

hours. This should be changed to 3.7 hours.

Dated: December 20, 2001.

**Margaret J. Sherrill,**

*Chief, Branch of Management Review and Internal Control, Division of Financial Management, Office of Management, Administration and Planning, Employment Standards Administration.*

[FR Doc. 01-31962 Filed 12-27-01; 8:45 am]

**BILLING CODE 4510-CM-M**

## DEPARTMENT OF LABOR

### Employment Standards 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 Standards Administration is soliciting comments concerning the following information collection: (1) 29 CFR part 825, The Family and Medical Leave Act of 1993.

**DATES:** Written comments must be submitted to the office listed in the addressee section below by February 26, 2002.

**ADDRESSES:** Ms. Patricia A. Forkel, U.S. Department of Labor, 200 Constitution Ave., NW., Room S-3201, Washington, DC 20210, telephone (202) 693-0339 (this is not a toll-free number), fax (202) 693-1451, E-mail: [pforkel@fenix2.dol-esa.gov](mailto:pforkel@fenix2.dol-esa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Family and Medical Leave Act of 1993 (FMLA), Public Law 103-3, 107 Stat. 6, 29 U.S.C. 2601, which became effective on August 5, 1993, requires private sector employers of 50 or more employees, and public agencies, to provide up to 12 weeks of unpaid, job-protected leave during any 12-month period to eligible employees for certain

family and medical reasons. Leave must be granted to eligible employees because of the birth of a child and to care for the newborn child, because of placement of a child with the employee for adoption or foster care, because the employee is needed to care for a family member (child, spouse, or parent) with a serious health condition, or because the employee's own serious health condition makes the employee unable to perform any of the essential functions of his or her job. This information collection contains all recordkeeping and notification requirements associated with the Act and regulations. Two optional forms are included in this information collection request. The Certification of Health Care Provider (WH-380) may be used to certify a serious health condition under FMLA. The Employer Response to Employee Request for Family or Medical Leave (WH-381) may be used by an employer to respond to a leave request under FMLA. Both forms are third-party notifications and are sent to the employee; they are not submitted to the Department of Labor.

##### 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

The Department of Labor seeks approval for the extension of this information collection in order to ensure that both employers and employees are aware of and can exercise their rights and meet their respective obligations under FMLA; and in order for the Department of Labor to carry out its statutory obligation under FMLA to

investigate and ensure employer compliance.

*Type of Review:* Extension.

*Agency:* Employment Standards Administration.

*Title:* 29 CR part 825, The Family and Medical Leave Act of 1993.

*OMB Number:* 1215-0181.

*Agency Numbers:* WH-380, WH-381.

*Affected Public:* Individuals or households; Businesses or other for-profit; Not-for-profit Institutions; Farms, State, Local or Tribal Government.

*Frequency:* On occasion (recordkeeping, third-party disclosure).

*Total Respondents:* 4.7 million.

*Total Responses:* 10.107 million.

*Time per Record:* 1 to 10 minutes.

*Estimated Total Burden Hours:* 718,529.

*Total Burden Cost (capital/startup):* \$0.

*Total Burden Cost (operating/maintenance):* \$0.

Comments submitted in response to this notice 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: December 7, 2001.

**Margaret J. Sherrill,**

*Chief, Branch of Management, Review, and Internal Control, Chief, Division of Financial Management, Office of Management, Administration and Planning, Employment Standards Administration.*

[FR Doc. 01-31963 Filed 12-27-01; 8:45 am]

**BILLING CODE 4510-27-P**

## DEPARTMENT OF LABOR

### Employment Standards Administration, Wage and Hour Division

#### Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR part 1, by authority of the Secretary

of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersede as decisions thereto, contain no expiration dates and are effective from their date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon and Related Acts," shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department.

Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor,

Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, NW., Room S-3014, Washington, DC 20210.

#### Modification to General Wage Determination Decisions

The number of decisions listed to the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and related Acts" being modified are listed by Volume and State. Dates of publication in the **Federal Register** are in parentheses following the decisions being modified.

#### Volume I

##### Maine

ME010001 (Mar. 2, 2001)  
ME010002 (Mar. 2, 2001)  
ME010008 (Mar. 2, 2001)  
ME010009 (Mar. 2, 2001)  
ME010012 (Mar. 2, 2001)

##### New York

NY010002 (Mar. 2, 2001)  
NY010003 (Mar. 2, 2001)  
NY010007 (Mar. 2, 2001)

#### Volume II

##### Maryland

MD010002 (Mar. 2, 2001)

##### Virginia

VA010003 (Mar. 2, 2001)  
VA010005 (Mar. 2, 2001)  
VA010006 (Mar. 2, 2001)  
VA010015 (Mar. 2, 2001)  
VA010018 (Mar. 2, 2001)  
VA010022 (Mar. 2, 2001)  
VA010023 (Mar. 2, 2001)  
VA010033 (Mar. 2, 2001)  
VA010034 (Mar. 2, 2001)  
VA010035 (Mar. 2, 2001)  
VA010036 (Mar. 2, 2001)  
VA010039 (Mar. 2, 2001)  
VA010046 (Mar. 2, 2001)  
VA010055 (Mar. 2, 2001)  
VA010069 (Mar. 2, 2001)  
VA010076 (Mar. 2, 2001)  
VA010084 (Mar. 2, 2001)

