

**ADDRESSES:** Ms. Hazel M. Bell, U.S. Department of Labor, 200 Constitution Ave., NW., Room S-3201, Washington, DC 20210, telephone (202) 693-0418, fax (202) 693-1451, e-mail [bell.hazel@dol.gov](mailto:bell.hazel@dol.gov). Please use only one method of transmission for comments (mail, fax, or e-mail).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

The Wage and Hour Division (WHD) of the Department of Labor (DOL) administers the Employee Polygraph Protection Act of 1988 (EPPA), 29 U.S.C. 2001 *et seq.* The EPPA prohibits most private employers from using any lie detector tests either for pre-employment screening or during the course of employment. The Act contains an exemption applicable to Federal, State and local government employers. The EPPA also contains several limited exemptions authorizing polygraph tests under certain conditions, including testing: (1) By the Federal Government of experts, consultants or employees of Federal contractors engaged in national security intelligence or counterintelligence functions; (2) of employees the employer reasonably suspects of involvement in a workplace incident resulting in economic loss or injury to the employer's business; (3) of some prospective employees of private armored cars, security alarm and security guard firms; and (4) of some current and prospective employees of certain firms authorized to manufacture, distribute or dispense controlled substances. The WHD may assess civil money penalties of up to \$10,000 against employers who violate any EPPA provision. DOL currently has no printed public use forms associated with this information collection that consists of third-party disclosures and recordkeeping requirements. Appendix A of Regulations, 29 CFR part 801, contains a written statement setting forth both the examinee's and employer's legal rights, for use in satisfying the EPPA section 8(b)(2)(d) disclosure requirement. DOL proposes to make the information in Appendix A available on an optional public use form that will be available through the Departmental Internet Web site in PDF format. This information collection is currently approved for use through October 31, 2005.

**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 DOL seeks an approval for the extension of this information collection that requires the keeping of records by examiners and employers as necessary or appropriate for the administration of the Act and the provision of certain notices to polygraph examiners and examinees.

*Type of Review:* Extension.

*Agency:* Employment Standards Administration.

*Title:* Employee Polygraph Protection Act.

*OMB Number:* 1215-0170.

*Agency Number:* Notice to Examinee Employer Polygraph Protection Act (WH-1481).

*Affected Public:* Business or other for-profit, Not-for-profit institutions, Farms.

*Total Respondents:* 328,000.

*Total Responses:* 328,000.

*Time per Response:* Varies from 1 minute to 30 minutes, depending on the notice.

*Frequency:* On Occasion (Recordkeeping, Reporting, Third-party Disclosure).

*Estimated Total Burden Hours:* 82,406.

*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: April 27, 2005.

**Bruce Bohanon,**

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

[FR Doc. 05-8845 Filed 5-3-05; 8:45 am]

**BILLING CODE 4510-27-P**

**DEPARTMENT OF LABOR**

**Mine Safety and Health Administration**

**Proposed Information Collection Request Submitted for Public Comment and Recommendations; Testing, Evaluation and Approval of Mining Products**

**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.

**DATES:** Submit comments on or before July 5, 2005.

**ADDRESSES:** Send comments to U.S. Department of Labor, Mine Safety and Health Administration, John Rowlett, Director, Management Services Division, 1100 Wilson Boulevard, Room 2134, Arlington, VA 22209-3939. Commenters are encouraged to send their comments on a computer disk, or via Internet e-mail to [Rowlett.John@dol.gov](mailto:Rowlett.John@dol.gov), along with an original printed copy. Mr. Rowlett can be reached at (202) 693-9827 (voice), or (202) 693-9801 (facsimile).

**FOR FURTHER INFORMATION CONTACT:** Contact the employee listed in the **ADDRESSES** section of this notice.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

The Mine Safety and Health Administration (MSHA) is responsible for the inspection, testing, approval and certification, and quality control of mining equipment and components, materials, instruments, and explosives

used in both underground and surface coal, metal, and nonmetal mines. Title 30 CFR parts 6 through 36 contain procedures by which manufacturers may apply for and have equipment approved as "permissible" for use in mines.

## II. Desired Focus of Comments

Currently, the Mine Safety and Health Administration (MSHA) is soliciting comments concerning the proposed extension of the information collection requirement related to testing, evaluation, and approval of Mining Products. MSHA is particularly interested in comments that:

- \* Evaluate whether the proposed collection of information is necessary for the proper performance of MSHA's functions, including whether the information has practical utility;

- \* Evaluate the accuracy of MSHA's estimate of the burden of the proposed

collection of information, including the validity of the methodology and assumptions used;

- \* Suggest methods to enhance the quality, utility, and clarity of the information to be collected; and

- \* Address 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) to minimize the burden of the collection of information on those who are to respond.

A copy of the proposed information collection request can be obtained by contacting the employee listed in the **ADDRESSES** section of this notice or viewed on the Internet by accessing the MSHA home page (<http://www.msha.gov>) and then choosing

"Statutory and Regulatory Information" and "**Federal Register Documents.**"

## III. Current Actions

Title 30 CFR parts 6 through 36 require that an investigation leading to approval or certification will be undertaken by the A&CC only pursuant to a written application accompanied by prescribed drawings and specifications identifying the piece of equipment. This information is used by engineers and scientists to evaluate the design in conjunction with tests to assure conformance to standards prior to approval for use in mines.

*Type of Review:* Extension.

*Agency:* Mine Safety and Health Administration.

*Title:* Permissible Equipment Testing.

*OMB Number:* 1219-0066.

*Affected Public:* Business or other for-profit.

Cite/reference	Total respondents	Frequency	Total responses	Burden hours	Burden costs
Part 6 .....	1	On occasion .....	2	2	0
Part 7 .....	48	On occasion .....	120	1,391	\$573,048
Part 15 .....	1	On occasion .....	2	10	6,472
Part 18 .....	114	On occasion .....	383	996	378,962
Part 19 .....	2	On occasion .....	5	22	19,513
Part 20 .....	3	On occasion .....	6	49	17,092
Part 22 .....	4	On occasion .....	17	60	80,082
Part 23 .....	4	On occasion .....	6	23	13,756
Part 27 .....	3	On occasion .....	4	21	15,193
Part 28 .....	1	On occasion .....	3	20	29,175
Part 33 .....	1	On occasion .....	3	20	10,383
Part 35 .....	4	On occasion .....	6	144	14,284
Part 36 .....	4	On occasion .....	5	30	6,200
<b>TOTALS</b> .....	<b>190</b>	.....	<b>562</b>	<b>2,788</b>	<b>1,164,160.00</b>

*Respondents:* 190.

*Responses:* 562.

*Total Burden Hours:* 2,788.

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

*Total Burden Cost (operating/maintaining):* \$1,164,160.

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 at Arlington, Virginia, this 26th day of April, 2005.

**David L. Meyer,**

*Director, Office of Administration and Management.*

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**BILLING CODE 4510-43-P**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Proposed Information Collection Request Submitted for Public Comment and Recommendations; Hazard Communication

**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 containing 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.

**DATES:** Submit comments on or before July 5, 2005.

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**SUPPLEMENTARY INFORMATION:**