

6. *Reasonable Assurance.* Reasonable assurance in the "between seasons" denial for athletic services is used in a different manner than in the "between and within terms" denial for educational services. For the professional athlete, a mere indication of his/her intent to participate in the subsequent sports season without any verification from any sports organization can constitute "reasonable assurance." (See page 56, of the 1976 Draft Language.) However, the term "reasonable assurance," as it applies to educational employees under the "between and within terms" denial, must be verified by the educational institution before it can be established as a fact. (See page 54, of the 1976 Draft Language and page 17, Supplement 1, to the 1976 Draft Language).

7. *Action Required.* Administrators are to provide this information to appropriate staff.

8. *Inquiries.* Inquiries should be directed to the appropriate Regional Office.

[FR Doc. 98-9830 Filed 4-13-98; 8:45 am]

BILLING CODE 4510-30-M

DEPARTMENT OF LABOR

Employment Standards Administration

Proposed Collection; Comment Request

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Employment Standards Administration is soliciting comments concerning the

proposed revision collection of FECA Medical Report Forms: CA-7, CA-8, CA-16b, CA-20, CA-20a, CA-1090, CA-1303, CA-1305, CA-1306, CA-1314, CA-1316, CA-1331, CA-1332, CA-1336, OWCP-5a, OWCP-5b, and OWCP-5c. Copies of the proposed information collection requests can be obtained by contacting the office listed below in the addressee section of this notice.

DATES: Written comments must be submitted to the office listed in the **ADDRESSEE** section below on or before June 15, 1998. The Department of Labor 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.

ADDRESSES: Contact Ms. Patricia Forkel at the U.S. Department of Labor, 200 Constitution Avenue, NW., Room S-3201, Washington, DC 20210, telephone (202) 219-7601. The Fax number is (202) 219-6592. (These are not toll-free numbers.)

SUPPLEMENTARY INFORMATION:

I. Background

Statute 5 U.S.C. 8101 *et seq.* of the Federal Employees' Compensation Act

provides for the payment of benefits for wage loss and/or for permanent payment to a scheduled member, arising out of a work related injury or disease. The CA-7 and CA-8 request information allowing the Office of Workers' Compensation Programs to fulfill its statutory requirements for the period of compensation claimed (e.g., the pay rate, dependents, earnings, dual benefits, and third party information). The other forms in this proposed revision collection collect medical information necessary to determine entitlements to benefits.

II. Current Actions

The Department of Labor (DOL) seeks approval of the revision of this information collection to collect information in order to carry out its responsibility to determine eligibility for and the compensation of benefits. For ease of completion, the CA-8 has been eliminated and the CA-7 has been extensively revised to combine all elements from the CA-8. The CA-20a has been eliminated; former respondents to the CA-20a will now complete the CA-20. All other forms remain unchanged.

Type of Review: Revision.

Agency: Employment Standards Administration.

Title: FECA Medical Report Forms.

OMB Number: 1215-0103.

Agency Numbers: CA-7, CA-16b, CA-17b, CA-20, CA-1090, CA-1303, CA-1305, CA-1306, CA-1314, CA-1316, CA-1331, CA-1332, CA-1336, OWCP-5a, OWCP-5b, OWCP-5c.

Affected Public: Business or other for-profit; Federal Government; individuals or households.

Total Respondents: 441,855.

Frequency: As needed.

Total Responses: 441,855.

Estimated Total Burden Hours: 43,414.

Form	Respondents	Responses	Average minutes per response	Burden hours
CA-7	400	400	13	87
CA-16b	157,000	157,000	5	13,083
CA-17b	134,000	134,000	5	11,167
CA-20	112,000	112,000	5	9,333
CA-1090	800	800	5	67
CA-1303	4,000	4,000	20	1,333
CA-1305	80	80	20	27
CA-1306	25	25	10	4
CA-1314	1,200	1,200	20	400
CA-1316	1,100	1,100	10	183
CA-1331	750	750	5	63
CA-1332	1,500	1,500	30	750
CA-1336	2,000	2,000	5	167

Form	Respondents	Responses	Average minutes per response	Burden hours
OWCP-5a	7,000	7,000	15	1,750
OWCP-5b	5,000	5,000	15	1,250
OWCP-5c	15,000	15,000	15	3,750

Total Burden Cost (capital/startup): 0.
Total Burden Cost (operating and maintenance): \$154,649.

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: March 7, 1998.

Cecily A. Rayburn,

Director, Division of Financial Management, Office of Management, Administration and Planning, Employment Standards Administration.

