

Evaluate whether the proposed collection of information is necessary for the proper performance of the function 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.

Overview of this information:

(1) *Type of information collection:* Reinstatement, with change, of a previously approved collection for which approval has expired.

(2) *The title of the form/collection:* Police Public Contact Survey.

(3) *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* PPCS-1. Bureau of Justice Statistics, Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Eligible individuals must be age 16 or older. Other: None. The Police Public Contact Supplement fulfills the mandate set forth by the Violent Crime Control and Law Enforcement Act of 1994 to collect, evaluate, and publish data on the use of excessive force by law enforcement personnel. The survey will be conducted as a supplement to the National Crime Victimization Survey in all sample households for a six (6) month period.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply:* A total of approximately 116,500 persons will be eligible for the PPCS questions during July through December 2005. Of the 116,500 eligible persons, we expect approximately 82 percent or 95,900 of the eligible persons will complete a PPCS interview. Of those persons interviewed for the PPCS, we estimate approximately 80 percent or 76,720 persons will complete only the first two (contact screener questions) survey questions. The estimated time to complete the control information on the PPCS form, read the introductory statement, and administer the first two contact screener questions to the respondents is approximately 1.5

minute per person. Furthermore, we estimate that the remaining 20 percent of the interviewed persons or 19,180 persons will report contact with the police. The time to ask the detailed questions regarding the nature of the contact is estimated to take an average of 10 minutes. Respondents will be asked to respond to this survey only once during the six month period.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The estimated total annual burden hours associated with this collection are 5,114.

If additional information is required contact: Mrs. Brenda E. Dyer, Department Clearance Officer, United States Department of Justice, Policy and Planning Staff, Justice Management Division, Suite 1600, 601 D Street, NW., Washington, DC 20530.

Dated: October 13, 2004.

**Brenda E. Dyer,**

*Clearance Officer, Department of Justice.*

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## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Petitions for Modification

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

##### 1. Clintwood Elkhorn Mining Company

[Docket No. M-2004-042-C]

Synergy Engineering Services, PLLC, 34 First Street, Foxbottom, Harold, Kentucky 41635, Permit #1201764, has filed a petition for modification for the Clintwood Elkhorn Mining Company, P.O. Box 196, Hurley, Virginia 24620, to modify the application of 30 CFR 77.214(a) (Refuse piles; general) for the Devils Branch Blair #1 Mine (MSHA I.D. No. 44-07014), and the Devils Branch Blair #2 Mine (MSHA I.D. No. 44-07032) located in Buchanan County, Virginia. The petitioner proposes to backfill two existing underground mine face-ups, Blair #1 and Blair #2, with coarse scalp rock material generated from an adjacent underground mine. The Blair #1 Mine is still active, and will be backfilled once mining is complete; the Blair #2 Mine has been mined out and abandoned. A total of four entries exist in both the Blair #1 and Blair #2 Mine, and all entries are located in the Blair coal seam at approximately 1395 feet elevation. The

petitioner has listed specific procedures in this petition that would be followed to seal the mine openings. The petitioner asserts that the proposed alternative method would not diminish the level of protection provided 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: [Comments@MSHA.gov](mailto:Comments@MSHA.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 November 18, 2004. Copies of these petitions are available for inspection at that address.

Dated at Arlington, Virginia, this 13th day of October, 2004.

**Marvin W. Nichols, Jr.,**

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

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## NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

### Records Schedules; Availability and Request for Comments

**AGENCY:** National Archives and Records Administration (NARA).

**ACTION:** Notice of availability of proposed records schedules; request for comments.

**SUMMARY:** The National Archives and Records Administration (NARA) publishes notice at least once monthly of certain Federal agency requests for records disposition authority (records schedules). Once approved by NARA, records schedules provide mandatory instructions on what happens to records when no longer needed for current Government business. They authorize the preservation of records of continuing value in the National Archives of the United States and the destruction, after a specified period, of records lacking administrative, legal, research, or other value. Notice is published for records schedules in which agencies propose to destroy records not previously authorized for disposal or reduce the retention period of records already authorized for disposal. NARA invites public