

*Agency:* Mine Safety and Health Administration.

*Type of Review:* Extension without change of currently approved collection.

*Title of Collection:* Health Standards for Diesel Particulates (Underground Metal and Nonmetal Mines).

*OMB Control Number:* 1219-0135.

*Form Number:* N/A.

*Estimated Number of Respondents:* 173.

*Estimated Total Annual Burden Hours:* 3,331.

*Estimated Total Annual Cost Burden (does not include hourly wage costs):* \$176,363.

*Affected Public:* Business or other for profits (mines).

*Description:* This collection pertains to safety requirements and safety standards for the maintenance and use of diesel equipment in underground metal and nonmetal mines to protect miners. The Diesel Particulate Matter (DPM) rule establishes a permissible exposure limit to total carbon, which is a surrogate for measuring a miner's exposure to DPM. The information collected is provided to the MSHA inspector and used by the agency to monitor the mine operator's compliance with the health standard. For additional information, see related notice published at Vol. 74 FR 11973 on March 20, 2009.

**Darrin A. King,**

*Departmental Clearance Officer.*

[FR Doc. E9-12127 Filed 5-22-09; 8:45 am]

**BILLING CODE 4510-43-P**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Emergency Review: Comment Request

May 20, 2009.

The Department of Labor has submitted the following information collection request (ICR), utilizing emergency review procedures, to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35) and 5 CFR 1320.13. OMB approval has been requested by June 19, 2009. A copy of this ICR, with applicable supporting documentation; including among other things a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the RegInfo.gov Web site at <http://www.reginfo.gov/public/do/PRAMain> or by contacting Darrin King on 202-693-4129 (this is

not a toll-free number)/e-mail: [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov). Interested parties are encouraged to send comments to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Department of Labor—Mine Safety and Health Administration (MSHA), Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: 202-395-7316/Fax: 202-395-6974 (these are not toll-free numbers), e-mail: [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov). Comments and questions about the ICR listed below should be received no later than the requested OMB approval date. An additional opportunity to comment on this ICR will also be provided when DOL seeks approval under standard PRA clearance procedures pursuant to 5 CFR 1320.12, "Clearance of collections of information in current rules."

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 submissions of responses.

*Agency:* Mine Safety and Health Administration.

*Title of Collection:* Mine Rescue Teams for Underground Coal Mine Operators.

*OMB Control Number:* 1219-0144.

*Affected Public:* Underground coal mines.

*Total Estimated Number of Respondents:* 653.

*Total Estimated Annual Burden Hours:* 1,550.

*Total Net Estimated Annual Costs Burden (other than hourly wage costs):* \$653.

*Description:* The respondents for this collection of information are underground coal mine operators. The records will be used by coal mine operators, supervisors, and employees, and State and Federal mine inspectors to provide assurance that each mine

operator and mine rescue team is prepared for a mine emergency. The records show that the mine rescue team equipment has been examined and tested and is in good working order. The training records show that the mine rescue team members and the responsible persons at the mine are competent to respond to a mine emergency involving a fire, an explosion, or a gas or water inundation. The records greatly assist those who use them in making decisions that will ultimately affect the safety of all persons working underground.

These information collection requirements help assure that properly trained mine rescue teams are readily available to save endangered miners in life-threatening situations. In addition, the training requirements in this information collection will help assure the safety of the mine rescue team itself.

Why are we requesting Emergency Processing? The Mine Improvement and New Emergency Response Act of 2006 became effective on June 15, 2006 (MINER Act). The goal of the MINER Act is "to improve the safety of mines and mining." To accomplish this goal, the MINER Act includes provisions to improve mine emergency response time, improve mine rescue team effectiveness, and increase the quantity and quality of mine rescue team training.

Section 4 of the MINER Act required MSHA to publish regulations on mine rescue teams. Because the mine rescue team provisions contained in Section 4 of the MINER Act apply only to underground coal mines, this rule will affect those mines and the mine rescue teams that cover them.

MSHA published a final rule revising the Agency's requirements for mine rescue teams for underground coal mines on February 8, 2008. The United Mine Workers of America challenged the final rule in the U.S. Court of Appeals for the District of Columbia Circuit. On February 10, 2009, the Court vacated the rule's provisions allowing mine-site and state-sponsored teams to train at small mines annually and State employees who are members of State-sponsored teams to substitute certain job duties for participation in one of two mine rescue contests required annually. The Court also vacated MSHA's conclusion in the preamble that State employees who are members of State-sponsored teams may participate in a mine rescue contest by serving as judges. See *Int'l Union, United Mine Workers of Am. v. Dep't of Labor*, 554 F.3d 150 (D.C. Cir. 2009).

Consistent with the Court's decision, MSHA is revising the existing rule to require mine-site and State-sponsored

teams to train at small mines semiannually and State employees who are members of State-sponsored teams to participate in two mine rescue contests annually. An emergency review is necessary in order to obtain approval of the changes implemented by the aforementioned final rule which is being promulgated for reasons stated above and is effective upon publication.

