

[FR Doc. 04-14430 Filed 6-24-04; 8:45 am]

BILLING CODE 4510-30-C

**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. 533 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 supersedes 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, N.W., Room S-3014, Washington, DC 20210.

**Modification to General Wage Determination Decisions**

The number of the 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*

## Connecticut

CT030001 (Jun. 13, 2003)  
CT030003 (Jun. 13, 2003)  
CT030004 (Jun. 13, 2003)

*Volume II*

## District of Columbia

DC030001 (Jun. 13, 2003)  
DC030003 (Jun. 13, 2003)

## Maryland

MD030021 (Jun. 13, 2003)  
MD030048 (Jun. 13, 2003)  
MD030057 (Jun. 13, 2003)

## Pennsylvania

PA030001 (Jun. 13, 2003)  
PA030002 (Jun. 13, 2003)  
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PA030042 (Jun. 13, 2003)  
PA030065 (Jun. 13, 2003)

## Virginia

VA030025 (Jun. 13, 2003)  
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VA030092 (Jun. 13, 2003)  
VA030099 (Jun. 13, 2003)

## West Virginia

WV030002 (Jun. 13, 2003)  
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WV030010 (Jun. 13, 2003)  
WV030011 (Jun. 13, 2003)

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## Tennessee

TN030023 (Jun. 13, 2003)  
TN030038 (Jun. 13, 2003)  
TN030039 (Jun. 13, 2003)  
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TN030049 (Jun. 13, 2003)  
TN030062 (Jun. 13, 2003)

*Volume IV*

## Indiana

IN030002 (Jun. 13, 2003)  
IN030003 (Jun. 13, 2003)  
IN030004 (Jun. 13, 2003)  
IN030020 (Jun. 13, 2003)

## Wisconsin

WI030001 (Jun. 13, 2003)  
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WI030047 (Jun. 13, 2003)

WI030048 (Jun. 13, 2003)

*Volume V*

**Kansas**

KS030006 (Jun. 13, 2003)

KS030008 (Jun. 13, 2003)

KS030012 (Jun. 13, 2003)

**Missouri**

MO030003 (Jun. 13, 2003)

MO030010 (Jun. 13, 2003)

MO030016 (Jun. 13, 2003)

MO030046 (Jun. 13, 2003)

MO030051 (Jun. 13, 2003)

MO030055 (Jun. 13, 2003)

**Nebraska**

NE030001 (Jun. 13, 2003)

*Volume VI*

**Washington**

WA030001 (Jun. 13, 2003)

WA030002 (Jun. 13, 2003)

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None

**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 <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 of the year, regular

weekly updates will be distributed to subscribers.

Signed at Washington, DC, this 17th day of June, 2004.

**Terry Sullivan,**

*Acting Chief, Branch of Construction Wage Determinations.*

[FR Doc. 04-14106 Filed 6-24-04; 8:45 am]

**BILLING CODE 4510-27-M**

**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. Penn Big Bed Slate Company, Inc.**

[Docket No. M-2004-006-M]

Penn Big Bed Slate Company, Inc., 8450 Brown Street, P.O. Box 184, Slatington, Pennsylvania 18080 has filed a petition to modify the application of 30 CFR 56.19012 (Grooved drums) (MSHA I.D. No. 36-00207) located in Lehigh County, Pennsylvania. The petitioner requests a modification of the standard concerning the oversized grooves on the drums for cranes used at the Manhattan Quarry. The petitioner states that the 5/8-inch size rope does not flatten nor restrict the free sliding action of the wires and strands. The petitioner further states that the rope has 30 to 65 feet cut-off to ensure that the rope is safe. The petitioner has listed specific terms and conditions in this petition for modification to support the use of its proposed alternative method. The petitioner asserts that the oversized grooves will not create any unsafe conditions, and that the proposed alternative method would provide at least the same measure of protection as the existing standard.

**2. Eastern Associated Coal Corporation**

[Docket No. M-2004-023-C]

Eastern Associated Coal Corporation, 1970 Barrett Court, P.O. Box 1990, Henderson, Kentucky 42420 has filed a petition to modify the application of 30 CFR 75.364(b) (Weekly examination) to its Federal No. 2 Mine (MSHA I.D. No. 46-01456) located in Monogalia County, West Virginia. Due to deteriorating conditions in portions of the main return air courses (North Airways and South Airways) in the C Shaft area, the petitioner proposes to establish evaluation points to monitor the air moving through the affected areas. The

petitioner will establish two evaluation points in the North airways at the outby end of the area, and in the inby end of the North Airways due to roof falls; establish one evaluation point in the South Airway at the intake end near 2 East Mains due to massive roof falls in the south area of the C Shaft and use current evaluation points at the C Shaft to monitor for harmful gases; and establish one evaluation point in 1 East Mains at the inby end of the affected area. The petitioner states that a certified person will check the evaluation points at least every 7 days to determine the quantity and quality of air in the affected area, and record their initials, the date, and time of the examination(s) on a date board that will be located at each evaluation point; and that methane in excess of 2.0 percent will not be allowed to accumulate in any airway. If methane increases 0.5 percent or more, an immediate investigation will be conducted in the affected area. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard and will eliminate the hazard of people working in the affected area.

**3. Consolidation Coal Company**

[Docket No. M-2004-024-C]

Consolidation Coal Company, 1800 Washington Road, Pittsburgh, Pennsylvania 15241 has filed a petition to modify the application of 30 CFR 75.364(b)(2) (Weekly examination) to its Loveridge No. 22 Mine (MSHA I.D. No. 46-01433) located in Marion County, West Virginia. The petitioner requests a modification of the existing standard which requires a certified person to make a weekly examination of the return air course from the Sugar Run seals to the 3 North Bleeder seals. Due to deteriorating rib and roof conditions, traveling the entire area of the Sugar Run 3 North Bleeder seals to make weekly examinations would expose personnel to hazardous conditions. The petitioner proposes to establish evaluation check points 1 and 2 to evaluate and confirm the proper ventilation between the Sugar Run seals and the 3 North Bleeder seal areas through the Main North headings. The petitioner states that these check points will be maintained in a safe condition at all times; and the quality and quantity of air at the check points will be measured on a weekly basis by a certified person who will record his/her initials, the date, and the time of the examinations in a record book that will be kept on the surface for six months and made available for inspection by