

mandatory safety standards published in Title 30 of the Code of Federal Regulations.

**DATES:** All comments on the petitions must be received by the Office of Standards, Regulations, and Variances on or before November 17, 2008.

**ADDRESSES:** You may submit your comments, identified by "docket number" on the subject line, by any of the following methods:

1. *Electronic Mail: Standards-Petitions@dol.gov.*

2. *Facsimile: 1-202-693-9441.*

3. *Regular Mail: MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209, Attention: Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances.*

4. *Hand-Delivery or Courier: MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209, Attention: Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances.*

MSHA will consider only comments postmarked by the U.S. Postal Service or proof of delivery from another delivery service such as UPS or Federal Express on or before the deadline for comments. Individuals who submit comments by hand-delivery are required to check in at the receptionist desk on the 21st floor.

Individuals may inspect copies of the petitions and comments during normal business hours at the address listed above.

**FOR FURTHER INFORMATION CONTACT:** Barbara Barron, Office of Standards, Regulations, and Variances at 202-693-9447 (Voice), *barron.barbara@dol.gov* (E-mail), or 202-693-9441 (Telefax). [These are not toll-free numbers].

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary determines that: (1) An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or (2) that the application of such standard to such mine will result in a diminution of safety to the miners in such mine. In addition, the regulations at 30 CFR 44.10 and 44.11 establish the

requirements and procedures for filing petitions for modifications.

**II. Petitions for Modification**

*Docket Number: M-2008-045-C.*

*Petitioner: Guest Mountain Mining Corporation, P.O. Box 2560, Wise, Virginia 24293.*

*Mine: Guest Mountain #3 Mine, MSHA I.D. No. 44-07069 and Guest Mountain #4 Mine, MSHA I.D. No. 44-05815, located in Wise County, Virginia.*

*Regulation Affected: 30 CFR 77.214(a) (Refuse piles; general).*

*Modification Request: The petitioner requests a modification of the existing standard which prohibits refuse piles to be located over abandoned openings to permit sealing of abandoned mine openings during mine closure. The petitioner proposes to use scalped rock to cover the portal openings of the Guest Mountain #3 Mine upon closure of the mine in late 2008 or in early 2009. The petitioner states that: (1) This disposal fill will utilize scalped rock, i.e. underground development waste, partings, and "draw" rock/laminated shale roof rock from the adjacent Guest Mountain #4 Mine, Maggard Branch Coal, LLC, Virginia Division of Mined Land Reclamation Permit 1402002; (2) both mines are in the Parsons seam; and (3) there is a highwall at the mine portal area that varies in height from a few feet up to approximately 50 feet. The petitioner states that the refuse fill will consist of a combination of scalped rock and non-combustible rock rip rap that will ensure the openings will drain freely and not impound water, in the event the openings have water, and will not affect the stability of the refuse fill. The petitioner states that there are no plans to place mine refuse, i.e., scalped rock over the portals in question until after the mine has ceased underground operations, and there will be no miners underground during the entire time the scalped rock is being placed. The petitioner further states that the placement of scalped rock above its portals can be done safely and in accordance with all regulations by following the plan as outlined in this petition. The petitioner asserts that its proposal to cover the mine openings provides the same measure of protection as the existing standard.*

*Docket Number: M-2008-046-C.*

*Petitioner: Black Beauty Coal Company, 13101 Zeigler 11 Road, P.O. Box 369, Coulterville, Illinois 62237.*

*Mine: Gateway Mine, MSHA I.D. No. 11-02408, located in Randolph County, Illinois.*

*Regulation Affected: 30 CFR 75.1101-1(b) (Deluge-type water spray systems).*

*Modification Request: The petitioner requests a modification of the existing standard to permit a weekly visual examination and functional test to be performed in lieu of using blow-off dust covers for deluge-type water spray fire-suppression systems used at each belt drive. The petitioner states that: (1) Corrections will be made immediately if a clogged nozzle or any other malfunction is detected as a result of the weekly examination and functional test; (2) the procedure used to perform the functional test will be posted at or near each belt drive that utilizes a deluge-type water spray fire-suppression system; and (3) revisions to the approved training plan will specify the procedure used to conduct weekly functional tests. The petitioner asserts that the safety of the miners will not be compromised with the proposed testing procedures.*