#### Volume III

##### Mississippi

MS010003 (Mar. 2, 2001)  
MS010050 (Mar. 2, 2001)  
MS010055 (Mar. 2, 2001)  
MS010057 (Mar. 2, 2001)

#### Volume IV

None

#### Volume V

##### Arkansas

AR010001 (Mar. 2, 2001)  
AR010003 (Mar. 2, 2001)  
AR010008 (Mar. 2, 2001)  
AR010023 (Mar. 2, 2001)

##### Iowa

IA010005 (Mar. 2, 2001)  
IA010008 (Mar. 2, 2001)  
IA010047 (Mar. 2, 2001)

##### Kansas

KS010008 (Mar. 2, 2001)

##### Missouri

MO010001 (Mar. 2, 2001)  
MO010002 (Mar. 2, 2001)  
MO010011 (Mar. 2, 2001)  
MO010042 (Mar. 2, 2001)  
MO010050 (Mar. 2, 2001)  
MO010054 (Mar. 2, 2001)  
MO010057 (Mar. 2, 2001)  
MO010058 (Mar. 2, 2001)

#### Volume VI

##### Alaska

AK010001 (Mar. 2, 2001)  
AK010002 (Mar. 2, 2001)  
AK010003 (Mar. 2, 2001)  
AK010006 (Mar. 2, 2001)

##### Colorado

CO010001 (Mar. 2, 2001)  
CO010008 (Mar. 2, 2001)  
CO010009 (Mar. 2, 2001)

##### Oregon

OR010001 (Mar. 2, 2001)

##### Washington

WA010001 (Mar. 2, 2001)  
WA010002 (Mar. 2, 2001)  
WA010003 (Mar. 2, 2001)  
WA010007 (Mar. 2, 2001)

#### Volume VII

##### California

CA010001 (Mar. 2, 2001)  
CA010002 (Mar. 2, 2001)  
CA010004 (Mar. 2, 2001)  
CA010007 (Mar. 2, 2001)  
CA010009 (Mar. 2, 2001)  
CA010027 (Mar. 2, 2001)  
CA010028 (Mar. 2, 2001)  
CA010029 (Mar. 2, 2001)  
CA010030 (Mar. 2, 2001)  
CA010031 (Mar. 2, 2001)  
CA010033 (Mar. 2, 2001)  
CA010035 (Mar. 2, 2001)  
CA010036 (Mar. 2, 2001)  
CA010037 (Mar. 2, 2001)  
CA010038 (Mar. 2, 2001)  
CA010039 (Mar. 2, 2001)  
CA010040 (Mar. 2, 2001)  
CA010041 (Mar. 2, 2001)

##### Nevada

NV010003 (Mar. 2, 2001)  
NV010005 (Mar. 2, 2001)  
NV010007 (Mar. 2, 2001)  
NV010009 (Mar. 2, 2001)

#### General Wage Determination Publication

General wage determinations issued under the Davis-Bacon and related Acts, including those noted above, may be found in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under the Davis-Bacon And Related Acts". This publication is available at each of the 50 Regional Government Depository Libraries and many of the 1,400 Government Depository Libraries across the country.

General wage determinations issued under the Davis-Bacon and related Acts are available electronically at no cost on the Government Printing Office site at [www.access.gpo.gov/davisbacon](http://www.access.gpo.gov/davisbacon).

They are also available electronically by subscription to the Davis-Bacon

Online Service (<http://davisbacon.fedworld.gov>) of the National Technical Information Service (NTIS) of the U.S. Department of Commerce at 1-800-363-2068. This subscription offers value-added features such as electronic delivery of modified wage decisions directly to the user's desktop, the ability to access prior wage decisions issued during the year, extensive Help desk Support, etc.

Hard-copy subscriptions may be purchased from: Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, (202) 512-1800.

When ordering hard-copy subscription(s), be sure to specify the State(s) of interest, since subscriptions may be ordered for any or all of the six separate Volumes, arranged by State. Subscriptions include an annual edition (issued in January or February ) which includes all current general wage determinations for the States covered by each volume. Throughout the remainder of the year, regular weekly updates will be distributed to subscribers.

Signed at Washington, DC this 20th day of December 2001.

