Cite/reference	Annual responses	Frequency	Average time per response (in minutes)	Burden Hours (in hours)
75.1712–4 75.1712–5 Extension	0	Annually	20	0
Totals	662			259

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 15th day of March, 2004.

David L. Meyer,

Director, Office of Administration and Management.

[FR Doc. 04–6447 Filed 3–22–04; 8:45 am]

BILLING CODE 4510–43–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. The Coteau Properties Company

[Docket No. M–2004–009–C]

The Coteau Properties Company, 204 County Road 15, Beulah, North Dakota 58523–9475 has filed a petition to modify the application of 30 CFR 77.803 (Fail safe ground check circuits on high-voltage resistance grounded systems) to its Freedom Mine (MSHA I.D. No. 32–00595) located in Mercer County, North Dakota. The petitioner requests a modification of the existing standard to allow an alternative method of compliance when the boom/mast is raised or lowered during construction/maintenance, most likely only during disassembly or major maintenance. The petitioner proposes to use this procedure only to raise or lower the boom/mast on draglines using the on-board motor generator sets. The petitioner states that during this period of construction/maintenance, the machine will not move under its own power and will not perform mining operations. The procedure would most likely be used only in instances of disassembly or major maintenance, which require the boom to be raised or lowered, and a written procedure would be developed and implemented by the mine operator or contractor and the affected persons will be trained on the requirements of the procedure. The petitioner further states that this procedure does not replace other mechanical precautions or the requirements of 30 CFR 77.405(b) that are necessary to safely secure booms/masts during construction or maintenance procedures. The petitioner asserts that its proposed alternative method would not result in a diminution of safety to the miners.

2. TXU-Mining Company LP

[Docket No. M–2004–010–C]

TXU-Mining Company LP, 1601 Bryan Street, Dallas, Texas 75201–3411 has filed a petition to modify the application of 30 CFR 77.803 (Fail safe ground check circuits on high-voltage resistance grounded systems) to its Big Brown Strip Mine (MSHA I.D. No.41–01192) located in Freestone County, Texas; Winfield North Strip Mine (MSHA I.D. No. 41–01900) and Winfield South Strip Mine (MSHA I.D. No. 41–03658) located in Titus County, Texas; Beckville Strip Mine (MSHA I.D. No. 41–02632) and Tatum Strip Mine (MSHA I.D. No. 41–03659) located in Panola County, Texas; and Oak Hill Strip Mine (MSHA I.D. No. 41–03660) located in Rusk County, Texas. The petitioner requests a modification of the existing standard to allow an alternative method of compliance when the boom/mast is raised or lowered during necessary repairs. The petitioner states that during the procedure for raising and lowering the boom for construction/maintenance, the machine will not be performing mining operations. The procedure would also be applicable in instances of disassembly or major maintenance which require the boom to be raised or lowered. The petitioner further states that the procedures of raising and lowering the boom/mast during disassembly or major maintenance would be performed on an as needed basis; and training and review of the procedures would be conducted prior to each time it is needed since raising and lowering the boom is done infrequently with long intervals of time between each occurrence, and all persons involved in the process will be trained or retrained at that time. The petitioner has listed specific guidelines in this petition that would be followed to minimize the potential for electrical power loss during this critical boom procedure. The petitioner asserts that this procedure does not replace other mechanical precautions or the requirements 30 CFR 77.405(b) that are necessary to safely secure boom/masts during construction or maintenance procedures and that its proposed alternative method would not result in a diminution of safety to the miners.

3. Speed Mining, Inc.

[Docket No. M–2004–011–C]

Speed Mining, Inc., 1001 Pennsylvania Avenue, NW., Washington, DC 20004–2595 has filed a petition to modify the application of 30 CFR 75.1700 (Oil and gas wells) to its American Eagle Mine (MSHA I.D. No. 46–05437) located in Kanawha County, West Virginia. The petitioner requests that its previously granted petition for modification, docket number M–2002–082–C, be amended to permit the mining through of certain wells located within the projected workings of the Speed Mining, Inc., American Eagle Mine. The petitioner requests an amendment to the petition, but requests that no portion of the existing modification be revoked. The petitioner is requesting the petition to be amended because the existing modification does not address certain kinds of wells and plugging conditions that it expects to encounter imminently at the American Eagle Mine. The petitioner asserts that the granting of this petition to amend would at all times guarantee no less than the same measure of protection as the existing standard or the alternative requirements in Paragraph 1 of the existing modification and will prevent a diminution of safety to the miners.

