

injury types. These rates are used to analyze trends and to assess the degree of success of the health and safety efforts of MSHA and the mining industry.

Accident, injury, and illness data, when correlated with employment and production data, provide information that allows MSHA to improve its safety and health enforcement programs, focus its education and training efforts, and establish priorities for its technical assistance activities in mine safety and health. Maintaining a current database allows MSHA to identify and direct increased attention to those mines, industry segments, and geographical areas where hazardous trends are developing. This could not be done effectively utilizing historical data. The information collected under Part 50 is the most comprehensive and reliable occupational data available concerning the mining industry.

Data collected through MSHA Form 7000-1 and MSHA Form 7000-2 enable MSHA to publish timely quarterly and annual statistics, reflecting current safety and health conditions in the mining industry. The data gathered from this collection provides MSHA with the figures upon which to base its incidence rate calculations and trend analyses. These data are used not only by MSHA, but also by other Federal and State agencies, health and safety researchers, and the mining community to assist in measuring and comparing the results of health and safety efforts both in the United States and internationally.

MSHA also uses this information to target its inspection and assistance activities toward those mines, industry segments, and geographical areas which the current data demonstrate as having particular problems. Injury rates must be computed at least quarterly for MSHA to target its enforcement and assistance resources. Less frequent data collection would neither be timely nor statistically valid for this purpose.

The mining industry uses this quarterly injury incidence data in its efforts to reduce injuries and illnesses. MSHA's compilations are the only source of information which permit a particular mining operation to compare its record with that of similar mines. Coal production data are used in various analyses that range from a comparative nature to complex modeling—such as the Cost of Injury Model developed through research. Additionally, this information impacts the evaluation and review of MSHA's regulations, the development of new safety and health standards, and the evaluation of MSHA's programs. For additional information, see related notice

published at 72 FR 70348 on December 11, 2007.

*Agency:* Mine Safety and Health Administration.

*Type of Review:* Extension without change of currently approved collection.

*Title:* Qualification/Certification Program and Man Hoist Operators Physical Fitness.

*OMB Number:* 1219-0127.

*Form Number:* MSHA-5000-41.

*Estimated Number of Respondents:* 1,721.

*Estimated Total Annual Burden Hours:* 15,355.

*Estimated Total Annual Cost Burden:* \$8,047.

*Affected Public:* Private Sector: Business or other for-profit (Mines).

*Description:* Title 30 CFR 75.159 and 77.106 require coal mine operators to maintain a list of persons who are certified and those who are qualified to perform duties which require specialized expertise at underground and surface coal mines, i.e., conduct examinations for hazardous conditions, conduct tests for methane and oxygen deficiency, conduct tests of air flow, perform electrical work, repair energized surface high-voltage lines, and perform duties of hoisting engineer. The recorded information is necessary to ensure that only persons who are properly trained and have the required number of years of experience are permitted to perform these duties. MSHA does not specify a format for the recordkeeping; however, it normally consists of the names of the certified and qualified persons listed in two columns on a sheet of paper. One column is for certified persons and the other is for qualified persons.

Sections 75.100 and 77.100 pertain to the certification of certain persons to perform specific examinations and tests. Sections 75.155 and 77.105 outline the requirements necessary to be qualified as a hoisting engineer or hoist man. Also, under §§ 75.160, 75.161, 77.107 and 77.107-1, the mine operator must have an approved training plan developed to train and retrain the qualified and certified people to effectively do their tasks.

These regulations recognize State certification and qualification programs. However, where State programs are not available, MSHA may certify and qualify persons. The MSHA program will continue to qualify or certify individuals as long as these individuals meet the requirements for certification or qualification, fulfill any applicable retraining requirements, and remain employed at the same mine or by the same independent contractor.

Applications for Secretarial qualification or certification are submitted to the MSHA Qualification and Certification Unit in Denver, Colorado. MSHA Form 5000-41 provides the coal mining industry with a standardized reporting format that expedites the certification and qualification process while ensuring compliance with the regulations.

MSHA uses the Form's information to determine if applicants satisfy the requirements to obtain the certification or qualification sought. Persons must meet certain minimum experience requirements depending on the type of certification or qualification.

The information is used by the mine operator and MSHA enforcement personnel to determine whether certified and qualified persons, who are properly trained, are conducting tests or examinations, and operating hoisting equipment.

Form 5000-41 allows mining operators to report to MSHA the names of persons who have satisfactorily completed required mine foreman and hoisting training. MSHA uses the information to issue certification/qualification cards to those persons who are certified/qualified.

Mine operators also use the Form to submit an application to certify miners to perform specific required examinations and tests, or to qualify miners as hoisting engineers or hoist men, in States without certification programs. The Qualification and Certification Unit then mails the applicant a certificate. This certification satisfies the law where State certification programs are not available. For additional information, see related notice published at 72 FR 70349 on December 11, 2007.

