

*Petitioner:* Chestnut Coal Company, RR 3, Box 142, Sunbury, Pennsylvania 17801.

*Mine:* #11 Slope Mine, MSHA I.D. No. 36-09475, located in Northumberland County, Pennsylvania.

*Regulation Affected:* 30 CFR 75.1200(d) & (i) (Mine map).

*Modification Request:* The petitioner proposes to use cross-sections instead of contour lines through the intake slope at locations of rock tunnel connections between veins, and at 1,000 foot intervals of advance from the intake slope. In addition, the petitioner proposes to limit the required mapping of the mine workings above and below to those present within 100 feet of the veins being mined, except when these veins are interconnected to other veins beyond the 100-foot limit, through rock tunnels. The petitioner states that contours provide no useful information due to the steep pitch encountered in mining anthracite coal veins, and their presence would make portions of the map illegible. The petitioner further states that use of cross-sections in lieu of contour lines has been practiced since the late 1800's and provides critical information about the spacing between veins and the proximity to other mine workings, which fluctuate considerably. Additionally, the petitioner states that the mine workings above and below are usually inactive and abandoned, and therefore not subject to changes during the life of the mine. The petitioner states that all mapping for mines above and below are researched by its contract engineer for the presence of interconnecting rock tunnels between veins in relation to the mine and a hazard analysis is done when mapping indicates the presence of known or potentially flooded workings. The petitioner asserts that when evidence indicates that prior mining was conducted on a vein above or below and research exhausts the availability of mine mapping, the vein will be considered to be mined and flooded and appropriate precautions will be taken under 30 CFR 75.388, where possible. Where potential hazards exist and in-mine drilling capabilities limit penetration, petitioner will drill surface boreholes to intercept the mine workings and will analyze the results prior to mining in the affected area. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

*Docket Number:* M-2007-056-C.

*Petitioner:* Chestnut Coal Company, RR 3, Box 142, Sunbury, Pennsylvania 17801.

*Mine:* #11 Slope Mine, MSHA I.D. No. 36-09475, located in Northumberland County, Pennsylvania.

*Regulation Affected:* 30 CFR 75.1202 and 75.1202-1(a) (Temporary notations, revisions, and supplements).

*Modification Request:* The petitioner requests a modification of the existing standard to permit the required interval of survey to be established on an annual basis from the initial survey lieu of every 6 months. The petitioner proposes to update the mine map by hand notations on a daily basis, conduct subsequent surveys prior to commencing retreat mining, and when either a drilling program under 30 CFR 75.388 or plan for mining into accessible areas under 30 CFR 75.389 is required. The petitioner states that: (1) Low production and slow rate of advance in anthracite mining make surveying on 6 month intervals impractical and, in most cases, annual development is frequently limited to less than 500 feet of gangway advance with associated up-pitch development; (2) the majority of small anthracite mines are using non-mechanized, hand-loading mining methods; (3) development above the active gangway is designed to mine into the level above at designated intervals thereby maintaining sufficient control between both surveyed gangways; and (4) the available engineering/surveyor resources are very limited in anthracite coal fields which makes surveying difficult to achieve. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

*Docket Number:* M-2007-057-C.

*Petitioner:* Chestnut Coal Company, RR 3, Box 142, Sunbury, Pennsylvania 17801.

*Mine:* #11 Slope Mine, MSHA I.D. No. 36-09475, located in Northumberland County, Pennsylvania.

*Regulation Affected:* 30 CFR 75.1400 (Hoisting equipment; general).

*Modification Request:* The petitioner proposes to use the slope (gunboat) to transport persons in shafts and slopes using an increased rope strength/safety factor and secondary safety rope connection instead of using safety catches or other no less effective devices. The petitioner asserts that a functional safety catch has not been developed and that the proposed alternative method would provide at least the same measure of protection as the existing standard.

Dated: September 12, 2007.

**Patricia W. Silvey,**

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

[FR Doc. E7-18367 Filed 9-17-07; 8:45 am]

**BILLING CODE 4510-43-P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA-2007-0071]

#### Procedures for the Handling of Discrimination Complaints Under Federal Employee Protection Statutes; Extension of the Office of Management and Budget's (OMB) Approval of Information Collection (Paperwork) Requirements

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Request for public comment.