Request for Comments

Persons interested in these petitions are encouraged to submit comments via

e-mail to comments@msha.gov, or on a computer disk along with an original hard copy to the Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209. All comments must be postmarked or received in that office on or before April 22, 2004. Copies of these petitions are available for inspection at that address.

Dated at Arlington, Virginia this 17th day of March, 2004.

Marvin W. Nichols, Jr.,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 04–6400 Filed 3–22–04; 8:45 am]

BILLING CODE 4510–43–P

NUCLEAR REGULATORY COMMISSION

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Nuclear Regulatory Commission (NRC).

ACTION: Notice of pending NRC action to submit an information collection request to OMB and solicitation of public comment.

SUMMARY: The NRC is preparing a submittal to OMB for review of continued approval of information collections under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

Information pertaining to the requirement to be submitted:

1. *The title of the information collection:* 10 CFR part 11, Criteria and Procedures for Determining Eligibility for Access to or Control Over Special Nuclear Material.

2. *Current OMB approval number:* 3150–0062.

3. *How often the collection is required:* New applications, certifications, and amendments may be submitted at any time. Applications for renewal are submitted every 5 years.

4. *Who is required or asked to report:* Employees (including applicants for employment), contractors, and consultants of NRC licensees and contractors whose activities involve access to or control over special nuclear material at either fixed sites or in transportation activities.

5. *The number of annual respondents:* 5.

6. *The number of hours needed annually to complete the requirement or request:* Approximately 0.25 hours annually per response, for an industry total of 1.25 hours annually.

7. *Abstract:* NRC regulations in 10 CFR part 11 establishes requirements for access to special nuclear material, and the criteria and procedures for resolving questions concerning the eligibility of individuals to receive special nuclear material access authorization. Personal history information which is submitted on applicants for relevant jobs is provided to OPM, which conducts investigations. NRC reviews the results of these investigations and makes determinations of the eligibility of the applicants for access authorization.

Submit, by May 24, 2004, comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?

2. Is the burden estimate accurate?

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

A copy of the draft supporting statement may be viewed free of charge at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O–1 F21, Rockville, MD 20852. OMB clearance requests are available at the NRC World Wide Web site: *http://www.nrc.gov/public-involve/doc-comment/omb/index.html*. The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions about the information collection requirements may be directed to the NRC Clearance Officer, Brenda Jo. Shelton, U.S. Nuclear Regulatory Commission, T–5 F52, Washington, DC 20555–0001, by telephone at 301–415–7233, or by Internet electronic mail to *INFOCOLLECTS@NRC.GOV*.

Dated at Rockville, Maryland, this 16th day of March, 2004.

For the Nuclear Regulatory Commission.

Brenda Jo. Shelton,

NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 04–6421 Filed 3–22–04; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 030–07710, License No. 50–14102–01, EA–03–126]

In the Matter of State of Alaska Department of Transportation & Public Facilities, Anchorage, AK Confirmatory Order Modifying License, (Effective Immediately)

I

The State of Alaska Department of Transportation & Public Facilities (ADOT&PF or Licensee) is the holder of NRC License No. 50–14102–01 issued by the Nuclear Regulatory Commission (NRC or Commission) pursuant to 10 CFR Part 30. The license authorizes ADOT&PF to possess and use certain licensed material in portable gauging devices that have been registered either with the NRC or with an Agreement State and have been distributed in accordance with an NRC or Agreement State specific license. The license was most recently amended on February 4, 2004, and is due to expire on November 30, 2011.

II

On January 3, 2002, the NRC's Office of Investigations (OI) started an investigation of ADOT&PF to determine if ADOT&PF's Statewide Radiation Safety Officer (SRSO) was the subject of discrimination for raising safety and compliance concerns. In OI Report No. 4–2002–001, OI concluded that the SRSO was the subject of discrimination. By letter dated July 17, 2003, the NRC identified to ADOT&PF an apparent violation of employee protection requirements (10 CFR 30.7) and the supporting bases for the NRC's concern. A predecisional enforcement conference was conducted with ADOT&PF on November 18–19, 2003. During the conference, ADOT&PF denied that any discrimination occurred and asserted that no violation of 10 CFR 30.7 occurred.

After considering the information from the investigation and the information ADOT&PF presented during the conference, the NRC has concluded that a violation of 10 CFR 30.7 occurred. Specifically, the NRC has concluded that ADOT&PF discriminated against its SRSO for engaging in protected activities as documented in a Notice of Violation issued to ADOT&PF on this date. Further, the NRC is concerned that ADOT&PF's Safety Conscious Work Environment [1] has deficiencies, and that

[1] NRC defines Safety Conscious Work Environment as a work environment in which employees feel free to raise safety and compliance