**Patricia W. Silvey,**

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

[FR Doc. E8-24703 Filed 10-16-08; 8:45 am]

**BILLING CODE 4510-43-P**

**DEPARTMENT OF LABOR**

**Occupational Safety and Health Administration**

[Docket No. OSHA-2008-0039]

**Asbestos in Construction Standard; Extension of the Office of Management and Budget's (OMB) Approval of Information Collection (Paperwork) Requirements**

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

**ACTION:** Request for public comment.

**SUMMARY:** OSHA solicits comments concerning its proposal to extend OMB approval of the information collection requirements contained in the Asbestos in Construction Standard (29 CFR 1926.1101).

**DATES:** Comments must be submitted (postmarked, sent, or received) by December 16, 2008.

**ADDRESSES: Electronically:** You may submit comments and attachments electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the instructions online for submitting comments.

*Facsimile:* If your comments, including attachments, are not longer than 10 pages, you may fax them to the OSHA Docket Office at (202) 693-1648.

*Mail, hand delivery, express mail, messenger, or courier service:* When

using this method, you must submit three copies of your comments and attachments to the OSHA Docket Office, Docket No. OSHA-2008-0039, U.S. Department of Labor, Occupational Safety and Health Administration, Room N-2625, 200 Constitution Avenue, NW., Washington, DC 20210. Deliveries (hand, express mail, messenger, and courier service) are accepted during the Department of Labor's and Docket Office's normal business hours, 8:15 a.m. to 4:45 p.m., e.t.

**Instructions:** All submissions must include the Agency name and OSHA docket number for the ICR (OSHA-2008-0039). All comments, including any personal information you provide, are placed in the public docket without change, and may be made available online at <http://www.regulations.gov>. For further information on submitting comments see the "Public Participation" heading in the section of this notice titled "**SUPPLEMENTARY INFORMATION.**"

**Docket:** To read or download comments or other material in the docket, go to <http://www.regulations.gov> or the OSHA Docket Office at the address above. All documents in the docket (including this **Federal Register** notice) are listed in the <http://www.regulations.gov> index; however, some information (e.g., copyrighted material) is not publicly available to read or download through the website. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. You may contact Jamaa Hill at the address below to obtain a copy of the ICR.

**FOR FURTHER INFORMATION CONTACT:**

Jamaa N. Hill or Todd Owen, Directorate of Standards and Guidance, OSHA, U.S. Department of Labor, Room N-3609, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693-2222.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

The Department of Labor, as part of its continuing efforts to reduce paperwork and respondent (*i.e.*, employer) burden, conducts a preclearance consultation program to provide the public with an opportunity to comment on proposed and continuing information collection requirements in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3506(c)(2)(A)). This program ensures that information is in the desired format, reporting burden (time and costs) is minimal, collection instruments are clearly understood, and

OSHA's estimate of the information collection burden is accurate. The Occupational Safety and Health Act of 1970 (the OSH Act) (29 U.S.C. 651 *et seq.*) authorizes information collection by employers as necessary or appropriate for enforcement of the OSH Act or for developing information regarding the causes and prevention of occupational injuries, illnesses, and accidents (29 U.S.C. 657). The OSH Act also requires that OSHA obtain such information with minimum burden upon employers, especially those operating small businesses, and to reduce to the maximum extent feasible unnecessary duplication of efforts in obtaining information (29 U.S.C. 657). The standard protects employees from adverse health effects from occupational exposure to asbestos, including lung cancer, mesothelioma, asbestosis (an emphysema-like condition) and gastrointestinal cancer.

**II. Special Issues for Comment**

OSHA has a particular interest in comments on the following issues:

- Whether the proposed information collection requirements are necessary for the proper performance of the Agency's functions, including whether the information is useful;
- The accuracy of OSHA's estimate of the burden (time and costs) of the information collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information collected; and
- Ways to minimize the burden on employers who must comply; for example, by using automated or other technological information collection and transmission techniques.

