5.3 (Construction), and 11 NMAC 5.4 (Agriculture), are identical to the comparable Federal standards, and therefore approves the standards.

OSHA has determined that New Mexico's Field Sanitation standard is at least as effective as the comparable Federal standard, as required by section 18(c)(2) of the Act. OSHA has determined that the differences between the State and Federal standards are minimal, and that the standards are "substantially identical." OSHA therefore approves this standard.

OSHA has reviewed New Mexico's independent standard for Tools for Weeding and Thinning Crops in comparison to existing OSHA enforcement policies and procedures, and has determined that the standard is at least as effective. This standard has been in effect since July 23, 1986. During this time, OSHA has received no indication of significant objection to the State's independent standard, as to its conformance with the product clause requirements of section 18(c)(2) of the Act. [Previously, after an opportunity for public comment, OSHA approved the State of Arizona's standard, Hoes for Weeding and Thinning Crops (51 FR 17684).] OSHA therefore approves New Mexico's standard, Tools for Weeding and Thinning Crops. However, the right to reconsider this approval is reserved, should substantial objections be submitted to the Assistant Secretary.

3. *Location of Supplement for Inspection and Copying.* A copy of the standards supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Regional Administrator, U.S. Department of Labor-OSHA, 525 Griffin Street, Room 602, Dallas, Texas 75202; Office of the Secretary, Environment Department, 1190 St. Francis Drive, Room 2200-North, Santa Fe, New Mexico 87503; and the Office of State Programs, 200 Constitution Avenue, N.W., Room N3700, Washington, D.C. 20210.

4. *Public participation.* Under 29 CFR 1953.2(c), the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplements to the New Mexico State Plan as proposed changes, and making the Regional Administrator's approval effective upon publication for the following reason.

The standards were adopted in accordance with the procedural requirements of State law, which

included public comment, and further public participation would be repetitious.

The decision is effective July 23, 1997.

(Sec. 18, Pub. L. 91-596, 84 Stat. 1608 (29 U.S.C. 667)).

Signed at Dallas, Texas, this twenty-fifth day of February 1997.

Emzell Blanton, Jr.,

Regional Administrator.

[FR Doc. 97-19364 Filed 7-22-97; 8:45 am]

BILLING CODE 4510-26-P

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

Sunshine Act Meeting

July 17, 1997.

TIME AND DATE: 10: a.m., Thursday, July 24, 1997.

PLACE: Room 6005, 6th Floor, 1730 K Street, NW., Washington, DC.

STATUS: Open.

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

1. *Medusa Cement Co. v. Secretary of Labor*, Docket Nos. PENN 97-20-RM, etc. (Whether the administrative law judge should have recused himself because of bias against counsel for the operator).

TIME AND DATE: Immediately following oral argument, Thursday, July 24, 1997.

PLACE: Room 6005, 6th Floor, 1730 K Street, NW., Washington, DC.

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. *Medusa Cement Co. v. Secretary of Labor*, Docket Nos. PENN 97-20-RM, etc. (See oral argument listing, *supra*, for issues).

TIME AND DATE: 10:00 a.m., Thursday, July 31, 1997.

PLACE: Room 6005, 6th Floor, 1730 K Street, NW., Washington, DC.

STATUS: Open.

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

1. *Secretary of Labor v. Harlan Cumberland Coal Co.*, Docket No. KENT 94-966, etc. (Issues include whether the judge erred in determining that the operator violated 30 C.F.R. §§ 70.207(a) and 70.208(a) when the Mine Safety and Health Administration failed to receive desirable dust samples taken by the

operator and placed in the mail and whether the judge properly assessed penalties for each of the three violations alleged).

TIME AND DATE: 2:00 p.m., Thursday, July 31, 1997.

PLACE: Room 6005, 6th Floor, 1730 K Street, NW., Washington, DC.

STATUS: Open.

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

1. *Jim Walter Resources, Inc.*, Docket No. SE 95-140 (Issues include whether the judge correctly determined that the operator violated the requirement of 30 C.F.R. § 75.342(a)(4) that a longwall methane monitor be in proper operating condition where the operator placed line curtain to divert methane away from the monitor, that the operator violated the requirement of 30 C.F.R. § 75.323(b)(1) that certain actions be taken when methane levels reach 1 percent or more at the face, and that both violations where due to the operator's unwarrantable failure).

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 INFORMATION: 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. 97-19473 Filed 7-21-97; 2:38 pm]

BILLING CODE 6735-01-M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 97-098]

Agency Information Collection: Submission for OMB Review, Comment Request

AGENCY: National Aeronautics and Space Administration (NASA).

SUMMARY: The National Aeronautics and Space Administration has submitted to the Office of Management and Budget (OMB) the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

DATES: Comments on this proposal should be received by August 22, 1997.

ADDRESSES: Comments should be addressed to Mr. Richard Kall, Code HK, National Aeronautics and Space

Administration, Washington, DC 20546-0001.

FOR FURTHER INFORMATION CONTACT: Ms. Carmela Simonson, Office of the Chief Information Officer, (202) 358-1223.

Reports: none.

Title: Patents.

OMB Number: 2700-0048.

Type of Review: Extension.

Need and Uses: The information is needed to ensure the proper disposition of rights to inventions made in the course of NASA funded research.

Affected Public: Businesses or other for-profit, Not-for-profit institutions.

Estimated Number of Respondents: 7,487.

Responses Per Respondent: 1.

Estimated Annual Responses: 7,487.

Estimated Hours Per Request: 30 min to 10 hrs.

Estimated Annual Burden Hours: 17,870.

Frequency of Report: Annual.

Donald J. Andreotta,

Deputy Chief Information Officer (Operations), Office of the Administrator.

[FR Doc. 97-19249 Filed 7-22-97; 8:45 am]

BILLING CODE 7510-01-M

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Arts; Proposed Collection; Comment Request

ACTION: Notice.

SUMMARY: The National Endowment for the Arts, 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)(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 National Endowment for the Arts is soliciting comments concerning a proposed revision of: Blanket justification for NEA Funding Application Guidelines FY 1998-FY 2001 to include reporting requirements for grants resulting from those applications. A copy of this revised collection request can be obtained by contacting the office listed below in the address section of this notice.

DATES: Written comments must be submitted to the office listed in the addressee section below on or before September 23, 1997. The National Endowment for the Arts 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 the electronic submissions of responses.

ADDRESS: Lauren Baden, National Endowment for the Arts, 1100 Pennsylvania Avenue, N.W., Room 628, Washington, DC 20506-0001, telephone (202) 682-5408 (this is not a toll-free number), fax (202) 682-5798.

Murray Welsh,

Director, Administrative Services.

[FR Doc. 97-19260 Filed 7-22-97; 8:45 am]

BILLING CODE 7536-01-M

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Arts; Combined Arts Panel

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), as amended, notice is hereby given that a meeting of the Combined Arts Advisory Panel, Dance Section (Creation & Presentation category) to the National Council on the Arts will be held on August 12-15, 1997. The panel will meet from 9:00 a.m. to 7:00 p.m. in Room 716 at the Nancy Hanks Center, 1100 Pennsylvania Avenue, N.W., Washington, D.C., 20506. A portion of this meeting, from 9:00 a.m. to 10:30 a.m. on August 15, will be open to the public for a policy discussion on guidelines, Leadership, Millennium, planning, and field needs and trends.

The remaining portions of this meeting, from 9:00 a.m. to 7:00 p.m. on August 12-14 and from 10:30 a.m. to 7:00 p.m. on August 15, are for the