**Darrin A. King,**

*Departmental Clearance Officer.*

[FR Doc. E9-12278 Filed 5-22-09; 8:45 am]

BILLING CODE 4510-43-P

## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

#### 145th Meeting of the Advisory Council on Employee Welfare and Pension Benefit Plans; Notice of Meeting

Pursuant to the authority contained in Section 512 of the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. 1142, the 145th open meeting of the full Advisory Council on Employee Welfare and Pension Benefit Plans will be held on June 11, 2009.

The session will take place in Room S-2508, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210. The purpose of the open meeting, which will run from 1:30 p.m. to approximately 4:30 p.m., is to swear in the new members, introduce the Council Chair and Vice Chair, receive an update from the Employee Benefits Security Administration, and determine the topics to be addressed by the Council in 2009.

Organizations or members of the public wishing to submit a written statement may do so by submitting 25 copies on or before June 4, 2009 to Larry Good, Executive Secretary, ERISA Advisory Council, U.S. Department of Labor, Suite N-5623, 200 Constitution Avenue, NW., Washington, DC 20210. Statements may also be submitted electronically to [good.larry@dol.gov](mailto:good.larry@dol.gov). Statements received on or before June 4, 2009 will be included in the record of the meeting. Individuals or representatives of organizations wishing to address the Advisory Council should forward their requests to the Executive Secretary or telephone (202) 693-8668. Oral presentations will be limited to ten minutes, time permitting, but an extended statement may be submitted for the record. Individuals with disabilities who need special accommodations should contact Larry Good by June 4 at the address indicated.

Signed at Washington, DC this 20th day of May, 2009.

**Michael L. Davis,**

*Deputy Assistant Secretary, Employee Benefits Security Administration.*

[FR Doc. E9-12114 Filed 5-22-09; 8:45 am]

BILLING CODE 4510-29-P

## LEGAL SERVICES CORPORATION

### Sunshine Act Meeting of the Board of Directors; Amended Notice; Participant Dial-In Number Added to Notice

**NOTICE:** The Legal Services Corporation (LSC) is announcing an amendment to the notice of the Board of Directors meeting scheduled for Tuesday, May 26, 2009 via conference call. The Board of Directors meeting was announced in the **Federal Register** issue dated May 20, 2009, 74 FR 23748. The sole amendment to the notice is to add the Participant Dial-In Number. Other than adding the Participant Dial-In Number there is no other change to the announcement cited above.

**TIME AND DATE:** The Board of Directors of the Legal Services Corporation will meet on May 26, 2009 via conference call. The meeting will begin at 11 a.m. (EDT), and continue until conclusion of the Board's agenda.

**LOCATION:** 3333 K Street, NW., Washington, DC 20007, 3rd Floor Conference Room.

**STATUS OF MEETING:** Open. Directors will participate by telephone conference in such a manner as to enable interested members of the public to hear and identify all persons participating in the meeting. Members of the public may observe the meeting by joining participating staff at the location indicated above or calling 1-800-247-9979 (Conference ID# 99970441).

#### MATTERS TO BE CONSIDERED

1. Approval of the agenda.
2. Consider and act on Board of Directors' response to the Inspector General's Semiannual Report to Congress for the period of October 1, 2008 through March 31, 2009.
3. Consider and act on other business.
4. Public comment.

#### CONTACT PERSON FOR INFORMATION:

Katherine Ward, Executive Assistant to the Vice President for Legal Affairs, at (202) 295-1500.

**SPECIAL NEEDS:** Upon request, meeting notices will be made available in alternate formats to accommodate visual and hearing impairments. Individuals who have a disability and need an accommodation to attend the meeting may notify Katherine Ward, at (202) 295-1500.

Dated: May 15, 2009.

**Victor M. Fortuno,**

*Vice President for Legal Affairs, General Counsel & Corporate Secretary.*

[FR Doc. E9-12297 Filed 5-21-09; 4:15 pm]

BILLING CODE 7050-01-P

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (09-043)]

### NASA Advisory Council; Science Committee; Astrophysics 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 Astrophysics 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 persons scientific and technical information relevant to program planning.

**DATES:** Tuesday, June 16, 2009, 10 a.m. to 5 p.m. and Wednesday, June 17, 2009, 10 a.m. to 4 p.m. Eastern Daylight Time.

**ADDRESSES:** NASA Headquarters, 300 E Street, SW., Room 3H46, 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:

- Astrophysics Division Overview and Fiscal Year 2010 Budget Request
- James Webb Space Telescope Update
- Stratospheric Observatory for Infrared Astronomy Update
- Hubble Space Telescope Post-Shuttle Mission 4 Update
- Update on Recommendation Items from Previous Astrophysics Subcommittee Meeting

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