**III. Proposed Actions**

OSHA is requesting that OMB extend its approval of the information collection requirements contained in the Asbestos in Construction Standard (29 CFR 1926.1101). OSHA is proposing to decrease its current burden hour estimate of 5,569,658 to 4,957,552, a total decrease of -612,106 hours. The decrease occurred because a review of data indicated the number of employers affected by the Standard decreased from 1.4 to 1.2 million.

The Agency will summarize the comments submitted in response to this notice and will include this summary in the request to OMB.

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

**Title:** Asbestos in Construction Standard (29 CFR 1926.1101).

**OMB Number:** 1218-0134.

**Affected Public:** Business or other for-profits; Federal Government; State, Local, or Tribal Government.

**Number of Respondents:** 255,271.

**Frequency of Response:** On occasion, Annually.

**Average Time per Response:** Time per response ranges from 5 minutes (0.08 hour) to maintain records to 1.67 hours to complete a medical examination.

**Estimated Total Burden Hours:** 4,957,552 hours.

**Estimated Cost (Operation and Maintenance):** \$28,278,936.

**IV. Public Participation—Submission of Comments on This Notice and Internet Access to Comments and Submissions**

You may submit comments in response to this document as follows:

- (1) Electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal; (2) by facsimile (FAX); or (3) by hard copy. All comments, attachments, and other material must identify the Agency name and the OSHA docket number for the ICR (Docket No. OSHA-2008-0039). You may supplement electronic submissions by uploading document files electronically. If you wish to mail additional materials in reference to an electronic or facsimile submission, you must submit them to the OSHA Docket Office (see the section of this notice titled **ADDRESSES**). The additional materials must clearly identify your electronic comments by your name, date, and the docket number so the Agency can attach them to your comments.

Because of security procedures, the use of regular mail may cause a significant delay in the receipt of comments. For information about security procedures concerning the delivery of materials by hand, express delivery, messenger, or courier service, please contact the OSHA Docket Office at (202) 693-2350 (TTY (877) 889-5627).

Comments and submissions are posted without change at <http://www.regulations.gov>. Therefore, OSHA cautions commenters about submitting personal information such as social security numbers and date of birth. Although all submissions are listed in the <http://www.regulations.gov> index, some information (e.g., copyrighted material) is not publicly available to read or download through this Web site. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Information on using the <http://www.regulations.gov> Web site to submit comments and access the docket is available at the Web site's "User Tips"

link. Contact the OSHA Docket Office for information about materials not available through the Web site, and for assistance in using the Internet to locate docket submissions.

#### V. Authority and Signature

Edwin G. Foulke, Jr., Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506 *et seq.*) and Secretary of Labor's Order No. 5-2007 (72 FR 31159).

Signed at Washington, DC, this 10th day of October 2008.

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

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

[FR Doc. E8-24683 Filed 10-16-08; 8:45 am]

**BILLING CODE 4510-26-P**

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (08-078)]

### NASA Advisory Council; Science Committee; Planetary Protection Subcommittee; Meeting

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Notice of meeting.

**SUMMARY:** The National Aeronautics and Space Administration (NASA) announces a meeting of the Planetary Protection Subcommittee of the NASA Advisory Council (NAC). This Subcommittee reports to the Science Committee of the NAC. The Meeting will be held for the purpose of soliciting from the scientific community and other person's scientific and technical information relevant to program planning.

**DATES:** Thursday, November 6, 2008, 9 a.m. to 5 p.m. and Friday, November 7, 2008, 9 a.m. to 3 p.m. Eastern Standard Time.

**ADDRESSES:** NASA Headquarters, 300 E Street, SW., Room 6H45, Washington, DC 20546.

**FOR FURTHER INFORMATION CONTACT:** Ms. Marian Norris, Science Mission Directorate, NASA Headquarters, Washington, DC 20546, (202) 358-4452, fax (202) 358-4118, or [mnorris@nasa.gov](mailto:mnorris@nasa.gov).

**SUPPLEMENTARY INFORMATION:** The meeting will be open to the public up to the capacity of the room. The agenda for the meeting includes the following topics:

—Planetary Science Division/Science Mission Directorate Activities.

