

Form	No. of respondents	Average minutes per response	Burden hours
CA-1332 .....	200	30	100
QCM letters .....	1,000	5	83
OWCP-5a .....	7,000	15	1,750
OWCP-5b .....	5,000	15	1,250
OWCP-5c .....	15,000	15	3,750

Total Responses: 286,010.  
 Estimated Total Burden Hours: 28,991.  
 Total Burden Cost (capital/startup): \$0.  
 Total Burden Cost (operating/maintenance): \$105,824.

**Rehabilitation Action Report (OWCP 44)**

*I. Background*

The Office of Workers' Compensation Programs (OWCP) administers the Federal Employees' Compensation Act. Section 8104(a) of the Act provides that eligible injured workers are furnished vocational rehabilitation services. The costs of these services are paid from the Employees' Compensation Fund. The Rehabilitation Action Report (OWCP-44) is submitted by a rehabilitation counselor to report transition periods in the vocational rehabilitation process and to request prompt adjudicatory action. The form gives prompt notification of key events requiring action in the vocational rehabilitation process. The form is currently approved by the Office of Management and Budget OMB for use through August 2002.

*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 an extension of approval to collect this information in order to gather information to enable OWCP to make timely, informed decisions about rehabilitation services for an injured worker. There is no change to the form since the last approval.

Type of Review: Extension.  
 Agency: Employment Standards Administration.  
 Title: Rehabilitation Action Report.  
 OMB Number: 1215-0182.  
 Agency Number: OWCP-44.  
 Affected Public: Businesses or other for-profit; individuals or households.  
 Frequency: On occasion.  
 Total Respondents: 7,000.  
 Time per Response: 30 minutes.  
 Estimated Total Burden Hours: 3,500.  
 Total Burden Cost (capital/startup): \$0.

Total Burden Cost (operation/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: March 15, 2002.

**Gary D. Thayer,**

Director, Division of Financial Management, Office of Management, Administration and Planning, Employment Standards Administration.

[FR Doc. 02-6866 Filed 3-20-02; 8:45 am]

BILLING CODE 4510-CH-P

**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. Solid Rock Construction, Inc.**

[Docket No. M-2002-007-C]

Stamper Technical Service, Inc., 45 Stamper Lane, Pikeville, Kentucky

41501 has filed a petition for Solid Rock Construction, Inc., No. 1 Mine (I.D. No. 15-16643) located in Pike County, Kentucky, to modify the application of 30 CFR 75.503 (Permissible electric face equipment; maintenance) and 30 CFR 18.41(f) (Plug and receptacle-type connectors). The petitioner proposes to use permanently installed, spring-loaded locking devices to secure battery plugs on mobile battery-powered machines to prevent unintentional loosening of the battery plugs from battery receptacles, and to eliminate the potential hazards associated with difficult removal of padlocks during emergency situations. The petitioner asserts that using padlocks to secure battery plugs would result in diminution of safety to the miners.

**2. Aaron Coal Company, L.L.C.**

[Docket No. M-2002-008-C]

Stamper Technical Service, Inc., 45 Stamper Lane, Pikeville, Kentucky 41501 has filed a petition for the Aaron Coal Company, L.L.C., No. 2 Mine (I.D. No. 15-17813) located in Pike County, Kentucky, to modify the application of 30 CFR 75.503 (Permissible electric face equipment; maintenance) and 30 CFR 18.41(f) (Plug and receptacle-type connectors). The petitioner proposes to use permanently installed, spring-loaded locking devices to secure battery plugs on mobile battery-powered machines to prevent unintentional loosening of the battery plugs from battery receptacles, and to eliminate the potential hazards associated with difficult removal of padlocks during emergency situations. The petitioner asserts that using padlocks to secure battery plugs would result in diminution of safety to the miners.

**3. M & H Coal Company**

[Docket No. M-2002-009-C]

M & H Coal Company, P.O. Box 559, Hegins, Pennsylvania 17938 has filed a petition to modify the application of 30 CFR 75.1100-2(a) (Quantity and location of firefighting equipment) to its Mercury Slope Mine (I.D. No. 36-01920) located in Schuylkill County, Pennsylvania. The petitioner requests a modification of the standard to permit use of only portable fire extinguishers to

replace existing requirements where rock dust, water cars, and other water storage equipped with three (3) ten quart pails is not practical. The petitioner proposes to use two (2) fire extinguishers near the slope bottom and an additional portable fire extinguisher within 500 feet of the working face for equivalent fire protection for the Mercury Slope Mine. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

#### 4. White County Coal, LLC

[Docket No. M-2002-010-C]

White County Coal, LLC, 1525 County Road 1300 N, P.O. Box 457, Carmi, Illinois 62821 has filed a petition to modify the application of 30 CFR 75.701 (Grounding metallic frames, casings, and other enclosures of electric equipment) to its Pattiki II Mine (I.D. No. 11-03058) located in White County, Illinois. The petitioner proposes to use a 200KW, 480-volt, diesel powered generator set with an approved diesel drive engine to move equipment in, out, and around the mine and to perform work in areas outby section loading points where equipment is not required to be maintained permissible. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

