

(OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for "sixty days" until October 21, 2005. This process is conducted in accordance with 5 CFR 1320.10.

If you have comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Janet Chiancone, (202) 353-9258, Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice, 810 Seventh Street NW., Washington, DC 20531.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- 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 agencies 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.

*Overview of this information collection:*

(1) *Type of Information Collection:* Extension of previously approved collection.

(2) *The Title of the Form/Collection:* Census of Juveniles in Residential Placement.

(3) *The Agency Form Number, if Any, and the Applicable Component of the Department Sponsoring the Collection:* The form number is CJ-14, Office of Juvenile Justice and Delinquency Prevention, United States Department of Justice.

(4) *Affected Public Who Will be Asked or Required to Respond, as Well as a*

*Brief Abstract:* Primary: Federal Government. Other: State, Local or Tribal Government, not-for-profit institutions, business or other for-profit. The data collection will gather individual level information on juveniles (persons under 18) who are placed in a residential facility due to contact with the justice system.

(5) *An Estimate of the Total Number of Respondents and the Amount of Time Estimated for an Average Respondent to Respond/Reply:* It is estimated that 3,500 respondents will complete the questionnaire in approximately 3 hours.

(6) *An Estimate of the Total Public Burden (in Hours) Associated With the Collection:* There are approximately 11,550 hours associated with this collection.

If additional information is required contact: Brenda E. Dyer, Department Clearance Officer, Policy and Planning Staff, Justice Management Division, Department of Justice, Patrick Henry Building, Suite 1600, 601 D Street, NW., Washington, DC 20530.

Dated: August 17, 2005.

**Brenda E. Dyer,**

*Department Clearance Officer, Department of Justice.*

[FR Doc. 05-16550 Filed 8-19-05; 8:45 am]

**BILLING CODE 4410-18-P**

## DEPARTMENT OF JUSTICE

### Office of Justice Programs

#### Agency Information Collection Activities: Proposed Collection; Comments Requested

**ACTION:** 30-day notice of information collection under review: 2005 Census of State and Federal Correctional Facilities.

The Department of Justice (DOJ), Office of Justice Programs (OJP) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** Volume 70, Number 114, page 34796 on June 15, 2005, allowing for a 60 day comment period.

The purpose of this notice is to allow for an additional 30 days for public comment until September 21, 2005. This process is conducted in accordance with 5 CFR 1320.10.

Written comments and/or suggestions regarding the items contained in this notice, especially the estimated public burden and associated response time, should be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC 20503.

Additionally, comments may be submitted to OMB via facsimile to (202) 395-5806. Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- 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 agencies 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.

*Overview of This Information Collection:*

(1) *Type of Information Collection:* Reinstatement, with change, of a previously approved collection for which approval has expired.

(2) *Title of the Form/Collection:* 2005 Census of State and Federal Correctional Facilities.

(3) *Agency Form Number, if Any, and the Applicable Component of the Department Sponsoring the Collection:* Form Number: CJ-43, Bureau of Justice Statistics, Office of Justice Programs, Department of Justice.

(4) *Affected Public Who Will be Asked or Required to Respond, as Well as a Brief Abstract:* Primary: Federal, State, and District prison authorities. The Census of State and Federal Correctional Facilities obtains information on each type of facility designed to house adults sentenced to confinement by State, District, or Federal court. These facilities include prisons, penitentiaries, and correctional institutions; boot camps; prison farms; reception,

diagnostic, and classification centers; road camps; forestry and conservation camps; youthful offender facilities (except in California); vocational training facilities; prison hospitals; drug and alcohol treatment facilities; and State operated local detention facilities.

(5) *An Estimate of the Total Number of Respondents and the Amount of Time Estimated for an Average Respondent to Respond/reply*: It is estimated that 1,700 respondents will complete a 3-hour census form.

(6) *An Estimate of the Total Public Burden (in Hours) Associated With the Collection*: There are an estimated 5,100 total annual burden hours associated with this collection.

If additional information is required contact: Brenda E. Dyer, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Patrick Henry Building, Suite 1600, 601 D Street NW., Washington, DC 20530.

Dated: August 17, 2005.

