

In light of the above, and the absence of evidence to the contrary, the Deputy Administrator is left to conclude that Proveedora cannot be entrusted with the responsibilities of a DEA registration. As a result, the Deputy Administrator further concludes that it would be inconsistent with the public interest to grant the application of Proveedora.

Accordingly, the Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in her by 21 U.S.C. 823 and 28 CFR 0.100(b) and 0.104, hereby orders that the pending application for DEA Certificate of Registration, previously submitted by Proveedora Jiron, Incorporated, Edilberto Jiron, President, be, and it hereby is, denied. This order is effective September 20, 2004.

Dated: July 27, 2004.

**Michele M. Leonhart,**

*Deputy Administrator.*

[FR Doc. 04-18970 Filed 8-18-04; 8:45 am]

**BILLING CODE 4410-09-M**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review: Comment Request

August 12, 2004.

The Department of Labor (DOL) has submitted the following public information collection requests (ICRs) 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 each 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 Employment Standards Administration (ESA), 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:* Employment Standards Administration.

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

*Title:* Employer's First Report of Injury or Occupational Disease; Physician's Report on Impairment of Vision; and Employer's Supplementary Report of Accident or Occupational Illness.

*OMB Number:* 1215-0031.

*Frequency:* On occasion.

*Type of Response:* Reporting.

*Affected Public:* Business and other for-profit and not-for-profit institutions.

*Number of Respondents:* 21,060.

Form	Annual responses	Average response time hours	Annual burden hours
LS-202 .....	21,000	0.25	5,250
LS-205 .....	60	0.75	45
LS-210 .....	2,160	0.25	540
<b>Total</b> .....	<b>23,220</b>	.....	<b>5,835</b>

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

*Total Annual Costs (operating/maintaining systems or purchasing services):* \$10,333.

*Description:* The Longshore and Harbor Workers' Compensation Act provides benefits to workers injured in maritime employment on the navigable waters of the United States and adjoining area customarily used by an employee in loading, unloading, repairing, or building a vessel. The Form LS-202 is used by employers

initially to report injuries that have occurred which are covered under the Longshore Act and its related statutes. The Form LS-210 is used to report additional periods of lost time from work. The Form LS-205 is a medical report based on a comprehensive examination of visual impairment. Regulatory authority is found in 20 CFR 702.201, 702.202, and 702.407.

*Agency:* Employment Standards Administration.

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

*Title:* Operator Controversion; Operator Response; Operator Response to Schedule for Submission of Additional Evidence; and Operator Response to Notice of Claim.

*OMB Number:* 1215-0058.

*Frequency:* On occasion.

*Type of Response:* Reporting.

*Affected Public:* Business and other for-profit and State, local, or tribal government.

*Number of Respondents:* 8,200.

Form	Annual responses	Average response time hours	Annual burden hours
CM-970 .....	100	0.25	25
CM-970a .....	100	0.17	17

Form	Annual responses	Average response time hours	Annual burden hours
CM-2970 .....	4,000	0.17	667
CM-2970a .....	4,000	0.25	1,000
Total .....	8,200	.....	1,709

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

*Total Annual Costs (operating/maintaining systems or purchasing services): \$3,280.*

*Description:* The Black Lung Benefits Act (30 U.S.C. 901 *et seq.*) provides benefits to coal miners totally disabled due to pneumoconiosis, and their surviving dependents. When the Division of Coal Mine Workers' Compensation makes an initial finding that an applicant is eligible for benefits, and, if a coal mine operator has been identified as potentially liable for payment of those benefits, the responsible operator is notified of the initial finding. The CM-970 gives the operator an opportunity to controvert the liability. The CM-970A is sent to the operator with the Notice of Claim notifying the operator of potential liability of payment for benefits. The CM-970A gives the operator an opportunity to agree or disagree with the identification. The CM-970A is used for all claims filed before January 19, 2001. The CM-2970 and CM-2970A serve the same purposes as the CM-970 and CM-970A; however, these forms are be used for all claims filed after January 19, 2001. Regulatory authority is found in 20 CFR 725.408, 725.410, 725.412, and 725.413.

**Ira Mills,**

*Departmental Clearance Officer.*

[FR Doc. 04-19001 Filed 8-18-04; 8:45 am]

**BILLING CODE 4510-CF-P**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Advisory Council on Employee Welfare and Pension Benefit Plans; Nominations for Vacancies

Section 512 of the Employee Retirement Income Security Act of 1974 (ERISA), 88 Stat. 895, 29 U.S.C. 1142, provides for the establishment of an Advisory Council on Employee Welfare and Pension Benefit Plans (the Council), which is to consist of 15 members to be appointed by the Secretary of Labor (the Secretary) as follows: Three representatives of employee organizations (at least one of whom

shall be representative of an organization whose members are participants in a multiemployer plan); three representatives of employers (at least one of whom shall be representative of employers maintaining or contributing to multiemployer plans); one representative each from the fields of insurance, corporate trust, actuarial counseling, investment counseling, investment management and accounting; and three representatives from the general public (one of whom shall be a person representing those receiving benefits from a pension plan). No more than eight members of the Council shall be members of the same political party.

Members shall be persons qualified to appraise the programs instituted under ERISA. Appointments are for terms of three years. The prescribed duties of the Council are to advise the Secretary with respect to the carrying out of his or her functions under ERISA, and to submit to the Secretary, or his or her designee, recommendations with respect thereto. The Council will meet at least four times each year.

The terms of five members of the Council expire on November 14, 2004. The groups or fields they represent are as follows: (1) Employee organizations (representing an organization whose members participate in a multiemployer plan); (2) the insurance profession; (3) the accounting profession; (4) employers; and (5) the general public (representing persons actually receiving benefits from a private-sector plan). The Department of Labor is committed to equal opportunity in the workplace and seeks a broad-based and diverse ERISA Advisory Council.

Accordingly, notice is hereby given that any person or organization desiring to recommend one or more individuals for appointment to the Advisory Council on Employee Welfare and Pension Benefit Plans to represent any of the groups or fields specified in the preceding paragraph, may submit recommendations to Debra Golding, ERISA Advisory Council, Frances Perkins Building, U.S. Department of Labor, 200 Constitution Avenue, NW., Suite N-5656, Washington, DC 20210. Recommendations must be delivered or mailed on or before October 1, 2004.

Recommendations may be in the form of a letter, resolution or petition, signed by the person making the recommendation or, in the case of a recommendation by an organization, by an authorized representative of the organization.

Signed at Washington, DC, this 13th day of August 2004.

**Ann L. Combs,**

*Assistant Secretary of Labor, Employee Benefits Security Administration.*

[FR Doc. 04-19002 Filed 8-18-04; 8:45 am]

**BILLING CODE 4510-29-P**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Proposed Information Collection Request; Submitted for Public Comment and Recommendations; Mine Accident, Injury, and Illness Report and Quarterly Mine Employment and Coal Production Report (MSHA Forms 7000-1 and 7000-2)

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden conducts a pre-clearance 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.

**DATES:** Submit comments on or before October 18, 2004.

**ADDRESSES:** Send comments to Melissa Stoehr, Acting Chief, Records Management Branch, 1100 Wilson Boulevard, Room 2134, Arlington, VA 22209-3939. Commenters are encouraged to send their comments on computer disk, or via E-mail to [stoehr.melissa@dol.gov](mailto:stoehr.melissa@dol.gov). Ms. Stoehr can