#### 5. Hobet Mining, Inc.

[Docket No. M-2002-011-C]

Hobet Mining, Inc., P.O. Box 305, Madison, West Virginia 25130 has filed a petition to modify the application of 30 CFR 77.206(c) (Ladders; construction; installation and maintenance) to its Beth Station No. 79 Preparation Plant (I.D. No. 46-05398) located in Boone County, West Virginia. The petitioner proposes to use a SAF-T-CLIMB fall prevention system on its counterweight tower structure for the overland system at the Beth Station No. 9 Preparation Plant in lieu of using a vertical ladder. The petitioner states that the counterweights are located inside the framework of a structure that is approximately 30 feet high, that the use of the SAF-T-CLIMB system would ensure the safety of individuals working around the counterweights, and that the SAF-T-CLIMB system would be installed so that it would be in compliance with OSHA regulations 29 CFR 1910.27. The petitioner asserts that application of the existing standard would result in a diminution of safety to the miners.

#### 6. Energy West Mining Company

[Docket No. M-2002-012-C]

Energy West Mining Company, P.O. Box 310, Huntington, Utah 84528 has filed a petition to modify the application of 30 CFR 75.350 (Air courses and belt haulage entries) to its Deer Creek Mine (I.D. No. 42-00121) located in Emery County, Utah. The petitioner requests that Item IV(d)(3) & (4) of the proposed decision and order for its previously granted petition for modification, docket number M-1999-044-C be amended to allow the use of a non-approved diesel grader in the two-entry section with miners inby for maintenance purposes only. The petitioner asserts that the specific terms and conditions listed in this petition would be met before implementing its proposed amendments and that the proposed alternative method would provide at least the same measure of protection as the existing standard.

#### 7. Snyder Coal Company

[Docket No. M-2002-013-C]

Snyder Coal Company, 66 Snyder Lane, Hegins, Pennsylvania 17938 has filed a petition to modify the application of 30 CFR 75.1100-2(a) (Quantity and location of firefighting equipment) to its N & L Slope Mine (I.D. No. 36-02203) located in Northumberland County, Pennsylvania. The petitioner requests a modification of the standard to permit use of only portable fire extinguishers to replace existing requirements where rock dust, water cars, and other water storage equipped with three (3) ten quart pails is not practical. The petitioner proposes to use two (2) fire extinguishers near the slope bottom and an additional portable fire extinguisher within 500 feet of the working face for equivalent fire protection for the N & L Slope Mine. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

#### Request for Comments

Persons interested in these petitions are encouraged to submit comments via e-mail to [comments@msha.gov](mailto:comments@msha.gov), or on a computer disk along with an original hard copy to the Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before April 22, 2002. Copies of these petitions are available for inspection at that address.

Dated at Arlington, Virginia this 15th day of March 2002.

**Marvin W. Nichols, Jr.,**

*Director, Office of Standards, Regulations, and Variances.*

[FR Doc. 02-6796 Filed 3-20-02; 8:45 am]

**BILLING CODE 4510-43-P**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-029]

### Yankee Atomic Electric Company, Yankee Nuclear Power Station (ROWE); Exemption

#### 1.0 Background

The Yankee Atomic Electric Company (YAEC or the licensee) is the holder of Possession Only License No. DPR-3, which authorizes possession and maintenance of the Yankee Nuclear Power Station (YNPS or plant). The license provides, among other things, that the facility is subject to all rules, regulations, and orders of the U.S. Nuclear Regulatory Commission (NRC or the Commission) now or hereafter in effect. The facility is a permanently shutdown pressurized-water reactor (PWR) currently in the process of decommissioning and is located on the licensee's site in Franklin County, Massachusetts.

On February 27, 1992, the licensee submitted written certifications to the Commission that it had decided to permanently cease operations at YNPS and that all fuel had been permanently removed from the reactor. The NRC in a license amendment dated August 5, 1992, modified License No. DPR-3 to a Possession Only License (POL). The license is conditioned so that YAEC is not authorized to operate the reactor and fuel may not be placed in the reactor vessel, thus formalizing the YAEC commitment to permanently cease power operations. The YNPS spent nuclear fuel is currently being stored in the spent fuel pool, which is protected by a physical protection system meeting the requirements of 10 CFR 73.55, "Requirements for physical protection of licensed activities in nuclear power reactors against radiological sabotage," with exemptions as previously issued by the NRC. To complete the plant site decommissioning process, the spent fuel will be removed from the spent fuel pool and transferred to an onsite independent spent fuel storage installation (ISFSI) for interim storage.

Pursuant to 10 CFR part 72, "Licensing Requirements for the Independent Storage of Spent Nuclear