

antidumping findings on sugar from Belgium, France, and Germany would not be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.<sup>3</sup>

### Background

The Commission instituted these reviews on September 1, 2004 (69 FR 53466) and determined on December 6, 2004 that it would conduct full reviews (69 FR 75568, December 17, 2004). Notice of the scheduling of the Commission's reviews and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** on February 2, 2005 (70 FR 5480). The hearing was held in Washington, DC, on June 28, 2005, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determinations in these reviews to the Secretary of Commerce on August 29, 2005. The views of the Commission are contained in USITC Publication 3793 (August 2005), entitled *Sugar from the European Union, and Sugar from Belgium, France, and Germany: Investigation Nos. 104-TAA-7 (Second Review) and AA1921-198-200 (Second Review)*.

Issued: August 29, 2005.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 05-17489 Filed 9-1-05; 8:45 am]

BILLING CODE 7020-02-P

## DEPARTMENT OF JUSTICE

### Executive Office for Immigration Review

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

**ACTION:** 30-Day Notice of Information Collection Under Review: Application for Cancellation of Removal (42a) for Certain Permanent Residents; (42b) and Adjustment of Status for Certain Nonpermanent Residents.

The Department of Justice (DOJ), Executive Office for Immigration Review (EOIR) 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 110, page 33762 on June 9, 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 October 3, 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:* Revision of a currently approved collection.

(2) *Title of the Form/Collection:* Application for Cancellation of Removal (42a) for Certain Permanent Residents; (42b) and Adjustment of Status for Certain Nonpermanent Residents.

(3) *Agency form number, if any, and the applicable component of the Department sponsoring the collection:* Form Number: EOIR-42A, EOIR-42B. Executive Office for Immigration Review, United States Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individual aliens determined to be removable from the United States. Other: None. Abstract: This information collection is necessary to determine the statutory eligibility of individual aliens who have been determined to be removable from the United States for cancellation of their removal, as well as to provide information relevant to a favorable exercise of discretion.

(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 11,000 respondents will complete the form annually with an average of 5 hours, 45 minutes per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* There are an estimated 64,130 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 29, 2005.

**Brenda E. Dyer,**

*Department Clearance Officer, Department of Justice.*

[FR Doc. 05-17462 Filed 9-1-05; 8:45 am]

BILLING CODE 4410-30-P

## DEPARTMENT OF LABOR

### Employment Standards Administration Wage and Hour Division

#### Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar

<sup>3</sup> Commissioner Marcia E. Miller dissenting.

character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedeas decisions thereto, contain no expiration dates and are effective from the date of notice in the **Federal Register**, or the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon And Related Acts," shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit

information for consideration by the Department.

Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, NW., Room S-3014, Washington, DC 20210.

#### Modification to General Wage Determination Decisions

The number of decisions listed to the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and related Acts" being modified are listed by Volume and State. Dates of publication in the **Federal Register** are in parentheses following the decision being modified.

##### Volume I

Massachusetts  
MA20030001 (Jun. 13, 2003)  
MA20030002 (Jun. 13, 2003)  
MA20030017 (Jun. 13, 2003)  
MA20030018 (Jun. 13, 2003)  
New York  
NY20030004 (Jun. 13, 2003)  
NY20030007 (Jun. 13, 2003)  
Rhode Island  
RI20030001 (Jun. 13, 2003)

##### Volume II

Pennsylvania  
PA20030008 (Jun. 13, 2003)

##### Volume III

Georgia  
GA20030003 (Jun. 13, 2003)  
GA20030006 (Jun. 13, 2003)  
GA20030022 (Jun. 13, 2003)  
GA20030032 (Jun. 13, 2003)  
GA20030033 (Jun. 13, 2003)  
GA20030036 (Jun. 13, 2003)  
GA20030040 (Jun. 13, 2003)  
GA20030050 (Jun. 13, 2003)  
GA20030055 (Jun. 13, 2003)  
GA20030058 (Jun. 13, 2003)  
GA20030066 (Jun. 13, 2003)  
GA20030073 (Jun. 13, 2003)  
GA20030078 (Jun. 13, 2003)  
GA20030084 (Jun. 13, 2003)  
GA20030085 (Jun. 13, 2003)  
GA20030086 (Jun. 13, 2003)  
GA20030087 (Jun. 13, 2003)  
GA20030088 (Jun. 13, 2003)  
Mississippi  
MS20030050 (Jun. 13, 2003)  
MS20030055 (Jun. 13, 2003)  
MS20030056 (Jun. 13, 2003)