**Darrin A. King,**

*Acting Departmental Clearance Officer.*

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## DEPARTMENT OF LABOR

### Employment Standards Administration

#### Proposed Extension of the Approval of Information Collection Requirements

**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 Standards Administration is soliciting comments concerning the proposal to extend OMB approval of the information collection: Housing Terms and Conditions for Migrant Agricultural Workers (WH-521). A copy of the proposed information collection request can be obtained by contacting the office listed below in the addresses section of this Notice.

**DATES:** Written comments must be submitted to the office listed in the **ADDRESSES** section below on or before April 28, 2008.

**ADDRESSES:** Mr. Steve Andoseh, U.S. Department of Labor, 200 Constitution Ave., NW., Room S-3201, Washington, DC 20210, telephone (202) 693-0373, fax (202) 693-1451, E-mail [andoseh.steven@dol.gov](mailto:andoseh.steven@dol.gov). Please use only one method of transmission for comments (mail, fax, or E-mail).

**SUPPLEMENTARY INFORMATION:**

**I. Background:** Migrant and Seasonal Agricultural Worker Protection Act (MSPA) section 201(c) requires all Farm Labor Contractors (FLCs), Agricultural Employers (AGERs), and Agricultural Associations (AGASs) providing housing to any migrant agricultural worker to post in a conspicuous place at the site of the housing, or present to the migrant worker, a written statement of any housing occupancy terms and conditions. See 29 U.S.C. 1821(c); 29 CFR 500.75(f). In addition, MSPA section 201(g) requires these FLCs, AGERs, and AGASs to give such information in English, or as necessary and reasonable, in a language common to the workers. See 29 U.S.C. 1821(g); 29 CFR 500.1(i)(2), 500.75. This provision also requires the Department of Labor to make optional forms available to provide the required disclosures. See 29 U.S.C. 1821(g); 29 CFR 500.1(i)(2), 500.75. Form WH-521 provides an easy method for FLCs, AGERs, and AGASs to post at the site of the housing or present MSPA housing terms and conditions to migrant agricultural workers, as required under the Act. Among other things, the form specifically identifies the name and address of the entity providing the housing, the name of the person in charge of the housing, and any charges for the housing, utilities, and

meals. The form also ensures that workers receive information that enables them to understand the terms and conditions under which they may occupy the housing, as the MSPA requires. The Department of Labor publishes Form WH-521 in English and Spanish. This information collection is currently approved for use through September 30, 2008.

**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 Department of Labor seeks approval for the extension of this currently approved information collection in order to carry out its responsibility to advise migrant and seasonal workers on the terms and conditions of housing provided by farm labor contractors, agricultural employers, and agricultural associations.

*Type of Review:* Extension.

*Agency:* Employment Standards Administration.

*Title:* Housing Terms and Conditions for Migrant Agricultural Workers.

*OMB Number:* 1215-0146.

*Agency Number:* WH-521.

*Affected Public:* Farms.

*Total Respondents:* 1,300.

*Total Annual Responses:* 1,300.

*Estimated Time per Response:* 30 minutes.

*Reporting:* 0.

*Estimated Total Burden Hours:* 650.

*Frequency:* On occasion.

*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: February 21, 2008.

**Steven Andoseh,**

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

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## DEPARTMENT OF LABOR

### Bureau of Labor Statistics

#### Comment Request

**ACTION:** Notice of solicitation of comments.

**SUMMARY:** The Department of Labor through the Bureau of Labor Statistics (BLS) is responsible for the development and publication of occupational injury, illness, and fatality data. These data are compiled in the Survey of Occupational Injuries and Illnesses and the Census of Fatal Occupational Injuries. These two programs use the Occupational Injury and Illness Classification System to classify certain cases received. BLS is currently soliciting comments to revise this system.

**DATES:** Written comments must be submitted to the office listed in the **ADDRESSES** section of this notice on or before April 1, 2008.

**ADDRESSES:** Send comments to Janice Windau, Office of Safety, Health, and Working Conditions, Bureau of Labor Statistics, Room 3180, 2 Massachusetts Avenue, NE., Washington, DC 20212 or by e-mail to: [OIICS-R@bls.gov](mailto:OIICS-R@bls.gov).

**FOR FURTHER INFORMATION CONTACT:** Janice Windau, Office of Safety, Health, and Working Conditions, Bureau of Labor Statistics, telephone number 202-691-6160 or by e-mail at [Windau.Janice@bls.gov](mailto:Windau.Janice@bls.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Department of Labor through the Bureau of Labor Statistics (BLS) is responsible for the development and publication of occupational injury, illness, and fatality data. The Bureau's nonfatal injury and illness statistics are derived from the Survey of Occupational Injuries and Illnesses (SOII). Data for fatal work injuries are compiled in the Census of Fatal Occupational Injuries (CFOI).

Beginning with data for 1992, cases with days away from work reported in the SOII and fatal injuries reported in