

therefore, it is important to maintain the records for at least 5 years. *Burden Hours:* (See Chart below.)

| Requirement    | Sec.  | Total respondents  | Frequency          | Annual response | Average response time (hours) | Annual burden hours |  |
|----------------|-------|--|--------------------|-----------------|-------------------------------|---------------------|--|
| Form 671 ..... | 29.3  | 139,300  | 1-time basis ..... | 139,300         | .33/spon.                     | 34,825              |  |
|                | 29.6  | 139,100  | 1-time basis ..... | 139,100         | .25/app.                      | 11,545              |  |
|                | 29.5  | 1,700  | 1-time basis ..... | 1,700           | 2/spon                        | 3,400               |  |
|                | ..... | 2,900  | 1-time basis ..... | 2,900           | 2/SAC                         | 5,800               |  |
|                | 29.12 | (31)   | 1-time basis ..... | (31)            | 0                             | 0                   |  |
|                | 29.12 | (accomplished in 1977; no new state agency expected in 2005) |                    |                 |                               |                     |  |
|                | 29.12 | 31   | 1-time basis ..... | 31              | 2/SAC                         | 62                  |  |
|                | 29.13 | 0  | 0 .....            | 0               | 0                             | 0                   |  |
| Totals .....   | ..... | 283,031  | .....              | 283,031         | .....                         | 55,632              |  |

*Total Burden Hours:* 55,632.  
*Total Burden Cost (capital/start-up):* \$0.

*Total Burden Cost (operating/maintaining):* \$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: Signed at Washington, DC this 25th day of May, 2005.

**Anthony Swoope,**

*Administrator, Office of Apprenticeship Training, Employer and Labor Services.*

[FR Doc. E5-2794 Filed 6-1-05; 8:45 am]

**BILLING CODE 4510-30-P**

**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 (ETA) is soliciting comments concerning the proposed

extension of the Tax Performance System (TPS). Note that the name of this program was changed from Revenue Quality Control to the Tax Performance System. A copy of the proposed information collection request can be obtained by contacting the employee listed below in the contact section of this notice.

**DATES:** Written comments must be submitted to the office listed in the address below on or before August 1, 2005.

**ADDRESSES:** Rett Hensley, Office of Workforce Security, Employment and Training Administration, Department of Labor, Room S 4522, 200 Constitution Ave., NW., Washington, DC, 20210; 202-693-3203 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Since 1987, states have been required by regulation at 20 CFR Part 602 to operate a program to assess their Unemployment Insurance (UI) tax and benefit programs. TPS developed new measures for tax performance to replace those previously gathered under the Quality Appraisal system. TPS is designed to assess the major internal UI tax functions by utilizing several methodologies: Computed Measures which are indicators of timeliness and completeness based on data automatically generated via the existing ETA 581, Contribution Operations Report (Office of Management and Budget (OMB) approval number 1205-0178, expiring 8/31/2005); and Program Reviews which assess accuracy through a two-fold examination. This examination involves: (a) "Systems Reviews" which examine tax systems for the existence of internal controls; and (b) extraction of small samples of those systems' transactions which are then examined to verify the effectiveness of controls.

**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 submission of responses.

**III. Current Actions**

This is a request for OMB approval under the Paperwork Reduction Act of 1995 (44 U.S.C. 3506 (c) (2) (A)) for continuing an existing collection of information previously approved and assigned OMB control No. 1205-0332.

*Agency:* Employment and Training Administration, Department of Labor.

*Title:* Tax Performance System.

*OMB Number:* 1205-0332.

*Affected Public:* State government.

*Total Respondents:* 52.

*Frequency:* Annually.

*Total Responses:* 52.  
*Average time per response:* 1739 hours.

*Estimated Total Burden Hours:* 90,428.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of the extension of the

information collection request; they will also become a matter of public record.

Dated: May 11, 2005.

**Cheryl Atkinson,**

*Administrator, Office of Workforce Security.*

[FR Doc. E5-2795 Filed 6-1-05; 8:45 am]

BILLING CODE 4510-30-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. Hopkins County Coal, LLC

[Docket No. M-2005-034-C]

Hopkins County Coal, LLC, 2668 State Route 120 East, Providence, Kentucky 42450 has filed a petition to modify the application of 30 CFR 75.1103-4(a) (Automatic fire sensor and warning device systems; minimum requirements; general) to its Elk Creek Mine (MSHA I.D. No. 15-18826) located in Hopkins County, Kentucky. The petitioner requests a modification of the existing standard to permit an alternative method of compliance for providing an automatic fire sensor and warning device system for identifying fire within each belt flight. The petitioner proposes to install a low-level carbon monoxide detection system as an early warning fire detection system in all belt entries where a monitoring system identifies a sensor location in lieu of identifying each belt flight. The petitioner has listed additional procedures in this petition that will be following when the proposed alternative method is implemented. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

