

6(b) of the Act on March 4, 1997 (62 FR 9812).

The last notification was filed with the Department on April 30, 2007. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on November 7, 2007 (72 FR 62870).

**Patricia A. Brink,**

*Deputy Director of Operations, Antitrust Division.*

[FR Doc. 07-6123 Filed 12-19-07; 8:45 am]

**BILLING CODE 4410-11-M**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### **Proposed Information Collection Request Submitted for Public Comment and Recommendations; Examinations & Testing of Electrical Equipment Including Exam, Testing, and Maintenance of High Voltage Longwalls**

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden conducts a pre-clearance 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 February 19, 2008.

**ADDRESSES:** Send comments to, Debbie Ferraro, Management Services Division, 1100 Wilson Boulevard, Room 2171, Arlington, VA 22209-3939. Commenters are encouraged to send their comments on computer disk, or via Internet E-mail to [Ferraro.Debbie@DOL.GOV](mailto:Ferraro.Debbie@DOL.GOV). Ms. Ferraro can be reached at (202) 693-9821 (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**

It has long been known that inadequate maintenance of electric equipment is a major cause of serious

electrical accidents in the coal mining industry. Improperly maintained electric equipment has also been responsible for many disastrous mine fires and explosions. The regulations also contain recordkeeping requirements which may in some instances help operators in implementing an effective maintenance program. The subject records of tests and examinations are examined by coal miners, coal mine officials, and MSHA inspectors. MSHA inspectors examine the records to determine if the required tests and examinations have been conducted, to identify units of electric equipment that may pose a potential safety hazard, to determine the probable cause of accidents during accidents investigations, and to evaluate the effectiveness of the coal mine operator's electrical maintenance programs. By comparing the records with the actual condition of electric equipment, MSHA inspectors may in some cases be able to identify weaknesses in the coal mine operator's electrical maintenance programs and require that the weaknesses be corrected.

#### **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 Records of Tests and Examinations of Personnel Hoisting Equipment. 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 viewed on the Internet by accessing the MSHA home page (<http://www.msha.gov/>) and selecting "Rules and Regs", then selecting "Fed Reg Docs."

#### **III. Current Actions**

The subject regulations require the mine operator to establish an electrical maintenance program by specifying minimum requirements for the examination, testing, and maintenance of electric equipment. It is imperative that mine operators adopt and follow an effective maintenance program to ensure that electric equipment is maintained in a safe operating condition if electrocutions, mine fires, and mine explosions are to be prevented. Because of fire, electrocution and explosion hazards in coal mines, mine operators are required to comply with these paperwork provisions. Reduction of these requirements could result in increased hazards to miners. A reduction in the frequency of examinations and tests could allow existing unsafe conditions to develop, jeopardizing the safety of miners.

*Type of Review:* Extension.

*Agency:* Mine Safety and Health Administration.

*Title:* Examinations & Testing of Electrical Equipment Including Exam, Testing, and Maintenance of High Voltage Longwalls—30 CFR 75.351, 75.512, 75.703, 75.800-4, 75.820, 75.821, 75.900-4, 75.1001-1, 77.502, 77.800-2, and 77.900-2.

*OMB Number:* 1219-0116.

*Frequency:* Annually; Monthly; Weekly; On occasion.

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

*Respondents:* 917.

*Responses:* 691,430.

*Total Burden Hours:* 760,553.

*Total Burden Cost (capital/startup):* \$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 at Arlington, Virginia, this 14th day of December, 2007.

**David L. Meyer,**

*Director, Office of Administration and Management.*

[FR Doc. E7-24692 Filed 12-19-07; 8:45 am]

**BILLING CODE 4510-43-P**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### **Petitions for Modification**

**AGENCY:** Mine Safety and Health Administration, Labor.

**ACTION:** Correction notice.

**SUMMARY:** This is a correction to a petition for modification notice that was published in the **Federal Register** on December 3, 2007 (72 FR 67970), for Affirmative Decisions on Petitions for Modification. In the notice we inadvertently listed the petition for modification, docket number M-2005-079-C, RS&W Coal Company, RS&W Drift Mine, MSHA I.D. No. 36-01818, as a granted petition. This petition for modification has not been granted.

Dated: December 12, 2007.

**Jack Powasnik,**

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

[FR Doc. 07-6094 Filed 12-19-07; 8:45 am]

**BILLING CODE 4510-43-M**

### **MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION**

#### **Notice to Extend the Request for Comment on Draft Convening Report Regarding Negotiated Rulemaking and Bureau of Indian Affairs Funded School Facilities Repair, Renovation & Construction**

**AGENCY:** United States Institute for Environmental Conflict Resolution, Morris K. Udall Foundation.

**ACTION:** Notice to extend the public comment period for the Draft Convening Report Regarding Negotiated Rulemaking and Bureau of Indian Affairs Funded School Facilities Repair, Renovation, & Construction.

