

comments must not contain new factual information and must otherwise comply with section 207.68 of the Commission's rules. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means, except to the extent permitted by section 201.8 of the Commission's rules, as amended, 67 FR 68036 (November 8, 2002). Even where electronic filing of a document is permitted, certain documents must also be filed in paper form, as specified in II (C) of the Commission's Handbook on Electronic Filing Procedures, 67 FR 68168, 68173 (November 8, 2002).

Additional written submissions to the Commission, including requests pursuant to section 201.12 of the Commission's rules, shall not be accepted unless good cause is shown for accepting such submissions, or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the reviews must be served on all other parties to the reviews (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

**Authority:** These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.62 of the Commission's rules.

By order of the Commission.

Issued: November 29, 2005.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E5-6793 Filed 12-2-05; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Antitrust Division

#### Notice Pursuant to the National Cooperative Research and Production Act of 1993; ASTM international—Standards

Notice is hereby given that, on November 16, 2005, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), ASTM International—Standards

("ASTM") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing additions or changes to its standards development activities. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, ASTM has provided an updated list of current, ongoing ASTM standards activities originating between July 2005 and November 2005, designated as Work Items. A complete listing of ASTM Work Items, along with a brief description of each, is available at <http://www.astm.org>.

On September 15, 2004, ASTM filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on November 10, 2004 (69 FR 65226).

The last notification was filed with the Department on August 4, 2005. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on August 26, 2005 (70 FR 50406).

For additional information, please contact: Thomas B. O'Brien, Jr., General Counsel, at ASTM International, 100 Barr Harbor Drive, West Conshohocken, PA 19428, telephone 610-832-9597, e-mail address [tobrien@astm.org](mailto:tobrien@astm.org).

**Dorothy B. Fountain,**

*Deputy Director of Operations, Antitrust Division.*

[FR Doc. 05-23611 Filed 12-2-05; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Antitrust Division

#### Notice Pursuant to the National Cooperative Research and Production Act of 1993; Institute of Electrical and Electronics Engineers

Notice is hereby given that, on November 15, 2005, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Institute of Electrical and Electronics Engineers ("IEEE") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing additions or changes to its standards development activities. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, 10 new standards have

been initiated and 2 existing standards are being revised. More detail regarding these changes can be found at <http://standards.ieee.org/standardswire/sba/11-10-5.html>.

On September 17, 2004, IEEE filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on November 3, 2004 (69 FR 64105).

The last notification was filed with the Department on October 4, 2005. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on November 3, 2005 (70 FR 66851).

**Dorothy B. Fountain,**

*Deputy Director of Operations, Antitrust Division.*

[FR Doc. 05-23610 Filed 12-2-05; 8:45 am]

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## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review: Comment Request

November 29, 2005.

The Department of Labor (DOL) has submitted the following public information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35). A copy of this ICR, with applicable supporting documentation, may be obtained by contacting the Department of Labor (DOL). To obtain documentation, contact Darrin King on 202-693-4129 (this is not a toll-free number) or e-mail: [king.darrin@dol.gov](mailto:king.darrin@dol.gov).

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Occupational Safety and Health Administration (OSHA), Office of Management and Budget, Room 10235, Washington, DC 20503, 202-395-7316 (this is not a toll-free number), within 30 days from the date of this publication in the **Federal Register**.

The OMB 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 submission of responses.

**AGENCY:** Occupational Safety and Health Administration.

*Type of Review:* Extension of currently approved collection.

*Title:* Occupational Safety and Health State Plan Information.

*OMB Number:* 1218-0247.

*Frequency:* On occasion; Quarterly; and Annually.

*Type of Response:* Reporting.

*Affected Public:* State, Local, or Tribal Government.

*Number of Respondents:* 27.

*Number of Annual Responses:* 1,240.

*Estimated Time Per Response:* Varies from one hour to respond to an information survey to 80 hours to document State annual performance goals.

*Total Burden Hours:* 10,522.

*Total Annualized capital/startup costs:* \$0.

*Total Annual Costs (operating/maintaining systems or purchasing services):* \$0.