**Brenda E. Dyer,**

*Department Clearance Officer, Department of Justice.*

[FR Doc. 05-16552 Filed 8-19-05; 8:45 am]

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## 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. Black Stallion Coal Company, LLC

[Docket No. M-2005-055-C]

Black Stallion Coal Company, LLC, 500 Lee Street, P.O. Box 1189, Charleston, West Virginia 25324 has filed a petition to modify the application of 30 CFR 75.503 (Permissible electric face equipment; maintenance) and 30 CFR 18.35 (Portable trailing cables and cords) to its Black Stallion Mine (MSHA I.D. No. 40-09086) located in Boone County, West Virginia. The petitioner proposes to use 900 feet of trailing cable on Roof bolters and Mobil Roof Supports. The petitioner states that this proposed alternative method will only apply to trailing cables that supply 480-volt, three-phase, alternating current to roof bolters and mobile roof supports. The petitioner asserts that the proposed alternative method would provide at least the same

measure of protection as the existing standard.

##### 2. Hawthorne Coal Company, LLC

[Docket No. M-2005-056-C]

Hawthorne Coal Company, LLC, 2708 Cranberry Square, Morgantown, West Virginia 26505 has filed a petition to modify the application of 30 CFR 77.214(a) to its Hawthorne Preparation Plant (MSHA I.D. No. 46-05544) located in Upshur County, West Virginia. The petitioner requests a modification of the existing standard to permit the extension of Hawthorne's Reed Hollow Refuse Pile over four sealed openings to the Grand Badger Mine No. 1A, now owned by Hawthorne which was abandoned in 1986. The petitioner states that a fifth opening will not be affected by the refuse pile expansion. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

##### 3. McElroy Coal Company

[Docket No. M-2005-057-C]

McElroy Coal Company, RD#4, Box 425, Moundsville, West Virginia 26041 has filed a petition to modify the application of 30 CFR 77.214(a) (Refuse piles; general) to its McElroy Mine (MSHA I.D. No. 46-01437) located in Marshall County, West Virginia. The petitioner proposes to construct a soil buffer zone around the escape shaft with a minimum radius of 50-feet rather than the required radius of 300-feet. The petitioner states that the soil in the 50-foot buffer zone will be placed in maximum 12-inch thick loose lifts and will be compacted to a minimum of 95 percent of the standard Proctor maximum dry density as determined by ASTM D 698; the soil will be within -2 percent to +3 percent of the material's optimum moisture content as determined by ASTM D 698; and coarse refuse will be placed in the remainder of the 300-foot radius. The petitioner asserts that to construct a 300-foot soil buffer zone does not significantly increase the safety concerns related to the shaft structure and the proposed alternative method would provide at least the same measure of protection as the existing standard.

##### 4. Dodge Hill Mining Company, LLC

[Docket No. M-2005-058-C]

Dodge Hill Mining Company, LLC, P.O. Box 165, Sturgis, Kentucky 42459 has filed a petition to modify the application of 30 CFR 75.1101-1(b) (Deluge-type water spray systems) to its Dodge Hill Mine #1 (MSHA I.D. No. 15-18335) located in Union County,

Kentucky. The petitioner requests a modification of the existing standard to permit a variance from the use of dust covers. The petitioner instead proposes to have a person who is trained in the testing procedures specific to the deluge-type water spray fire suppression systems used at each belt drive to once a week conduct a visual examination of each of the deluge-type water spray fire suppression systems; conduct a functional test of the deluge-type water spray fire suppression system by actuating the system and observing its performance; and record the results of the examination and functional test in a book provided on the surface available for authorized representatives of the Secretary and retained for one year. The petitioner states that all nozzles that are determined to be clogged or malfunctioning will be corrected immediately. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

##### 5. Hopkins County Coal, LLC

[Docket No. M-2005-059-C]

Hopkins County Coal, LLC, 2668 St. Rt. 120E, Providence, Kentucky 42450 has filed a petition to modify the application of 30 CFR 75.1700 (Oil and gas wells) to its Elk Creek Mine (MSHA I.D. No. 15-28816) located in Hopkins County, Kentucky. The petitioner proposes to plug and mine through oil and gas wells in all mineable coalbeds. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

##### 6. Simplot Phosphates, LLC

[Docket No. M-2005-002-M]

Simplot Phosphates, LLC, 9401 North Highway 191, Vernal, Utah 84078 has filed a petition to modify the application of 30 CFR 56.9300 (Berms or guardrails) to its Vernal Pit and Mill (MSHA I.D. No. 42-00998) located in Uintah County, Utah. The petitioner requests a modification of the existing standard to permit an alternative method of compliance during construction work on a tailings dam impoundment. The petitioner proposes to raise the height to the dam in several lift phases during tailings dam construction. The lift phases will occur roughly every other year depending on recoveries, evaporation, annual precipitation, and size of lift phases. The petitioner states that the lift phases are typically scheduled during the summer season to avoid poor weather conditions. The petitioner asserts that the proposed alternative method would