**SUMMARY:** The U.S. Institute for Environmental Conflict Resolution gives notice that the comment period announced in the October 22, 2007 (72 FR 59556) on the draft convening report regarding Department of the Interior's (DOI) Bureau of Indian Affairs (BIA)-funded school facilities construction as identified in the No Child Left Behind Act of 2001 (NCLB Act) will be extended to February 1, 2008. The draft report was prepared at the request of the DOI, BIA, and Bureau of Indian Education (BIE). Such a convening report is described generally in the Negotiated Rulemaking Act of 1996, Public Law 104-320, Section 563(b).

As a neutral, independent federal program, the U.S. Institute and its impartial contractor team, Consensus Building Institute (CBI) conducted two-hundred (200) interviews of people with an interest in BIA-funded school facilities construction. The purpose of the interviews was to explore the opportunities for, and barriers to, using negotiated rulemaking to develop

regulations implementing the requirements of the NCLB Act related to BIA-funded school facilities. The draft report covers school facility topics identified from the NCLB Act:

- Methods to catalog school facilities;
- Determining formulas for priority and funding for school replacement construction and new construction;
- Determining formulas for priority and funding for school renovation and repair;
- Facilities standards for home living (dormitory) situations.

In the draft report, CBI identified several key themes from its interviews:

- There is a strong willingness to go forward with a negotiated rulemaking, as it is required by statute.
- Interviewees were supportive of negotiating to improve the fairness, efficiency and transparency of the funding formulas for all aspects of school facilities funding.
- There is a need to integrate the formal negotiation with less formal methods of consulting with the tribes who will not have seats at the table. CBI suggests a national workshop for all tribes with school facilities as part of the preparation for the negotiation process. This workshop could help identify options for the negotiating committee to work with.
- Representation of the tribes on the negotiating committee is required by the NCLB Act to be roughly proportional to the percent of students each tribe has in the system. For the majority of tribes (i.e. beyond the top eleven for student population), there will need to be a process for sharing seats or otherwise developing representation structures.

The draft convening report may be accessed at: <http://www.cbuiding.org> and at: <http://www.ecr.gov>. This notice invites interested individuals, organizations and governments to review and offer comments that focus on the findings and recommendations presented draft convening report.

**DATES:** Please submit comments on or before February 1, 2008.

**ADDRESSES:** You may submit comments by any of the following methods:

- *Email:* [bie@cbuiding.org](mailto:bie@cbuiding.org).
- *Fax:* 1-617-492-1919.
- *Mail:* Consensus Building Institute; Attn: BIE Convening Draft Report Comment, 238 Main Street, Suite 400, Cambridge, MA 02142.

**FOR FURTHER INFORMATION CONTACT:**

Patrick Field, Consensus Building Institute, 238 Main Street, Suite 400, Cambridge, MA 02142, (617) 492-1414 x118, [pfield@cbuiding.org](mailto:pfield@cbuiding.org); Sarah Palmer, Senior Program Manager, U.S. Institute for Environmental Conflict

Resolution, 130 S. Scott Avenue, Tucson, AZ 85701, phone (520) 901-8556, fax (520) 901-8557, [palmer@ecr.gov](mailto:palmer@ecr.gov); Michele F. Singer, Director, Office of Regulatory Management, Office of the Assistant Secretary, Indian Affairs, 1001 Indian School Road, NW., Albuquerque, NM 87104, phone (505) 563-5415, fax (505) 563-3811, [michele\\_f\\_singer@ios.doi.gov](mailto:michele_f_singer@ios.doi.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

The No Child Left Behind Act (NCLB Act) requires the Department of the Interior to use procedures set out in the Negotiated Rulemaking Act of 1996, Pub. L. 104-320, Section 563 when developing regulations to implement the NCLB Act's provisions regarding schools operated or funded by the BIA. BIA has used negotiated rulemaking to address six (6) of the seven (7) regulations required under the NCLB Act. DOI and BIA want to assess the feasibility of using the negotiated rulemaking process to develop the final rule, dealing with school construction and repair.

In the fall of 2006 DOI sought assistance with this effort from the U.S. Institute, an independent impartial government entity with expertise in convening, assessment and alternative dispute resolution processes. In accordance with its statutory authority, the 1998 Environmental Policy and Conflict Resolution Act (Pub. L. 105-156, codified at 20 U.S.C. 5601, *et seq.*), the U.S. Institute conducted a convening assessment. For more information on the U.S. Institute, please visit <http://www.ecr.gov>.

The U.S. Institute contracted with an independent, impartial convening team, the Consensus Building Institute (CBI), to carry out interviews and prepare a draft convening report. The scope of the draft convening report includes views on school facility topics identified from the NCLB Act and the opportunities of and barriers to negotiated rulemaking. To understand the range of perspectives on or interests in these topics, the convening team conducted 200 confidential interviews with tribal officials or their designees, representative of BIA-funded or grant-funded tribal schools, and others with an interest in Bureau-funded school facilities construction on the following:

- Interviewees' views on the substantive issues listed above;
- Suggestions for how diverse geographic, size, and tribal interests can best be represented on a Negotiated Rulemaking Committee;