**SUMMARY:** OSHA solicits comment concerning its proposal to extend OMB approval of the information collection requirements for handling of discrimination complaints under Federal Employee Protection Statutes contained in regulations at: 29 CFR Part 24, Procedures for the Handling of Discrimination Complaints Under Federal Employee Protection Statutes; 29 CFR Part 1979, Procedures for Handling Discrimination Complaints Under Wendell H. Ford Aviation Investment and Reform Act for the 21st Century; 29 CFR Part 1980, Procedures for Handling of Discrimination Complaints Under Section 806 of the Corporate and Criminal Fraud Accountability Act of 2002, Title VIII of the Sarbanes-Oxley Act 2002; and 29 CFR Part 1981 Procedures for the Handling of Discrimination Complaints under Section 6 of the Pipeline Safety and Improvement Act of 2002 (i.e., These Regulations). These regulations set forth procedures employees must use to file a complaint with OSHA alleging that their employer violated a Federal statute that prohibits retaliation against employees who engage in activities protected by the various employee protection statutes.

**DATES:** Comments must be submitted (postmarked, sent or received) by November 19, 2007.

**ADDRESSES:**

*Electronically:* You may submit comments and attachments electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the instructions online for submitting comments.

*Facsimile:* If your comments, including attachments, are not longer than 10 pages, you may fax them to the OSHA Docket Office at (202) 693-1648.

*Mail, hand delivery, express mail, messenger, or courier service:* When using this method, you must submit three copies of your comments and attachments to the OSHA Docket Office, OSHA Docket No. OSHA-2007-0071, U.S. Department of Labor, Occupational Safety and Health Administration, Room N-2625, 200 Constitution Avenue, NW., Washington, DC 20210. Deliveries (hand, express mail, messenger, and courier service) are accepted during the Department of Labor's and Docket Office's normal business hours, 8:15 a.m. to 4:45 p.m., EST.

*Instructions:* All submissions must include the Agency name and OSHA docket number for the ICR (OSHA-2007-0071). All comments, including any personal information you provide, are placed in the public docket without change, and may be made available online at <http://www.regulations.gov>. For further information on submitting comments see the "Public Participation" heading in the section of this notice titled **SUPPLEMENTARY INFORMATION**.

*Docket:* To read or download comments or other material in the docket, go to <http://www.regulations.gov> or the OSHA Docket Office at the address above. All documents in the docket (including this **Federal Register** notice) are listed in the <http://www.regulations.gov> index; however, some information (e.g., copyrighted material) is not publicly available to read or download through the Web site. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. You may also contact Nilgun Tolek at the address below to obtain a copy of the ICR.

**FOR FURTHER INFORMATION CONTACT:** Nilgun Tolek, Office of Investigative Assistance, Directorate of Enforcement Programs, OSHA, U.S. Department of Labor, Room N-3610, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693-2199.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

The Department of Labor, as part of its continuing effort to reduce paperwork and respondent (i.e., employer) burden, conducts a preclearance consultation program to provide the public with an opportunity to comment on proposed and continuing information collection requirements in accordance with the

Paperwork Reduction Act of 1995 (44 U.S.C. 3506(c)(2)(A)). This program ensures that information is in the desired format, reporting burden (time and costs) is minimal, collection instruments are clearly understood, and OSHA's estimate of the information collection burden is accurate.

The Agency is responsible for investigating alleged violations of "whistleblower" provisions contained in a number of Federal statutes. These provisions prohibit retaliation by employers against employees who report alleged violations of certain laws or regulations. Accordingly, these provisions prohibit an employer from discharging or taking any other retaliatory action against an employee with respect to compensation, or the terms, conditions, or privileges of employment because the employee engages in any of the protected activities specified by the "whistleblower" provisions of these Federal statutes.

