

will result in a diminution of safety to the affected miners.

MSHA bases the final decision on the petitioner's statements, any comments and information submitted by interested persons, and a field investigation of the conditions at the mine. In some instances, MSHA may approve a petition for modification on the condition that the mine operator complies with other requirements noted in the decision.

## II. Granted Petitions for Modification

On the basis of the findings of MSHA's investigation, and as designee of the Secretary, MSHA has granted or partially granted the following petitions for modification:

- *Docket Number:* M-2009-062-C.  
*FR Notice:* 75 FR 3253 (January 20, 2010).

*Petitioner:* American Energy Corporation, 43521 Mayhugh Hill Road, Beallsville, Ohio 43716.

*Mine:* Century Mine, MSHA I.D. No. 33-01070, located in Monroe County, Ohio.

*Regulation Affected:* 30 CFR 75.503 (Permissible electric face equipment; maintenance) and 30 CFR 18.35 (Portable trailing cables and cords).

- *Docket Number:* M-2010-003-C.  
*FR Notice:* 75 FR 12799 (March 17, 2010).

*Petitioner:* Brooks Run Mining Company, LLC, 208 Business Street, Beckley, West Virginia 25801.

*Mine:* Wyoming No. 2 Mine, MSHA I.D. No. 46-06263, located in Wyoming County, West Virginia.

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

- *Docket Number:* M-2010-006-C.  
*FR Notice:* 75 FR 12794 (March 17, 2010).

*Petitioner:* Armstrong Coal Company, Inc., 407 Brown Road, Madisonville, Kentucky 42341.

*Mine:* Parkway Mine, MSHA I.D. No. 15-19358, located in Muhlenberg County, Kentucky.

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

- *Docket Number:* M-2010-011-C.  
*FR Notice:* 75 FR 16187 (March 31, 2010).

*Petitioner:* Alex Energy, Inc., P.O. Box 190, Leivasy, West Virginia 26676.

*Mine:* Jerry Fork Eagle Mine, MSHA I.D. No. 46-08787, located in Nicholas County, West Virginia.

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

- *Docket Number:* M-2010-012-C.  
*FR Notice:* 75 FR 16187 (March 31, 2010).

*Petitioner:* White Buck Coal Company, P.O. Box 180, Leivasy, West Virginia 26676.

*Mine:* Grassy Creek No. 1 Mine, MSHA I.D. No. 46-08365 and Hominy Creek Mine, MSHA I.D. No. 46-09266 located in Nicholas County, West Virginia; and Pocahontas Mine, MSHA I.D. No. 46-09154, located in Greenbrier County, West Virginia.

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

- *Docket Number:* M-2010-017-C.  
*FR Notice:* 75 FR 22847 (April 30, 2010).

*Petitioner:* Brooks Run Mining Company, LLC, 208 Business Street, Beckley, West Virginia 25801.

*Mine:* Horse Creek No. 1 Mine, MSHA I.D. No. 46-09348, located in McDowell County, West Virginia.

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

- *Docket Number:* M-2009-004-M.  
*FR Notice:* 74 FR 34371 (July 15, 2009).

*Petitioner:* Arch Materials, LLC, 4438 State route 276, Batavia, Ohio 45103.

*Mine:* Batavia Mine, MSHA I.D. No. 33-04578, Clermont County, Ohio.

*Regulation Affected:* 30 CFR 49.2(c) (Availability of mine rescue teams).

Dated: September 14, 2010.

**Patricia W. Silvey,**

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

[FR Doc. 2010-23323 Filed 9-17-10; 8:45 am]

**BILLING CODE 4510-43-P**

## DEPARTMENT OF LABOR

### Wage and Hour Division

#### Proposed Extension of the Approval of Information Collection Requirements

**AGENCY:** Wage and Hour Division, Labor.

**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 Wage and Hour Division is soliciting comments concerning its proposal to

extend Office of Management and Budget (OMB) approval of the Information Collection: Disclosures to Workers Under the Migrant and Seasonal Agricultural Worker Protection Act. A copy of the proposed information collection request can be obtained by contacting the office listed below in the address section of this Notice.

**DATES:** Written comments must be submitted to the office listed in the addresses section below on or before November 19, 2010.

**ADDRESSES:** You may submit comments identified by Control Number 1235-0002, by either one of the following methods:

*E-mail:* WHDPRAComments@dol.gov.

*Mail, Hand Delivery, Courier:* Office of Regulatory and Legislative Interpretations, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue, NW., Washington, DC 20210.

*Instructions:* Please submit one copy of your comments by only one method. All submissions received must include the agency name and Control Number identified above for this information collection. Because we continue to experience delays in receiving mail in the Washington, DC area, commenters are strongly encouraged to transmit their comments electronically via e-mail or to submit them by mail early. Comments, including any personal information provided, become a matter of public record. They will also be summarized and/or included in the request for OMB approval of the information collection request.