[FR Doc. 98-9831 Filed 4-13-98; 8:45 am]

BILLING CODE 4510-27-P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petitions for Modification

The following parties have filed petitions to modify the application of mandatory safety standards under section 101(c) of the Federal Mine Safety and Health Act of 1977.

1. Energy West Mining Company

[Docket No. M-98-19-C]

Energy West Mining Company, P.O. Box 310, Huntington, Utah 84528 has filed a petition requesting an amendment to the Proposed Decision and Order (PDO) of its previously granted petition for modification of 30 CFR 75.350 (air courses and belt haulage entries), docket number M-98-166-C, for its Trail Mountain Mine (I.D. No. 42-01211) located in Emery County, Utah. The petitioner requests that Item (u) of the previous PDO be amended to replace the existing language with the language specified in this petition in the "Requirements Applicable to Two-Entry Development, Longwall Set-Up and Recovery and Retreat Mining Systems" to address installation and maintenance of hydraulic fluid pump stations. The petitioner asserts that the changes outlined in this petition are necessary for the high-pressure emulsion stations within the two-entry longwall retreat sections at the Energy West's Trail Mountain Mine. In addition, the petitioner asserts that the proposed alternative method would provide at

least the same measure of protection as would the mandatory standard.

2. Energy West Mining Company

[Docket No. M-98-20-C]

Energy West Mining Company, P.O. Box 310, Huntington, Utah 84528 has filed a petition requesting an amendment to the Proposed Decision and Order (PDO) of its previously granted petition for modification of 30 CFR 75.352 (return air courses), docket number M-94-167-C, for its Trail Mountain Mine (I.D. No. 42-01211) located in Emery County, Utah. The petitioner requests that Item (u) of the previous PDO be amended to replace the existing language with the language specified in this petition in the "Requirements Applicable to Two-Entry Development, Longwall Set-Up and Recovery and Retreat Mining Systems" to address installation and maintenance of hydraulic fluid pump stations. The petitioner asserts that changes outlined in this petition are necessary for the high-pressure emulsion station within the two-entry longwall retreat sections at the Energy West's Trail Mountain Mine. In addition, the petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

3. Peabody Coal Company

[Docket No. M-98-21-C]

Peabody Coal Company, 800 Laidley Tower, P.O. Box 1233, Charleston, West Virginia 25324 has filed a petition to modify the application of 30 CFR 75.364(a)(1) (weekly examination) to its Camp No. 1 Mine (I.D. No. 15-02709) located in Union County, Kentucky. Due to hazardous roof conditions in the air course entries, traveling the affected area would be unsafe. The petitioner proposes to have a certified person conduct weekly examinations at established evaluation points immediately inby and outby the affected area to determine methane and oxygen concentrations and the volume of air, and record the results in a book maintained on the surface of the mine. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

4. Consolidation Coal Company

[Docket No. M-98-22-C]

Consolidation Coal Company, Consol Plaza, 1800 Washington Road, Pittsburgh, Pennsylvania 15241-1421 has filed a petition to modify the application of 30 CFR 75.503 (permissible electric face equipment; maintenance) to its Rend Lake Mine (I.D. No. 11-00601) located in Jefferson County, Pennsylvania. The petitioner proposes to use a spring-loaded metal locking device instead of padlocks for securing battery-charging plugs to machine-mounted battery receptacles on permissible, mobile, battery-powered scoop cars. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

5. Fray Mining, Inc.

[Docket No. M-98-23-C]

Fray Mining, Inc., P.O. Box 942, Tazewell, Virginia 24651 has filed a petition to modify the application of 30 CFR 77.214(a) (refuse piles; general) to its Mine No. 3 (I.D. No. 44-03524) located in Buchanan County, Virginia. The petitioner requests a modification of the standard to allow construction of a refuse bench fill in an area containing abandoned mine openings. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

6. Mountaineer Mining Management, Inc.

[Docket No. M-98-24-C]

Mountaineer Mining Management, Inc., P.O. Box 1090, Oceana, West Virginia 24890 has filed a petition to modify the application of 30 CFR 75.364 (weekly examination) to its No. 3 Mine (I.D. No. 46-08369) located in Boone County, West Virginia. Due to fallen material in the old mine workings (Kopperton No. 2 Mine) where the No. 3 mine is mined into, the area is unsafe to seal off. The petitioner proposes to install a continuous gas monitoring system to monitor the air quality for air coming out of the old mine workings. The petitioner states that the monitoring system would include an audible warning signal and a visual strobe light