

such wicks produced for sale in the U.S. each year from 1990 to the present;

2. The names and addresses of manufacturers and distributors of candle wicks containing lead and candles with such wicks;

3. Comparisons of the utility obtained from candle wicks containing lead and candles with such wicks versus any available substitute products;

4. An explanation of substitutes for candle wicks containing lead and candles with such wicks that could reduce the described risk of illness;

5. Physical or performance characteristics of the wick and candle products that could or should not be used to define which products might be subject to a rule;

6. The costs to wick and candle manufacturers involved in either substituting materials for lead in metallic-cored wicks to remove the risk or removing candles with such wicks from the market;

7. The costs to wick manufacturers/importers/distributors of testing or other efforts to ensure that wicks are in compliance.

8. Other information on the potential costs and benefits of potential rules;

9. Information on any potentially significant environmental impacts of any of the regulatory alternatives identified in this ANPR, including a ban on candles and candle wicks containing more than 0.06% lead by weight;

10. Steps that have been taken by industry or others to reduce the risk of illness from the products;

11. The likelihood and nature of any significant economic impact of a rule on small entities;

12. The costs and benefits of mandating a banning, labeling, or instructions requirement.

Also, in accordance with section 3(f) of the FHSA, the Commission solicits:

1. Written comments with respect to the risk of illness identified by the Commission, the regulatory alternatives being considered, and other possible alternatives for addressing the risk.

2. Any existing standard or portion of a standard which could be issued as a proposed regulation.

3. A statement of intention to modify or develop a voluntary standard to address the risk of illness discussed in this notice, along with a description of a plan (including a schedule) to do so.

Comments should be mailed, preferably in five copies, to the Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207-0001, or delivered to the Office of the Secretary, Consumer Product Safety Commission, Room 502, 4330 East-West Highway, Bethesda, Maryland 20814;

telephone (301) 504-0800. Comments also may be filed by telefacsimile to (301) 504-0127 or by e-mail to *cpssc-os@cpssc.gov*. Comments should be captioned "ANPR for Candle Wicks Containing Lead." All comments and submissions should be received no later than April 23, 2001.

Dated: February 13, 2001.

**Sadye E. Dunn,**

*Secretary, Consumer Product Safety Commission.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### 20 CFR Parts 655 and 656

**RIN 1215-AB09**

#### **Labor Condition Applications and Requirements for Employers Using Nonimmigrants on H-1B Visas in Specialty Occupations and as Fashion Models; Labor Certification Process for Permanent Employment of Aliens in the United States**

**AGENCY:** Employment and Training Administration, Labor, in concurrence with the Wage and Hour Division, Employment Standards Administration, Labor.

**ACTION:** Extension of comment period.

**SUMMARY:** This document extends the period for filing comments regarding the Interim Final Rule ("IFR") published on December 20, 2000 (65 FR 80110), which implemented the American Competitiveness and Workforce Improvement Act of 1998 ("ACWIA") and clarified existing Departmental rules relating to the temporary employment in the United States of nonimmigrants under H-1B visas.

**DATES:** Comments must be received on or before April 23, 2001.

**ADDRESSES:** Submit written comments concerning Part 655 to Deputy Administrator, Wage and Hour Division, ATTN: Immigration Team, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue, NW., Washington, DC 20210. Commenters who wish to receive notification of receipt of comments are requested to include a self-addressed, stamped post card. Comments may also be transmitted by facsimile ("FAX") machine to (202) 693-1432. This is not a toll-free number.

Submit written comments concerning Part 656 to the Assistant Secretary for Employment and Training, ATTN:

Division of Foreign Labor Certifications, U.S. Employment Service, Employment and Training Administration, Department of Labor, Room C-4318, 200 Constitution Avenue, NW., Washington, DC 20210. Commenters who wish to receive notification of receipt of comments are requested to include a self-addressed, stamped post card. Comments may also be transmitted by facsimile ("FAX") machine to (202) 693-2769. This is not a toll-free number.

#### **FOR FURTHER INFORMATION CONTACT:**

Michael Ginley, Director, Office of Enforcement Policy, Wage and Hour Division, Employment Standards Administration, Department of Labor, Room S-3510, 200 Constitution Avenue, NW., Washington, DC 20210. Telephone: (202) 693-0745 (this is not a toll-free number).

Dale M. Ziegler, Chief, Division of Foreign Labor Certifications, U.S. Employment Service, Employment and Training Administration, Department of Labor, Room C-4318, 200 Constitution Avenue, NW., Washington, DC 20210. Telephone: (202) 693-2942 (this is not a toll-free number).

#### **SUPPLEMENTARY INFORMATION:** On

December 20, 2000, the Department published an Interim Final Rule (65 FR 80110) ("IFR"), following a Notice of Proposed Rulemaking which was published on January 5, 1999 (64 FR 628) ("NPRM"). The IFR revised the Department's regulations relating to the employment of H-1B nonimmigrants as necessitated by the enactment of the American Competitiveness and Workforce Improvement Act of 1998 ("ACWIA"). The IFR also revised certain provisions of the regulations which had been published for comment as a Proposed Rule on October 31, 1995 as well as in the NPRM of January 5, 1999. The IFR sought comments on all provisions of the regulatory revisions, as well as on other matters which were proposed for the first time in the IFR. Interested parties were requested to submitted written comments on or before February 20, 2001.

Because of the continuing interest in the revisions and new proposals made in the IFR, the Department believes that it is desirable to extend the comment period for all interested parties. Therefore, the comment period for the IFR is extended through April 23, 2001.

Signed at Washington, DC, this 15th day of February, 2001.