These Federal statutes are covered under the following regulations: 29 CFR Part 24, Procedures for the Handling of Discrimination Complaints under Federal Employee Protection Statutes (29 CFR Part 24 covers: Safe Water Drinking Act, 42 U.S.C. 300j-9(i); Water Pollution Control Act, 33 U.S.C. 1367; Toxic Substances Control Act, 15 U.S.C. 2622; Solid Waste Disposal Act, 42 U.S.C. 6971; Clean Air Act, 42 U.S.C. 7622; Energy Reorganization Act of 1974, 42 U.S.C. 5851; Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9610); 29 CFR Part 1979, Procedures for Handling Discrimination Complaints Under the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century; 29 CFR Part 1980, Procedures for Handling of Discrimination Complaints Under Section 806 of the Corporate and Criminal Fraud Accountability Act of 2002, Title VIII of the Sarbanes-Oxley Act of 2002; and 29 CFR Part 1981 Procedures for the Handling of Discrimination Complaints under Section 6 of the Pipeline Safety and Improvement Act of 2002.

These regulations specify the procedures that an employee must use to file a complaint with OSHA alleging that their employer violated a "whistleblower" provision for which the Agency has investigative responsibility. Any employee who believes that such a violation occurred may file a complaint, or have the complaint filed on their behalf. While OSHA specifies no particular form for filing a complaint, these regulations require that a complaint must be in writing and should include a full statement of the acts and omissions,

with pertinent dates, which are believed to constitute the violation.

##### **II. Special Issues for Comment**

OSHA has a particular interest in comments on the following issues:

- Whether the proposed information collection requirements are necessary for the proper performance of the Agency's functions, including whether the information is useful;
- The accuracy of OSHA's estimate of the burden (time and costs) of the information collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information collected; and
- Ways to minimize the burden on employers who must comply; for example, by using automated or other technological information collection and transmission techniques.

##### **III. Proposed Actions**

OSHA is requesting that OMB extend its approval of the information collection requirements contained in the Regulations Containing Procedures for Handling Discrimination Complaints. The Agency will summarize the comments submitted in response to this notice and will include this summary in the request to OMB.

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

*Title:* Regulations Containing Procedures for Handling Discrimination Complaints.

*OMB Number:* 1218-0236.

*Affected Public:* Individuals.

*Number of Respondents:* 390.

*Frequency of Recordkeeping:* Once per complaint.

*Average Time per Response:* 1 hour.

*Total Annual Hours Requested:* 390.

*Estimated Cost (Operation and Maintenance):* \$0.

##### **IV. Public Participation—Submission of Comments on this Notice and Internet Access to Comments and Submissions**

You may submit comments in response to this document as follows:

- (1) Electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal;
- (2) by facsimile (FAX); or
- (3) by hard copy. All comments, attachments, and other material must identify the Agency name and the OSHA docket number for the ICR (Docket No. OSHA-2007-0071). You may supplement electronic submissions by uploading document files electronically. If you wish to mail additional materials in reference to an electronic or facsimile submission, you must submit them to the OSHA Docket Office (see the section of this notice

titled **ADDRESSES**). The additional materials must clearly identify your electronic comments by your name, date, and the docket number so the Agency can attach them to your comments.

Because of security procedures, the use of regular mail may cause a significant delay in the receipt of comments. For information about security procedures concerning the delivery of materials by hand, express delivery, messenger, or courier service, please contact the OSHA Docket Office at (202) 693-2350 (TTY (877) 889-5627).

Comments and submissions are posted without change at <http://www.regulations.gov>. Therefore, OSHA cautions commenters about submitting personal information such as social security numbers and date of birth. Although all submissions are listed in the <http://www.regulations.gov> index, some information (e.g., copyrighted material) is not publicly available to read or download through this Web site. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Information on using the <http://www.regulations.gov> Web site to submit comments and access the docket is available at the Web site's "UserTips" link. Contact the OSHA Docket Office for information about materials not available through the Web site, and for assistance in using the Internet to locate docket submissions.

#### V. Authority and Signature

Edwin G. Foulke, Jr., Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506, *et seq.*) and Secretary of Labor's Order No. 5-2002 (67 FR 65008).

Signed at Washington, DC, on September 12, 2007.

