

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 assumption 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.

III. Current Actions

The Work-Flex Plan describes the process by which local areas in the State may submit and obtain approval by the State of applications for waivers of the statutory and regulatory requirements applicable under Title I of WIA; the requirements that are likely to be and proposed to be waived by the State under the plan; the outcomes to be achieved by the waiver authority; special accountability measures to be taken; and the public review and comment process. In an effort to reduce the paperwork burden on States the Department has limited the size of the Work-Flex Plan to ten pages, exclusive of necessary attachments. A State granted Work-Flex authority is required to submit quarterly reports consisting of 10 items which summarize waiver activities in the State.

Type of Review: New.

Agency: Employment and Training Administration.

Title: Work-Flex State Plan.

OMB Number: 1205-0NEW.

Record Keeping: Consistent with 29 CFR 97.42, records and supporting documentation should be retained for three years on a Federal fiscal year basis. The retention period for quarterly reports associated with a fiscal year starts on the date the State submits its last quarterly report for that fiscal year. The retention period for the State Work-Flex Plan starts on the last day of the fiscal year for which it was initially approved or subsequently modified, whichever is later.

Affected Public: State and Local Governments.

Form: N/A.

Cite/reference	Total respondents	Frequency	Total re-sponses	Average time per response (in hours)	Burden hours
State Plan	5	Annually	5	160	800
Quarterly Report	5	Quarterly	20	8	160
Totals			25		960

Total Burden Cost (operating/maintaining): \$21,427.

Comments submitted in response to this comment request 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: July 5, 2001.

Shirley M. Smith,

Administrator, Office of Adult Services.

Work-Flex State Plan Instructions

States requesting designation as a Work-Flex State must submit a Work-Flex Plan which includes descriptions of:

- a. The process by which local areas in the State may submit and obtain approval by the State of applications for waivers of requirements applicable under Title I of WIA, including provisions for public review and comment on local area waiver applications.
- b. The statutory and regulatory requirements of Title I that are likely to be waived by the State under the plan.
- c. The requirements applicable under sections 8 through 10 of the Wagner-Peyser Act that are proposed to be waived, if any.
- d. The statutory and regulatory requirements of the Older Americans Act of 1965 applicable to State agencies

on aging with respect to administration of the Senior Community Service Employment Program (SCSEP) that are proposed to be waived, if any.

e. The outcomes to be achieved by the waiver authority including, where appropriate, revisions to adjusted levels of performance including in the State or Local Plan under Title I of WIA.

f. Special measures (in addition to current procedures) to be taken to ensure appropriate accountability for Federal funds in connection with the waivers.

g. Prior to submitting a Work-Flex Plan to the Secretary for approval, the State must provide to all interested parties and to the general public adequate notice and a reasonable opportunity for comment on the waivers proposed to be implemented. The plan should describe the process used for ensuring meaningful public comment. Include a description of the Governor's and the State Workforce Investment Board's involvement in drafting, reviewing and commenting on the plan. Describe actions taken to collaborate in the development of the State Work-Flex Plan with local chief elected officials, local workforce investment boards and youth councils, the business community, (including small businesses), labor organizations, educators, vocational rehabilitation agencies, and other interested parties,

such as service providers, welfare agencies, community-based organizations, transportation providers, and other stakeholders.

Work-Flex Quarterly Report Instructions

Report for each waiver granted:

1. Waiver # (assigned by State)
2. Date received
3. Date granted
4. Local Area(s) requesting waiver
5. Purpose (brief statement)
6. Regulation/statute affected

Summary (year-to-date):

1. # of waivers granted
2. # of waivers denied
3. # of waivers pending
4. Total waivers received

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DEPARTMENT OF LABOR

Employment and Training Administration

Proposed Collection: Comment Request

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 and Training Administration is soliciting comments concerning the proposed extension of the Interstate Arrangement For Combining Employment and Wages, ETA 586.

A copy of the proposed information collection request (ICR) can be obtained by contacting the office listed below in the addressee section of this notice.

DATES: Written comments must be submitted to the office listed in the addressee section below on or before September 24, 2001.

ADDRESSES: Mary E. Montgomery, Office of Workforce Security, Employment and Training Administration, U.S. Department of Labor, Room S-4516, 200 Constitution Avenue, NW., Washington, DC 20210, telephone number (202) 693-3217 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION:

I. Background

Section 3304(a)(9)(B), of the Internal Revenue Code (IRC) of 1986, requires

States to participate in an arrangement for combining employment and wages covered under the different State laws for the purpose of determining unemployed workers' entitlement to unemployment compensation. The Interstate Arrangement for Combining Employment and Wages (CWC), promulgated at 20 CFR part 616, requires the prompt transfer of all available employment and wages between States upon request. The Benefit Payment Promptness Standard, 20 CFR part 640, requires the prompt payment of unemployment compensation including benefits paid under the CWC arrangement. The ETA 586 report provides the ETA/Office of Workforce Security with information necessary to measure the scope and effect of the CWC program and monitor the performance of each State in responding to wage transfer requests and the payment of benefits.

II. Review Focus

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.

III. Current Actions

This information is necessary in order for ETA to analyze program performance, know when program performance action plans are needed and to target technical assistance resources. Without this report, it would be impossible for the ETA to identify claims and benefit activity under the CWC program and carry out the Secretary's responsibility for oversight.

Type of Review: Extension without change.

Agency: Employment and Training Administration.

Title: Interstate Arrangement for Combining Employment and Wages.

OMB Number: 1205-0029.

Agency Number: ETA 586.

Recordkeeping: 3 years.

Affected Public: State Government.

Cite/Reference/Form: ETA Handbook No. 401, ETA 586.

Total Respondents: 53.

Frequency: Quarterly.

Total Responses: 212.

Average Time per Response: 4 hours.

Estimated Total Burden Hours: 848.

Total Burden Cost (capital/startup): N/A.

Total Burden Cost:

Form	Respondents	Per year	Hours per response	Burden hours
ETA 586	53	212	4 hours	848

Average number of responses per respondent: 4.

Average burden hour per response: 4 hours.

With an average of \$20 per hour for State salaries and 848 hours per year, we estimate the annual burden cost to be \$16,960.

Comments submitted in response to this comment request 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: July 13, 2001.

Cheryl Atkinson,

Director, Office of Income Support.

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DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petitions for Modification

The following parties have filed petitions to modify the application of existing safety standards under section 101(c) of the Federal Mine Safety and Health Act of 1977.

1. Kentucky May Coal Company

[Docket No. M-2001-063-C]

Kentucky May Coal Company, 1045 Arnold Fork Road, Kite, Kentucky 41828 has filed a petition to modify the application of 30 CFR 77.214(a) (refuse piles; general) to its Preparation Plant (I.D. No. 15-17338) located in Knott County, Kentucky. The petitioner proposes to fill its Refuse Disposal Fill "A" with refuse generated from its preparation plant in Arnold Fork Kentucky. The petitioner states that Refuse Fill "A" is a combined fill being constructed by the structural shell method, and that proposed modifications to Fill "A" to raise the proposed top of the Fill from elevation 1700 feet to elevation 1750 feet have