**Raymond J. Uhalde,**

*Deputy Assistant Secretary, Employment and Training Administration.*

**Thomas M. Markey,**

*Acting Administrator, Wage and Hour Division, Employment Standards Administration.*

[FR Doc. 01-4244 Filed 2-16-01; 8:45 am]

BILLING CODE 4510-30-P

## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Part 944

[SPATS No. UT-037-FOR]

#### Utah Regulatory Program

**AGENCY:** Office of Surface Mining Reclamation and Enforcement, Interior.

**ACTION:** Proposed rule; reopening and extension of public comment period on proposed amendment.

**SUMMARY:** The Office of Surface Mining Reclamation and Enforcement (OSM) is announcing receipt of revisions and additional explanations pertaining to a previously proposed amendment to the Utah regulatory program (hereinafter, the "Utah program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). Utah proposes to revise its amendment to change proposed rules concerning pre-subsidence surveys and the contents of subsidence control plans. The State also provided additional explanation of the term "State-appropriated water," the proposed definitions of "State-appropriated water supply" and "replacement of water supply," and of the proposed scope of water replacement. Utah intends to revise its program to be consistent with the corresponding Federal regulations and SMCRA.

**DATES:** We will accept written comments on this amendment until 4 p.m., mountain standard time, March 7, 2001.

**ADDRESSES:** You should mail, hand deliver or e-mail your written comments to James F. Fulton, Denver Field Division Chief, at the address listed below.

You may review copies of the Utah program, this amendment, and all written comments received in response to this document at the addresses listed below during normal business hours, Monday through Friday, excluding holidays. You may receive one free copy

of the amendment by contacting OSM's Denver Field Division.

James F. Fulton, Denver Field Division Chief, Office of Surface Mining, Western Regional Coordinating Center, 1999 Broadway, Suite 3320, Denver, Colorado 80202-5733, telephone (303) 844-1400, extension 1424.

Lowell P. Braxton, Director, Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, P.O. Box 145801, Salt Lake City, Utah 84114-5801, telephone (801) 538-5370.

#### FOR FURTHER INFORMATION CONTACT:

James F. Fulton, Denver Field Division Chief, telephone (303) 844-1400, extension 1424; e-mail address: jfulton@osmre.gov.

#### SUPPLEMENTARY INFORMATION:

- I. Background on the Utah Program
- II. Description of the Proposed Amendment
- III. Public Comment Procedures
- IV. Procedural Determinations

#### I. Background on the Utah Program

On January 21, 1981, the Secretary of the Interior conditionally approved the Utah program. You can find background information on the Utah program, including the Secretary's findings, the disposition of comments, and the conditions of approval of the Utah program in the January 21, 1981, **Federal Register** (46 FR 5899). You can also find later actions concerning Utah's program and program amendments at 30 CFR 944.15 and 944.30.

#### II. Description of the Proposed Amendment

By letter dated March 20, 1998 (administrative record No. 1103), Utah sent to us a proposed amendment (UT-037-FOR) to its program under SMCRA (30 U.S.C. 1201 *et seq.*). It sent the proposed amendment in response to a June 5, 1996, letter (administrative record No. UT-1083) that we sent to the State under 30 CFR 732.17(c) and at its own initiative.

Changes to the Utah Administrative Rules (Utah Admin. R.) that the State originally proposed included: Adding definitions for "material damage," "non-commercial building," "occupied residential dwelling and structures related thereto," "replacement of water supply," and "State-appropriated water supply" at Utah Admin. R. 645-100-200; adding requirements at Utah Admin. R. 645-301-525.100 through -525.130 for pre-subsidence surveys; removing existing requirements for subsidence control plans at Utah Admin. R. 645-301-525 through -525.170; recodifying rules at Utah Admin. R. 645-301-525.200 through

-525.240 pertaining to protected areas; removing existing requirements for subsidence control at Utah Admin. R. 645-301-525.200 through -525.232; adding requirements at Utah Admin. R. 645-301-525.300 through -525.490 for subsidence control and subsidence control plans; adding requirements for subsidence damage repair at Utah Admin. R. 645-301-525.500 through -525.530; adding a rebuttable presumption of causation by subsidence at Utah Admin. R. 645-301-525.540 through -525.545; adding provisions at Utah Admin. R. 645-301-525.550 for adjusting bond amounts for subsidence damage; recodifying rules at Utah Admin. R. 645-301-525.600 and 645-301-525.700 that require compliance with approved subsidence control plans and public notice of proposed mining, respectively; removing existing provisions for surveys of renewable resource lands at Utah Admin. R. 645-301-724.600; adding a provision at Utah Admin. R. 645-301-728.350 for finding whether underground coal mining and reclamation activities might contaminate, diminish or interrupt State-appropriated water; and adding a requirement at Utah Admin. R. 645-301-731.530 for replacing State-appropriated water supplies that are contaminated, diminished, or interrupted by underground coal mining activities.

We announced receipt of the proposed amendment in the April 8, 1998, **Federal Register** (63 FR 17138; administrative record No. UT-1108), provided an opportunity for a public hearing or meeting, and invited public comment on its adequacy. We did not hold a public hearing or meeting because nobody requested either one. The public comment period ended on May 8, 1998.

During our review of the amendment, we identified concerns relating to the provisions for pre-subsidence surveys at Utah Admin. R. 645-301-525.130 and for the content of subsidence control plans at Utah Admin. R. 645-301-525.490. We also asked Utah to provide additional clarification on: The scope of the terms "State-appropriated water" and the proposed definition of "State-appropriated water supply" as used in the amendment; the scope of water replacement with respect to "developed" water supplies; and clarification of Utah's proposed definition of the term "replacement of water supply." We notified Utah of our concerns and the need for additional clarification by letter dated October 1, 1998 (administrative record No. UT-1125). Utah responded in a letter dated