**Edwin G. Foulke, Jr.,**

*Assistant Secretary of Labor for Occupational Safety and Health.*

[FR Doc. E7-18314 Filed 9-17-07; 8:45 am]

**BILLING CODE 4510-26-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 five meetings of the Arts

Advisory Panel to the National Council on the Arts will be held at the Nancy Hanks Center, 1100 Pennsylvania Avenue, NW., Washington, DC, 20506 as follows (ending times are approximate):

*Arts Education (application review):* October 2-5, 2007 in Room 716. A portion of this meeting, from 2:30 p.m. to 3 p.m. on October 5th, will be open to the public for a policy discussion. The remainder of the meeting, from 9 a.m. to 5:30 p.m. on October 2nd-4th, and from 9 a.m. to 2:30 p.m. and 3p.m. to 3:30 p.m. on October 5th, will be closed.

*Arts Education (application review):* October 10-11, 2007 in Room 716. A portion of this meeting, from 1:30 p.m. to 2 p.m. on October 10th, will be open to the public for a policy discussion. The remainder of the meeting, from 9 a.m. to 6 p.m. on October 10th, and from 9 a.m. to 1:30 p.m. and 2 p.m. to 3 p.m. on October 11th, will be closed.

*Arts Education (application review):* October 15, 2007 in Room 716. This meeting, from 9 a.m. to 5:30 p.m., will be closed.

*Arts Education (application review):* October 22-25, 2007 in Room 716. A portion of this meeting, from 1:15 p.m. to 2 p.m. on October 25th, will be open to the public for a policy discussion. The remainder of the meeting, from 9 a.m. to 6 p.m. on October 22nd-24th, and from 9 a.m. to 1:15 p.m. and 2 p.m. to 4:30 p.m. on October 25th, will be closed.

*Presenting (application review):* October 29-30, 2007 in Room 716. This meeting, from 9 a.m. to 5:30 p.m. on October 29th, and from 9 a.m. to 1:30 p.m. on October 30th, will be closed.

The closed portions of 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 February 21, 2007, these sessions will be closed to the public pursuant to subsection (c)(6) of section 552b of Title 5, United States Code.

Any person may observe meetings, or portions thereof, of advisory panels that are open to the public, and if time allows, may be permitted to participate in the panel's discussions at the discretion of the panel chairman. If you need special accommodations due to a disability, please contact the Office of AccessAbility, National Endowment for the Arts, 1100 Pennsylvania Avenue, NW., Washington, DC 20506, 202/682-

5532, TDY-TDD 202/682-5496, at least seven (7) days prior to the meeting.

Further information with reference to these meetings 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: September 12, 2007.

**Kathy Plowitz-Worden,**

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

[FR Doc. E7-18284 Filed 9-17-07; 8:45 am]

**BILLING CODE 7537-01-P**

## NUCLEAR REGULATORY COMMISSION

### Sunshine Federal Register Notice

**AGENCY HOLDING THE MEETINGS:** Nuclear Regulatory Commission.

**DATE:** Weeks of September 17, 24, October 1, 8, 15, 22, 2007.

**PLACE:** Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

**STATUS:** Public and Closed.

**MATTERS TO BE CONSIDERED:**

#### Week of September 17, 2007

There are no meetings scheduled for the Week of September 17, 2007.

#### Week of September 24, 2007—Tentative

There are no meetings scheduled for the Week of September 24, 2007.

#### Week of October 1, 2007—Tentative

*Monday, October 1, 2007*

1:30 p.m.

Periodic Briefing on Security Issues (Closed—Ex. 1 & 3).

*Wednesday, October 3, 2007*

2 p.m. Briefing on NRC's International Programs, Performance, and Plans (Public Meeting) (Contact: Karen Henderson, 301-415-0202).

This meeting will be webcast live at the Web address— <http://www.nrc.gov>.

#### Week of October 8, 2007—Tentative

There are no meetings scheduled for the Week of October 8, 2007.

#### Week of October 15, 2007—Tentative

There are no meetings scheduled for the Week of October 15, 2007.

#### Week of October 22, 2007—Tentative

*Wednesday, October 24, 2007*

1:30 p.m. Periodic Briefing on New Reactor Issues (Public Meeting) (Contact: Roger Rihm, 301-415-7807).