

9821 (voice), or (202) 693-9801 (facsimile).

**FOR FURTHER INFORMATION CONTACT:** Contact the employee listed in the **ADDRESSES** section of this notice.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Noise is one of the most pervasive health hazards in mining. Exposure to hazardous sound levels results in the development of occupational noise-induced hearing loss (NIHL), a serious physical, psychological, and social problem. NIHL can be distinguished from aging and medical factors, diagnosed, and prevented. NIHL is among the "top ten" leading occupational diseases and injuries.

For many years, the risk of acquiring an NIHL was accepted as an inevitable consequence associated with mining occupations. Miners use mechanized equipment and work under conditions that often expose them to hazardous sound levels. But MSHA standards, OSHA standards, military standards, and others around the world have been established in recognition of the controllability of this risk. Records of miner exposures are necessary so that mine operators and MSHA can evaluate the need for and effectiveness of engineering controls, administrative controls, and personal protective equipment to protect miners from harmful levels of exposure.

**II. Desired Focus of Comments**

Currently, the Mine Safety and Health Administration (MSHA) is soliciting comments concerning the proposed extension of the information collection related to the Noise Exposure Assessment; Audiometric Testing, Evaluation, and Records and Training in all Mines. MSHA is particularly interested in comments that:

- Evaluate whether the 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 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 **ADDRESSES** section of this notice or viewed on the internet by accessing the MSHA home page (<http://www.msha.gov/>) and selecting "Rules and Regs", and then selecting "Fed Reg Docs."

**III. Current Actions**

Records of miner exposures are necessary so that mine operators and MSHA can ensure that engineering controls, administrative controls, and personal protective equipment are used to protect miners from harmful levels of exposure. However, the Agency believes that extensive records for this purpose now maintained by the coal mining sector are not needed, Part 62 replaced these requirements with a performance-oriented approach to monitoring. The final rule expanded notification of exposure information to miners to assist them in becoming more active participants in hearing conservation efforts.

Hearing tests of miners are offered and if a miner takes the test mine operators are required to compile and maintain a record of each audiometric test. Detection of a hearing loss can trigger certain protective actions under Part 62. The record will be used by mine operators and MSHA to verify that the testing was done and the required actions implemented. Part 62 also requires the mine operator to provide training to overexposed miners about the hazards of noise exposure, hearing protector selection and use, the hearing test program, and the operator's noise controls. Records of training are needed to confirm that miners receive the information they need to become active participants in hearing conservation efforts. There is no existing requirement for such records; however, training records required under other MSHA regulations are used for similar purposes.

*Type of Review:* Extension.

*Agency:* Mine Safety and Health Administration.

*Title:* Noise exposure assessment; audiometric testing, evaluation, and records and training in all mines.

*OMB Number:* 1219-0120.

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

*Respondents:* 14,726.

*Responses:* 764,753.

*Burden Hours:* 84,146.

*Total Burden Cost (operating/maintaining):* \$5,472,084.

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 2nd day of October 2008.

**David L. Meyer,**

*Director, Office of Administration and Management.*

[FR Doc. E8-24038 Filed 10-9-08; 8:45 am]

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**DEPARTMENT OF LABOR**

**Occupational Safety and Health Administration**

[Docket No. OSHA-2008-0002]

**National Advisory Committee on Occupational Safety and Health (NACOSH), Charter Renewal**

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Notice of renewal of the NACOSH charter.

**SUMMARY:** The Secretary of Labor has renewed the charter of the National Advisory Committee on Occupational Safety and Health (NACOSH) for two years.

**FOR FURTHER INFORMATION CONTACT:** Ms. Deborah Crawford, OSHA Directorate of Evaluation and Analysis, Room N-3641, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693-1932.

**SUPPLEMENTARY INFORMATION:** NACOSH was established by Section 7(a) of the Occupational Safety and Health Act of 1970 (the Act) (29 U.S.C. 651, 656) to advise, consult with, and make recommendations to the Secretary of Labor and the Secretary of Health and Human Services on matters relating to the administration of the Act. Under the Act, Congress intended NACOSH to be a continuing advisory committee of indefinite duration.

NACOSH operates in accordance with the Federal Advisory Committee Act (FACA) (5 U.S.C. App. 2) and OSHA's regulations on advisory committees (29 CFR parts 1912 and 1912a). Pursuant to FACA and its implementing regulations (41 CFR 102-3), the NACOSH charter must be renewed every two years. The current charter expires on January 29, 2009. The Secretary has determined that renewing the NACOSH charter is necessary and in the public interest. The new Committee charter will expire two years from the date it is filed.

To read or download a copy of the new NACOSH charter, go to Docket No. OSHA-2008-0002 at <http://www.regulations.gov>, the Federal eRulemaking Portal. The charter also is available for inspection and copying at the OSHA Docket Office, N-2625, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693-2350. In addition, the charter may be viewed or downloaded at the Federal Advisory Committees Database at <http://www.fido.gov>.