##### Volume IV

Illinois  
IL20030001 (Jun. 13, 2003)  
Indiana  
IN20030001 (Jun. 13, 2003)  
IN20030002 (Jun. 13, 2003)  
IN20030003 (Jun. 13, 2003)  
IN20030004 (Jun. 13, 2003)  
IN20030005 (Jun. 13, 2003)

IN20030006 (Jun. 13, 2003)  
IN20030008 (Jun. 13, 2003)  
IN20030012 (Jun. 13, 2003)  
IN20030014 (Jun. 13, 2003)

##### Minnesota

MN20030007 (Jun. 13, 2003)

##### Ohio

OH20030001 (Jun. 13, 2003)  
OH20030003 (Jun. 13, 2003)  
OH20030009 (Jun. 13, 2003)  
OH20030012 (Jun. 13, 2003)  
OH20030013 (Jun. 13, 2003)  
OH20030014 (Jun. 13, 2003)  
OH20030020 (Jun. 13, 2003)  
OH20030022 (Jun. 13, 2003)  
OH20030023 (Jun. 13, 2003)  
OH20030026 (Jun. 13, 2003)  
OH20030027 (Jun. 13, 2003)  
OH20030032 (Jun. 13, 2003)  
OH20030033 (Jun. 13, 2003)  
OH20030035 (Jun. 13, 2003)  
OH20030036 (Jun. 13, 2003)

##### Volume V

##### Arkansas

AR20030008 (Jun. 13, 2003)  
AR20030027 (Jun. 13, 2003)

##### Iowa

IA20030003 (Jun. 13, 2003)  
IA20030004 (Jun. 13, 2003)  
IA20030005 (Jun. 13, 2003)  
IA20030008 (Jun. 13, 2003)

##### Louisiana

LA20030005 (Jun. 13, 2003)  
LA20030015 (Jun. 13, 2003)  
LA20030034 (Jun. 13, 2003)

##### Nebraska

NE20030001 (Jun. 13, 2003)  
NE20030003 (Jun. 13, 2003)  
NE20030004 (Jun. 13, 2003)  
NE20030005 (Jun. 13, 2003)  
NE20030007 (Jun. 13, 2003)  
NE20030009 (Jun. 13, 2003)  
NE20030010 (Jun. 13, 2003)  
NE20030011 (Jun. 13, 2003)  
NE20030019 (Jun. 13, 2003)  
NE20030021 (Jun. 13, 2003)

##### New Mexico

NM20030001 (Jun. 13, 2003)

##### Volume VI

##### Alaska

AK20030001 (Jun. 13, 2003)  
AK20030002 (Jun. 13, 2003)  
AK20030005 (Jun. 13, 2003)  
AK20030006 (Jun. 13, 2003)  
AK20030008 (Jun. 13, 2003)

##### Colorado

CO20030012 (Jun. 13, 2003)  
CO20030013 (Jun. 13, 2003)

##### Idaho

ID20030002 (Jun. 13, 2003)

##### Oregon

OR20030001 (Jun. 13, 2003)

##### Wyoming

WY20030001 (Jun. 13, 2003)  
WY20030002 (Jun. 13, 2003)  
WY20030003 (Jun. 13, 2003)  
WY20030004 (Jun. 13, 2003)  
WY20030005 (Jun. 13, 2003)  
WY20030009 (Jun. 13, 2003)

##### Volume VII

##### Nevada

NV20030001 (Jun. 13, 2003)  
NV20030003 (Jun. 13, 2003)  
NV20030004 (Jun. 13, 2003)

NV20030005 (Jun. 13, 2003)

NV20030009 (Jun. 13, 2003)

### General Wage Determination Publication

General Wage determinations issued under the Davis-Bacon and related Acts, including those noted above, may be found in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon And Related Acts". This publication is available at each of the 50 Regional Government Depository Libraries and many of the 1,400 Government Depository Libraries across the country.

General wage determinations issued under the Davis-Bacon And Related Acts are available electronically at no cost on the Government Printing Office site at <http://www.access.gpo.gov/davisbacon>. They are also available electronically by subscription to the Davis-Bacon Online Service (<http://davisbacon.fedworld.gov>) of the National Technical Information Service (NTIS) of the U.S. Department of Commerce at 1-800-363-2068. This subscription offers value-added features such as electronic delivery of modified wage decisions directly to the user's desktop, the ability to access prior wage decisions issued during the year, extensive Help Desk Support, etc.

Hard-copy subscriptions may be purchased from: Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 (202) 512-1800.