#### FOR FURTHER INFORMATION CONTACT:

Michael Hancock, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue, NW., Washington, DC 20210; telephone: (202) 693-0406 (this is not a toll-free number). Copies of this notice must be obtained in alternative formats (Large Print, Braille, Audio Tape or Disc), upon request, by calling (202) 693-0023 (not a toll-free number). TTY/TDD callers may dial toll-free (877) 889-5627 to obtain information or request materials in alternative formats.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Various sections of the Migrant and Seasonal Agricultural Worker Protection Act (MSPA) (29 U.S.C. 1801, *et seq.*) require respondents [*i.e.*, Farm Labor Contractors (FLCs), Agricultural Employers (AGERS), and Agricultural Associations (AGASs)] to disclose employment terms and conditions in writing to their workers. MSPA sections 201(g) and 301(f) requires that the DOL

make forms available to provide such information. The DOL prints and makes Optional-use Form WH-516, Worker Information—Terms and Conditions of Employment, available for these purposes. See 29 CFR 500.75(a), 500.76(a).

MSPA sections 201(d) and 301(c)—29 U.S.C. 1821(d), 1831(c) and Regulations 29 CFR 500.80(a), require each FLC, AGER and AGAS that employs any migrant or seasonal worker to make, keep, and preserve records for three years for each such worker concerning the: (1) Basis on which wages are paid; (2) Number of piece work units earned, if paid on a piece work basis; (3) Number of hours worked; (4) Total pay period earnings; (5) Specific sums withheld and the purpose of each sum withheld; and, (6) Net pay.

Respondents are also required to provide an itemized written statement of this information to each migrant and seasonal agricultural worker each pay period. 29 U.S.C. 1821(d), 1831(c); 29 CFR 500.1(i)(3), -.80(d). In addition, MSPA sections 201(e) and 301(d) require that each FLC provide copies of all the records noted above for the migrant or seasonal agricultural workers the contractor has furnished to other farm labor contractors, agricultural employers or agricultural associations who use the workers. Except for the worker, the recipient of such records is to retain them for a period of three years. Respondents must also make and keep certain records, including each worker's Social Security Number. 29 CFR 500.80(a). In addition, the wage statement provided to each worker at the time of wage payment is to include, among other items, the worker's Social Security Number and employer's Tax Identification Number. 29 CFR 500.80(a), (d).

MSPA section 201(c) requires all FLCs, AGERs, and AGASs providing housing to any migrant agricultural worker to post in a conspicuous place at the site of the housing, or present to the migrant worker, a written statement of any housing occupancy terms and conditions. See 29 U.S.C. 1821(c); 29 CFR 500.75(f). In addition, MSPA section 201(g) requires these FLCs, AGERs, and AGASs to give such information in English, or as necessary and reasonable, in a language common to the workers. See 29 U.S.C. 1821(g); 29 CFR 500.1(i)(2), .75(a), (f)–(g). This provision also requires the DOL to make optional forms available to provide the required disclosures. See 29 U.S.C. 1821(g); 29 CFR 500.1(i)(2), .75(a), (g).

## II. Review Focus

The DOL 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.

## III. Current Actions

The DOL seeks approval for the extension of this information collection in order to ensure effective administration of various special employment programs.

*Type of Review:* Revision.

*Agency:* Wage and Hour Division.

*Title:* Disclosures to Workers Under the Migrant Seasonal and Agricultural Worker Protection Act.

*OMB Numbers:* 1235–0002, 1235–0009, and 1235–0010 (All to be merged in 1235–0002).

*Affected Public:* Private sector, farms.

*Respondents:* 107,706.

*Total Annual Responses:* 84,206,505.

*Estimated Total Burden Hours:* 1,417,426.

*Estimated Time per Response:* Various.

*Frequency:* On occasion.

*Total Burden Costs (start up/capital/operation/maintenance):* \$2,716,101.04.

**Michael Hancock,**

*Acting Director, Division of Regulation, Legislation, and Interpretation.*

[FR Doc. 2010–23369 Filed 9–17–10; 8:45 am]

**BILLING CODE 4510–27–P**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Petitions for Modification of Existing Mandatory Safety Standards

**AGENCY:** Mine Safety and Health Administration (MSHA), Labor.

**ACTION:** Notice.

**SUMMARY:** Section 101(c) of the Federal Mine Safety and Health Act of 1977 and 30 CFR part 44 govern the application, processing, and disposition of petitions for modification. This notice is a summary of petitions for modification filed by the parties listed below to modify the application of existing 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 October 20, 2010.

**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](mailto: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 22209–3939, 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 22209–3939, 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](mailto: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