**Carl J. Poleskey,**

*Chief, Branch of Construction Wage Determinations.*

[FR Doc. 01-31950 Filed 12-27-01; 8:45 am]

BILLING CODE 4510-27-M

**DEPARTMENT OF LABOR**

**Mine Safety and Health Administration**

**Fee Adjustments for Testing, Evaluation, and Approval of Mining Products**

**AGENCY:** Mine Safety and Health Administration (MSHA), Labor.

**ACTION:** Notice of fee adjustments.

**SUMMARY:** This notice revises the user fees for MSHA's Approval and Certification Center (A&CC). Fees compensate MSHA for the costs incurred for testing, evaluating, and approving certain products for use in underground mines. The 2002 fees are based on MSHA's actual expenses for fiscal year 2001. The fees reflect changes both in MSHA's approval processing operations and in the costs to process approval actions.

**DATES:** This fee schedule is effective from January 1, 2002 through December 31, 2002.

**FOR FURTHER INFORMATION CONTACT:** Steven J. Luzik, Chief, Approval and Certification Center (A&CC), 304-547-2029 or 304-547-0400.

**SUPPLEMENTARY INFORMATION:**

**Background**

On May 8, 1987 (52 FR 17506), MSHA published a final rule, 30 CFR Part 5—Fees for Testing, Evaluation, and Approval of Mining Products. The rule established specific procedures for calculating, administering, and revising user fees. MSHA has revised its fee schedule for 2001 in accordance with the procedures of that rule. This new fee schedule is included below. For approval applications postmarked before January 1, 2002, MSHA will continue to calculate fees under the previous (2001) fee schedule, published on December 28, 2000.

**Fee Computation**

In general, MSHA computed the 2002 fees based on fiscal year 2001 data. We calculated a weighted-average, direct cost for all the services provided during fiscal year 2001 in the processing of requests for testing, evaluation, and approval of certain products for use in underground mines. From this cost, we calculated a single hourly rate to apply uniformly across all of the product approval categories during 2002.

Signed in Arlington, Virginia, this 19th day of December, 2001.

**Dave D. Lauriski,**

*Assistant Secretary of Labor for Mine Safety and Health.*

**FEE SCHEDULE EFFECTIVE JANUARY 1, 2002**

[Based on FY 2001 data]

Action title	Hourly rate
Fees for Testing, Evaluation, and Approval of all Mining Products <sup>1</sup> ..	\$57
Retesting for Approval as a Result of Post-Approval Product Audit <sup>2</sup> ..	.....
<b>30 CFR PART 15—EXPLOSIVES TESTING</b>	
<b>Permissibility Tests for Explosives:</b>	
Weigh-in .....	462
Physical Exam: First size .....	325
Chemical Analysis .....	1,977
Air Gap—Minimum Product Firing Temperature .....	460
Air Gap—Room Temperature .....	352
Pendulum Friction Test .....	163
Detonation Rate .....	352
Gallery Test 7 .....	7,436
Gallery Test 8 .....	5,533
Toxic Gases (Large Chamber) .....	805
<b>Permissibility Tests for Sheathed Explosives:</b>	
Physical Examination .....	128
Chemical Analysis .....	1,044
Gallery Test 9 .....	1,944
Gallery Test 10 .....	1,944
Gallery Test 11 .....	1,944
Gallery Test 12 .....	1,944
Drop Test .....	648
Temperature Effects/Detonation ...	672

**FEE SCHEDULE EFFECTIVE JANUARY 1, 2002—Continued**

[Based on FY 2001 data]

Action title	Hourly rate
Toxic Gases .....	580

<sup>1</sup> Full approval fee consists of evaluation cost plus applicable test costs.

<sup>2</sup> Fee based upon the approval schedule in effect at the time of retest.

**Note:** When the nature of the product requires that we test and evaluate it at a location other than our premises, you must reimburse us for the traveling, subsistence, and incidental expenses of our representative in accordance with standardized government travel regulations. This reimbursement is in addition to the fees charged for evaluation and testing.

[FR Doc. 01-31855 Filed 12-27-01; 8:45 am]

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**DEPARTMENT OF LABOR**

**Occupational Safety and Health Administration**

[Docket No. ICR-1218-0150(2002)]

**Standard on the Control of Hazardous Energy sources (Lockout/Tagout) (29 CFR 1910.147); Extension of the Office of Management and Budget's (OMB) Approval of Information-Collection (Paperwork) Requirements**

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Request for comment.

**SUMMARY:** OSHA solicits comment concerning its proposal to decrease the existing burden-hour estimates for, and to extend OMB approval of, the information-collection requirements of the Standard on the Control of Hazardous Energy Sources (Lockout/Tagout) (29 CFR 1910.147)<sup>1</sup> This standard regulates control of hazardous energy sources using lockout or tagout procedures while employees service, maintain, or repair machines or equipment if activation, start up, or release of energy from the energy source is possible. The paperwork requirements of the standard specify that employers must ensure that employees use these energy-control procedures effectively and safely,

<sup>1</sup> Based on its assessment of the paperwork requirements contained in this standard, the Agency estimates that the total burden hours decreased compared to its previous burden-hour estimate. Under this notice, OSHA is *not* proposing to revise these paperwork requirements in any substantive manner, only to decrease its estimate of the burden hours imposed by the existing paperwork requirements.