#### Authority and Signature

Edwin G. Foulke, Jr., Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice under the authority granted by Sections 6(b) and 7(a) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655, 656), the Federal Advisory Committee Act (5 U.S.C. App. 2), 29 CFR parts 1912 and 1912a, 41 CFR 102-3, and Secretary of Labor's Order 5-2007 (72 FR 31160).

Signed at Washington, DC this 6th day of October 2008.

**Edwin G. Foulke, Jr.,**

*Assistant Secretary of Labor for Occupational Safety and Health.*

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## MILLENNIUM CHALLENGE CORPORATION

[MCC FR 08-15]

### Report on the Criteria and Methodology for Determining the Eligibility of Candidate Countries for Millennium Challenge Account Assistance in Fiscal Year 2009

**AGENCY:** Millennium Challenge Corporation.

**ACTION:** Notice.

**SUMMARY:** This report to Congress is provided in accordance with section 608(b) of the Millennium Challenge Act of 2003, 22 U.S.C.A. 7701, 7707(b) (the "Act").

Dated: October 7, 2008.

**Henry Pitney,**

*(Acting) Vice President and General Counsel, Millennium Challenge Corporation.*

### Report on the Criteria and Methodology for Determining the Eligibility of Candidate Countries for Millennium Challenge Account Assistance in Fiscal Year 2009 Summary

This report to Congress is provided in accordance with section 608(b) of the

Millennium Challenge Act of 2003, 22 U.S.C.A. 7701, 7707(b) (the Act).

The Act authorizes the provision of Millennium Challenge Account (MCA) assistance to countries that enter into compacts with the United States to support policies and programs that advance the prospects of such countries achieving lasting economic growth and poverty reduction. The Act requires the Millennium Challenge Corporation (MCC) to take a number of steps in determining the countries that, based on their demonstrated commitment to just and democratic governance, economic freedom and investing in their people, and the opportunity to reduce poverty and generate economic growth in the country, will be eligible for MCA assistance during fiscal year 2009 (FY09). These steps include the submission of reports to the congressional committees specified in the Act and the publication of notices in the **Federal Register** that identify:

1. The countries that are "candidate countries" for MCA assistance during FY09 based on their per-capita income levels and their eligibility to receive assistance under U.S. law, and countries that would be candidate countries but for specified legal prohibitions on assistance (section 608(a) of the Act);

2. The criteria and methodology that the Board of Directors of MCC (the Board) will use to measure and evaluate the relative policy performance of the candidate countries consistent with the requirements of section 607 of the Act in order to select "MCA eligible countries" from among the "candidate countries" (section 608(b) of the Act); and

3. The list of countries determined by the Board to be "MCA eligible countries" for FY09, with justification for eligibility determination and selection for compact negotiation, including which of the MCA eligible countries the Board will seek to enter into MCA compacts (section 608(d) of the Act).

This report sets out the criteria and methodology to be applied in determining eligibility for new partner countries for FY09 MCA assistance.

#### The Criteria and Methodology for FY09

MCC reviews all of its indicators and methodology annually to ensure that the best measures are being used and, from time to time, recommends changes or refinements if MCC identifies better methodologies, better indicators, or improved sources of data. MCC takes into account public comments received on the previous year's criteria and methodology and consults with a broad range of experts in the development

community and within the U.S. Government.

MCC recommends no changes to the selection criteria and methodology for this fiscal year.

#### Potential Future Changes

Since FY07, MCC has pursued research and consultation to explore the possibility of adopting a new education indicator in the *Investing in People* category. However, MCC was unable to identify an indicator that would significantly strengthen the selection criteria in FY09. MCC will continue to explore potential measures. Over the last fifteen years, much attention has been focused on enrolling and keeping more children in school, but not necessarily on enhancing the quality of education. With the support of the World Bank, USAID, UNESCO, the Basic Education Coalition, and others, efforts are currently underway to develop cross-country measures of learning outcomes, educational quality, and governments' commitment to improving educational quality. However, these efforts are still under development and there are currently no education quality indicators that are viable for MCC purposes at this time. In assessing new indicators, MCC favors those that: (1) Are developed by an independent third party; (2) utilize objective and high quality data that rely upon an analytically rigorous methodology; (3) are publicly available; (4) have broad country coverage; (5) are comparable across countries; (6) have a clear theoretical or empirical link to economic growth and poverty reduction; (7) are policy linked (i.e., measure factors that governments can influence within a two to three year horizon); and (8) have broad consistency in results from year to year.

Many of MCC's candidate countries in the lower middle income category have realized substantial success in achieving high levels of performance on select *Investing in People* indicators. MCC will explore options for alternative measures of an *Investing in People* policy framework that do a better job of distinguishing among high performers to incorporate in future fiscal years for the lower middle income countries.

Several of MCC's early compacts are due to conclude within the next two years. MCC will review whether the selection criteria and methodology should be modified when applied to selecting a country as eligible for a second compact.

#### Criteria and Methodology

The Board will select eligible countries based on the following, among