When ordering hard-copy subscription(s), be sure to specify the State(s) of interest, since subscriptions may be ordered for any or all of the six separate volumes, arranged by State. Subscriptions include an annual edition (issued in January or February) which includes all current general wage determinations for the States covered by each volume. Throughout the remainder of the year, regular weekly updates will be distributed to subscribers.

Signed at Washington, DC, this 26th day of August 2005.

**Shirley Ebbesen,**

*Chief, Branch of Construction Wage Determinations.*

[FR Doc. 05-17335 Filed 9-1-05; 8:45 am]

**BILLING CODE 4510-27-M**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Petitions for Modification

The petition for modification notice we published in the **Federal Register** on August 22, 2005 (70 FR 48984) had the wrong MSHA I.D. Number (15-28826) for the Hopkins County Coal, LLC, Elk Creek Mine, docket number M-2005-059-C. The correct I.D. Number is 15-18826.

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. Bridger Coal Company

[Docket No. M-2005-060-C]

Bridger Coal Company, P.O. Box 68, Point of Rocks, Wyoming 82942 has filed a petition to modify the application of 30 CFR 75.1100-2(e)(2) (Quantity and location of firefighting equipment) to its Bridger Underground Mine (MSHA I.D. No. 48-01646) located in Sweetwater County, Wyoming. The petitioner requests a modification of the existing standard to permit the use of two portable fire extinguishers or one extinguisher having at least twice the minimum capacity in 30 CFR 75.1100-1(e) at each temporary electrical installation at the Bridger Underground Mine. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

#### 2. Andalex Resources, Inc.

[Docket No. M-2005-061-C]

Andalex Resources, Inc., P.O. Box 902, Price, Utah 84501 has filed a petition to modify the application of 30 CFR 75.500(d) (Permissible electric equipment) to its Aberdeen Mine (MSHA I.D. No. 42-02028) located in Carbon County, Utah. The petitioner requests a modification of the existing standard to permit the use of low-voltage or battery-powered non-permissible, electronic testing, diagnostic equipment or other, in or inby the last open crosscut under controlled conditions. The petitioner proposes to use the following equipment or other within 150 feet of pillar workings: Laptop computers, oscilloscopes, vibration analysis machines, cable fault detectors, point temperature probes, infrared temperature devices, insulation testers (meggers), voltage, current power measurement devices and recorders, pressure and flow measurement devices, battery drills, signal analyzer device, ultrasonic thickness gauges, electronic component testers, and electronic tachometers, other testing diagnostic equipment that may be approved by the MSHA District Office. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

#### 3. Chino Mines Company

[Docket No. M-2005-006-M]

Chino Mines Company, P.O. Box 7, Hurley, New Mexico 88043 has filed a petition to modify the application of 30 CFR 56.6309 (Fuel oil requirements for ANFO) to its Chino Mine (MSHA I.D. No. 29-00708) located in Grant County, New Mexico. The petitioner proposes to

use recycled waste oil blended with diesel fuel to produce ammonium nitrate-fuel oil for use as a blasting agent. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

#### Request for Comments

Persons interested in these petitions are encouraged to submit comments via Federal eRulemaking Portal: <http://www.regulations.gov>; e-mail: [zzMSHA-Comments@dol.gov](mailto:zzMSHA-Comments@dol.gov); Fax: (202) 693-9441; or Regular Mail/Hand Delivery/Courier: Mine Safety and Health Administration, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209. All comments must be postmarked or received in that office on or before October 3, 2005. Copies of these petitions are available for inspection at that address.

Dated at Arlington, Virginia, this 26th day of August 2005.

**Rebecca J. Smith,**

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

[FR Doc. 05-17478 Filed 9-1-05; 8:45 am]

**BILLING CODE 4510-43-P**

## RAILROAD RETIREMENT BOARD

### Agency Forms Submitted for OMB Review

*Summary:* In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Railroad Retirement Board (RRB) has submitted the following proposal(s) for the collection of information to the Office of Management and Budget for review and approval.

Summary of Proposal(s)

- (1) *Collection title:* Employee's Certification.
- (2) *Form(s) submitted:* G-346.
- (3) *OMB Number:* 3220-0140.
- (4) *Expiration date of current OMB clearance:* 11/30/2005.
- (5) *Type of request:* Revision of a currently approved collection.
- (6) *Respondents:* Individuals or households.
- (7) *Estimated annual number of respondents:* 7,560.
- (8) *Total annual responses:* 7,560.
- (9) *Total annual reporting hours:* 630.
- (10) *Collection description:* Under Section 2 of the Railroad Retirement Act, spouses of retired railroad employees may be entitled to an annuity. The collection obtains information from the employee about