—Exploration System Mission Directorate/Science Mission Directorate Coordination and Human Exploration of the Moon.  
—Update of Committee on Space Research (COSPAR) Planetary Protection Panel Actions.  
—Update of Mars Exploration Program Analysis Group (MEPAG).

It is imperative that the meeting be held on these dates to accommodate the scheduling priorities of the key participants. Attendees will be requested to sign a register and to comply with NASA security requirements, including the presentation of a valid picture ID, before receiving an access badge. Foreign nationals attending this meeting will be required to provide the following information no less than 5 working days prior to the meeting: full name; gender; date/place of birth; citizenship; visa/green card information (number, type, expiration date); passport information (number, country, expiration date); employer/affiliation information (name of institution, address, country, telephone); title/position of attendee. To expedite admittance, attendees with U.S. citizenship can provide identifying information 3 working days in advance by contacting Marian Norris via e-mail at [mnorris@nasa.gov](mailto:mnorris@nasa.gov) or by telephone at (202) 358-4452.

**P. Diane Rausch,**

*Advisory Committee Management Officer, National Aeronautics and Space Administration.*

[FR Doc. E8-24677 Filed 10-16-08; 8:45 am]

**BILLING CODE 7510-13-P**

## NATIONAL SCIENCE FOUNDATION

### Advisory Committee for Education and Human Resources; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation announces the following meeting:

*Name:* Advisory Committee for Education and Human Resources (#1119).

*Date/Time:*

November 5, 2008; 8:30 a.m. to 5 p.m.

November 6, 2008; 8:30 a.m. to 12 p.m.

*Place:* National Science Foundation Headquarters, Stafford Place I—Room 1235, 4201 Wilson Boulevard, Arlington VA 22230.

*Type of Meeting:* Open.

*Contact Person:* James Colby, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230, (703) 292-5331, [jcolby@nsf.gov](mailto:jcolby@nsf.gov).

If you are attending the meeting and need access to the NSF, please contact the individual listed above so your name may be added to the building access list.

*Purpose of Meeting:* To provide advice with respect to the Foundation's science, technology, engineering, and mathematics (STEM) education and human resources programming.

*Agenda:*

**November 5, 2008**

*Assistant Director's Remarks*

Discussion of Selected Programs that Support:

- Broadening Participation to Improve Workforce Development
- Promoting Learning Through Research and Evaluation

Review and Acceptance of Committee of Visitor Reports

- Scholarships in STEM
- ADVANCE (Increasing the Participation and Advancement of Women in Academic Science and Engineering Careers)
- Graduate Teaching Fellows in K-12 Education, and the Integrative Graduate Education and Research Traineeship (IGERT) programs

**November 6, 2008**

Review and Acceptance of Committee of Visitor Reports (continued from Wednesday)

- Informal Science Education (ISE) and the Innovative Technology Experiences for Students and Teachers (ITEST) programs
- Math and Science Partnership (MSP) program

Visit with the NSF Director.

Future Issues for Consideration.

Dated: October 14, 2008.

**Susanne Bolton,**

*Committee Management Officer.*

[FR Doc. E8-24656 Filed 10-16-08; 8:45 am]

**BILLING CODE 7555-01-P**

## NATIONAL SCIENCE FOUNDATION

### Advisory Committee for Geosciences; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation announces the following meeting:

*Name:* Advisory Committee for Geosciences (1755).

*Dates:*

November 19, 2008, 8:30 a.m.–5 p.m.

November 20, 2008, 8:30 a.m.–2 p.m.

*Place:* Stafford II, Room 555, National Science Foundation, 4201 Wilson Blvd., Arlington, Virginia 22230.

*Type of Meeting:* Open.

*Contact Person:* Melissa Lane, National Science Foundation, Suite 705, 4201 Wilson Blvd., Arlington, Virginia 22230. Phone 703-292-8500.

*Minutes:* May be obtained from the contact person listed above.

*Purpose of Meeting:* To provide advice, recommendations, and oversight concerning support for research, education, and human resources development in the geosciences.