

**7. Tech Leasing & Rebuild, Inc.**

[Docket No. M-2005-025-C]

Tech Leasing & Rebuild, Inc., R. Rt. 1, Box 48C, Pounding Mill, Virginia 24637 has filed a petition to modify the application of 30 CFR 75.1710-1(4) (Canopies or cabs; self-propelled diesel-powered and electric face equipment; installation requirements) to its Mine #1 (MSHA I.D. No. 44-06859) located in Tazewell County, Virginia. The Tech Leasing & Rebuild, Inc., Mine #1 is developing the War Creek coal seam located North of Rt. 628 on Indian Creek. The petitioner proposes to operate mobile face equipment without canopies or cabs when the mining height is 48 inches or less. The petitioner states that mining height at the Mine #1 averages between 37" to 45" with localized dips and elevation changes in the mine floor; and the mining height with the dips and changes in elevation have created conditions in which mining equipment with canopies and cabs have dislodged roof bolts and limits visibility for equipment operators. The petitioner asserts that application of the existing standard would result in a diminution of safety to the miners.

**Request for Comments**

Persons interested in these petitions are encouraged to submit comments via Federal eRulemaking Portal: <http://www.regulations.gov>; E-mail: [zzMSHA-Comments@dol.gov](mailto:zzMSHA-Comments@dol.gov); Fax: (202) 693-9441; or Regular Mail/Hand Delivery/Courier: Mine Safety and Health Administration, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209. All comments must be postmarked or received in that office on or before May 13, 2005. Copies of these petitions are available for inspection at that address.

Dated at Arlington, Virginia, this 6th day of April 2005.

**Rebecca J. Smith,**

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

[FR Doc. 05-7388 Filed 4-12-05; 8:45 am]

BILLING CODE 4510-43-P

**NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES****National Endowment for the Arts; Arts Advisory Panel**

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), as amended, notice is hereby given that two meetings of the Arts

Advisory Panel to the National Council on the Arts will be held as follows:

Opera (Great American Voices): May 3-4, 2005. Detroit Marriott at the Renaissance Center, Room "Richard B," Detroit, MI. This meeting, from 11:30 a.m. to 6 p.m. on May 3, and from 8:30 a.m. to 12 p.m. on May 4, will be closed.

Literature (Translation Projects in Poetry): May 16, 2005, Room 714. This meeting, from 9 a.m. to 6:30 p.m., will be closed.

These meetings are for the purpose of Panel review, discussion, evaluation, and recommendations on financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including information given in confidence to the agency. In accordance with the determination of the Chairman of April 30, 2003, these sessions will be closed to the public pursuant to subsection (c)(6) of section 552b of Title 5, United States Code.

Further information with reference to this meeting can be obtained from Ms. Kathy Plowitz-Worden, Office of Guidelines & Panel Operations, National Endowment for the Arts, Washington, DC, 20506, or call (202) 682-5691.

Dated: April 8, 2005.

**Kathy Plowitz-Worden,**

*Panel Coordinator, Panel Operations, National Endowment for the Arts.*

[FR Doc. 05-7432 Filed 4-12-05; 8:45 am]

BILLING CODE 7537-01-P

**NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES****National Endowment for the Arts; Determination of the Chairman of the National Endowment for the Arts as to Certain Advisory Committees: Public Disclosure of Information and Activities**

The National Endowment for the Arts utilizes advice and recommendations of advisory committees in carrying out many of its functions and activities.

The Federal Advisory Committee Act, as amended (Pub. L. 92-463), governs the formation, use, conduct, management, and accessibility to the public of committees formed to advise and assist the Federal Government. Section 10 of the act specifies that department and agency heads shall make adequate provisions for participation by the public in the activities of advisory committees, except to the extent a determination is made in writing by the department or agency head that a portion of an advisory committee meeting may be closed to the public in accordance with subsection (c)

of section 552b of title 5, United States Code (the Government in the Sunshine Act).

It is the policy of the National Endowment for the Arts to make the fullest possible disclosure of records to the public, limited only by obligations of confidentiality and administrative necessity. Consistent with this policy, meetings of the following Endowment advisory committees will be open to the public except for portions dealing with the review, discussion, evaluation, and/or ranking of grant applications: Arts Advisory Panel and the Federal Advisory Committee on International Exhibitions.

The portions of the meetings involving the review, discussion, evaluation and ranking of grant applications may be closed to the public for the following reasons:

The Endowment Advisory Committees listed above review and discuss applications for financial assistance. While the majority of applications received by the agency are submitted by organizations, all of the applications contain the names of and personal information relating to individuals who will be working on the proposed project. In reviewing the applications, committee members discuss the abilities of the listed individuals in their fields, the reputations of the listed individuals among their colleagues, the ability of the listed individuals to carry through on projects they start, and their background and performance. Consideration of these matters is essential to the review of the artistic excellence and artistic merit of an application.

Consequently, in the interest of meeting our obligation to consider artistic excellence and artistic merit when reviewing applications for financial assistance:

It is hereby determined in accordance with the provisions of section 10(d) of the Act that the disclosure of information regarding the review, discussion, and evaluation of applications for financial assistance as outlined herein is likely to disclose information of a personal nature the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Therefore, in light of the above, I have determined that the above referenced meetings or portions thereof, devoted to review, discussion, evaluation, and/or ranking of applications for financial assistance may be closed to the public in accordance with subsection (c)(6) of section 552b of title 5, United States Code.