#### 2. Scorpio Mining, Inc.

[Docket No. M-2005-035-C]

Scorpio Mining, Inc., 530 Fairmont Avenue, Fairmont, West Virginia 26554 has filed a petition to modify the application of 30 CFR 75.364(b)(4) (Weekly examination) to its King #1 Mine (MSHA I.D. No. 46-08880) located in Upshur County, West Virginia. Due to a large roof fall and the inability to see the seal, in lieu of weekly visual examinations, the petitioner proposes to inspect the air quality both inby and outby the #8 seal on a daily basis log both the oxygen quality and methane level, and keep the records in the mine office. If the change in oxygen quality

between the inby and outby readings reaches 0.5 percent, the petitioner will increase inspections to every 4 hours during working shifts, and if the air quality falls below 19.5 percent oxygen, the petitioner will notify MSHA. The petitioner states that the weekly examiner will be equipped with an SCSR and will continually monitor the oxygen content of air while traveling the bleeder entries inby the roof fall; the #8 seal is on return air and poses no threat to employees; and the #8 seal is located on the low side of the King #1 Mine away from current and future mining operations. The petitioner asserts that compliance with the existing standard would result in a diminution of safety to the miners.

#### 3. Hopkins County Coal, LLC

[Docket No. M-2005-036-C]

Hopkins County Coal, LLC, 2668 State Route 120 East, Providence, Kentucky 42450 has filed a petition to modify the application of 30 CFR 75.1101-1(b) (Deluge-type water spray systems) to its Elk Creek Mine (MSHA I.D. No. 15-18826) located in Hopkins County, Kentucky. The petitioner requests a modification of the existing standard to permit an alternative method of compliance in lieu of providing blow-off dust covers for deluge-type water spray nozzles. The petitioner will have a person who is trained in testing procedures specific to the deluge-type water spray fire suppression systems at each belt drive conduct a visual examination of each deluge-type water spray fire suppression system; conduct a functional test of the deluge-type water spray fire suppression systems to check for proper performance; and record the results of the examination and functional test in a book that will be maintained on the surface of the mine for one year and made available to the authorized representative of the Secretary. The petitioner states that procedures used to perform functional test will be posted at or near each belt drive that utilizes a deluge-type water spray fire suppression system, and if any malfunction or clogged nozzle is detected, corrections will be made immediately. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

#### 4. Bridger Coal Company

[Docket No. M-2005-037-C]

Bridger Coal Company, P.O. Box 68, Point of Rocks, Wyoming 82942 has filed a petition to modify the application of 30 CFR 75.1101-8 (Water sprinkler systems; arrangement of

sprinklers) to its Bridger Underground Mine (MSHA I.D. No. 48-01646) located in Sweetwater County, Wyoming. The petitioner proposes to have a water sprinkler system that will consist of a single overhead pipe system with automatic sprinklers located no more than 10 feet apart so that the water discharged from the sprinklers will cover 50 feet of fire-resistant belt, or 150 feet of nonfire-resistant belt, adjacent to the belt drive. The petitioner states that the sprinkler will be located not more than 10 feet apart so that the water discharged from the sprinkler(s) will cover the drive motor(s), belt take-up, electrical controls, and gear reducing unit for each belt drive, and the sprinkler system will use either pendant or upright type sprinkler heads. The petitioner has listed in this petition for modification specific terms and conditions that would be followed when the proposed alternative method is implemented. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

#### 5. Alfred Brown Coal Company

[Docket No. M-2005-038-C]

Alfred Brown Coal Company, 71 Hill Road, Hegins, Pennsylvania 17938 has filed a petition to modify the application of 30 CFR 75.1100-2(a)(2) (Quantity and location of firefighting equipment) to its 7 Ft. Slope Mine (MSHA I.D. No. 36-08893) located in Schuylkill County, Pennsylvania. The petitioner requests a modification of the existing standard to permit the use of portable fire extinguishers to replace existing requirements where rock dust, water cars, and other water storage equipped with three 10 quart pails are not practical. The petitioner proposes to use two portable fire extinguishers near the slope bottom and an additional portable fire extinguisher within 500 feet of the working face for equivalent fire protection at the 7 Ft. 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 Federal eRulemaking Portal: <http://www.regulations.gov>; E-mail: [zzMSHA-Comments@dol.gov](mailto:zzMSHA-Comments@dol.gov); Fax: (202) 693-9441; or Regular Mail/Hand Delivery/Courier: Mine Safety and Health Administration, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209. All comments must be postmarked or