*Description:* Section 18 of the Occupational Safety and Health Act of 1970 (the Act) encourages the States to assume responsibility for the development and enforcement of State occupational safety and health standards through the vehicle of an approved State plan. Absent a plan approved by the Occupational Safety and Health Administration (OSHA), States are preempted from asserting jurisdiction over any occupational safety and health issue with respect to which a Federal standard has been promulgated. Section 18 establishes the basic criteria for State plan approval; provides for the exercise of concurrent Federal enforcement jurisdiction after initial plan approval until such time as the State has demonstrated that it is meeting the approval criteria in actual operation (final State Plan approval), at which point Federal enforcement jurisdiction may be relinquished; provides that State standards and enforcement must be, and continue to be, "at least as effective" as the Federal program including any changes thereto; and requires OSHA to make a continuing evaluation of the manner in which the State is implementing its program and to take action to withdraw

plan approval should there be a failure to substantially comply with any provision of the State plan.

OSHA promulgated a series of regulations between 1970 and 1977 implementing the provisions of section 18 of the Act. 29 CFR 1953 was revised in 2002.

- 29 CFR part 1902, State Plans for the Development and Enforcement of State Standards.

- 29 CFR part 1952, Approved State Plans for Enforcement of State Standards.

- 29 CFR part 1953, Changes to State Plans.

- 29 CFR part 1954, Procedures for the Evaluation and Monitoring of Approved State Plans.

- 29 CFR part 1955, Procedures for Withdrawal of Approval of State Plans.

- 29 CFR part 1956, State Plans for the Development and Enforcement of State Standards Applicable to State and Local Government Employees in States without Approved Private Employee Plans.

The requirements for State submissions on the structure and performance of their OSHA-approved State Plan, as established by the various State Plan regulations, are necessary to provide OSHA with sufficient information to assure that the State plan provides a program of standards and enforcement and voluntary compliance to employers and employees in that State that is "at least as effective" as the Federal OSHA program and thus warrants continued Federal approval and funding.

**Ira L. Mills,**

*Departmental Clearance Officer.*

[FR Doc. E5-6824 Filed 12-2-05; 8:45 am]

**BILLING CODE 4510-26-P**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Summary of Decisions Granting in Whole or in Part Petitions for Modification

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

**ACTION:** Notice of affirmative decisions issued by the Administrators for Coal Mine Safety and Health and Metal and Nonmetal Mine Safety and Health on petitions for modification of the application of mandatory safety standards.

**SUMMARY:** Under section 101 of the Federal Mine Safety and Health Act of 1977, the Secretary of Labor (Secretary) may allow the modification of the

application of a mandatory safety standard to a mine if the Secretary determines either that an alternate method exists at a specific mine that will guarantee no less protection for the miners affected than that provided by the standard, or that the application of the standard at a specific mine will result in a diminution of safety to the affected miners.

Final decisions on these petitions are based on the petitioner's statements, comments and information submitted by interested persons, and a field investigation of the conditions at the mine. As designee of the Secretary, we have granted or partially granted the requests for modification listed below. In some instances, the decisions are conditioned upon compliance with stipulations stated in the decision. The term FR Notice appears in the list of affirmative decisions below. The term refers to the **Federal Register** volume and page where we published a notice of the filing of the petition for modification.

#### FOR FURTHER INFORMATION CONTACT:

Petitions and copies of the final decisions are available for examination by the public in the Office of Standards, Regulations, and Variances, MSHA, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209. For further information contact Barbara Barron at 202-693-9447.

Dated at Arlington, Virginia, this 27th day of November, 2005.

**Rebecca J. Smith,**

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

#### Affirmative Decisions on Petitions for Modification

*Docket No.:* M-2005-044-C.

*FR Notice:* 70 FR 39800.

*Petitioner:* Andalex Resources, Inc.

*Regulation Affected:* 30 CFR 75.1100-2(e)(2)

*Summary of Findings:* The petitioner's proposal is to use two multi-purpose dry chemical portable fire extinguishers with at least a minimum capacity of 10 pounds of dry power at each temporary and permanent electrical installation. This is considered an acceptable alternative method for the Aberdeen Mine (MSHA I.D. No. 42-02028). The petition for modification is granted for temporary electrical installations, provided that petitioner maintains two portable fire extinguishers having at least the minimum capacity specified for a portable fire extinguisher required in 30 CFR 75.1100-1(e) at each of the temporary electrical installations at the Aberdeen Mine with conditions.