

equipment, and has satisfactorily completed a coal mine electrical training program.

**DATES:** Submit comments on or before March 15, 2004.

**ADDRESSES:** Send comments to: Melissa Stoehr, Director of Management Services Division, 1100 Wilson Boulevard, Room 2134, Arlington, VA 22209-3939. Commenters are encouraged to send their comments on computer disk, or via Internet e-mail to [Stoehr.melissa@dol.gov](mailto:Stoehr.melissa@dol.gov). Ms. Stoehr can be reached at (202) 693-9827 (voice), or (202) 693-9801 (facsimile).

**FOR FURTHER INFORMATION CONTACT:** Melissa Stoehr, Director of Management Services Division, U.S. Department of Labor, Mine Safety and Health Administration, Room 2134, 1100 Wilson Boulevard, Arlington, VA 22209-3939. Ms. Stoehr can be reached at [Stoehr.melissa@dol.gov](mailto:Stoehr.melissa@dol.gov), (202) 693-9827 (voice), or (202) 693-9801 (facsimile).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Persons performing tasks and certain required examinations at coal mines which are related to miner safety and health, and which required specialized experience, are required to be either "certified" or "qualified". The regulations recognize State certification and qualification programs. However, where state programs are not available, under the Mine Act and MSHA standards, the Secretary may certify and qualify persons for as long as they continue to satisfy the requirements to obtain the certification or qualification, fulfill any applicable retraining requirements, and remain employed at the same mine or by the same independent contractor. Applications for Secretarial certification must be submitted to the MSHA Qualification and Certification Unit in Denver, Colorado. MSHA Form 5000-1 provides the coal mining industry with a standardized reporting format that expedites the certification process while ensuring compliance with the regulations. The information provided on the forms enables the Secretary of Labor's delegate—MSHA, Qualification and Certification Unit—to determine if the applicants satisfy the requirements to obtain the certification or qualification. Persons must meet certain minimum experience requirements depending on the type of certification or qualification applied for.

##### II. Desired Focus of Comments

MSHA 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.

A copy of the proposed information collection request can be obtained by contacting the employee listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice, or viewed on the Internet by accessing the MSHA home page (<http://www.msha.gov>) and then choosing "Statutory and Regulatory Information" and "**Federal Register Documents**."

##### III. Current Actions

This request for collection of information contains provisions whereby persons may be temporarily qualified or certified to perform tests and examinations; requiring specialized expertise; related to inner safety and health at coal mines.

*Type of Review:* Extension.

*Agency:* Mine Safety and Health Administration.

*Title:* Qualification and Certification Program.

*OMB Number:* 1219-0001.

*Recordkeeping:* MSHA Form 5000-1 is used by instructors, who may be mining personnel, consultants, or college professors, to report to MSHA those miners who have satisfactorily completed a coal mine electrical training program. Based on the information submitted on Form 5000-1, MSHA issues certification cards that identify these individuals as qualified to perform certain tasks at the mine.

*Frequency:* On occasion.

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

*Respondents:* 3,921.

*Estimated Time per Respondent:* .083.

*Total Burden Hours:* 12,765.

*Total Burden Cost (capital/startup):* \$0.

*Total Burden Cost (operating/maintaining):* \$69.

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 19th day of December, 2003.

**Lynnette M. Haywood,**

*Deputy Director, Office of Administration and Management.*

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#### DEPARTMENT OF LABOR

##### Mine Safety and Health Administration

##### Fee Adjustments for Testing, Evaluation, and Approval of Mining Products

**AGENCY:** Mine Safety and Health Administration (MSHA), Labor.

**ACTION:** Notice of fee adjustments.

**SUMMARY:** This notice revises our [MSHA Approval and Certification Center (A&CC)] user fees. Fees compensate us for the costs that we incur for testing, evaluating, and approving certain products for use in underground mines. We based the 2004 fees on our actual expenses for fiscal year 2003. The fees reflect changes both in our approval processing operations and in our costs to process approval actions.

**DATES:** This fee schedule is effective from January 1, 2004, through December 31, 2004.

**FOR FURTHER INFORMATION CONTACT:** Steven J. Luzik, Chief, Approval and Certification Center (A&CC), 304-547-2029 or 304-547-0400.

#### SUPPLEMENTARY INFORMATION:

##### Background

On May 8, 1987 (52 FR 17506), we published a final rule, 30 CFR Part 5—Fees for Testing, Evaluation, and Approval of Mining Products. The rule established specific procedures for calculating, administering, and revising user fees. We have revised our fee schedule for 2004 in accordance with the procedures of that rule and include this new fee schedule below. For approval applications postmarked before January 1, 2004, we will continue to calculate fees under the previous (2003) fee schedule, published on December 31, 2002.

##### Fee Computation

In general, we computed the 2004 fees based on fiscal year 2003 data. We calculated a weighted-average, direct