

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:* Mine Safety and Health Administration.

*Type of Review:* Extension without change of currently approved collection.

*Title:* Petitions for Modification—Pertains to All Mines.

*OMB Number:* 1219-0065.

*Frequency:* On occasion.

*Type of Response:* Reporting and Third party disclosure.

*Affected Public:* Business or other for-profit.

*Number of Respondents:* 94.

*Estimated Number of Annual Responses:* Approximately 74 petitions are prepared by mine operators (these are included in the burden hour estimate) and approximately 20 are prepared by independent legal counsel (these are included in the cost estimate).

*Average Response Time:* 40 hours.

*Estimated Annual Burden Hours:* 2,960.  
*Total Annualized capital/startup costs:* \$0.

*Total Annual Costs (operating/maintaining systems or purchasing services):* \$40,000.

*Description:* Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act), 30 U.S.C. 811(c), provides that a mine operator or a representative of miners may petition the Secretary of Labor (Secretary) to modify the application of a mandatory safety standard. A petition for modification may be granted if the Secretary determines (1) that an alternative method of achieving the results of the standard exists and that it will guarantee, at all times, no less than the same measure of protection for the miners affected as that afforded by the standard, or (2) that the application of

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

Under 30 CFR 44.9, mine operators must post a copy of each petition for modification concerning the mine on the mine's bulletin board and maintain the posting until a ruling on the petition becomes final. This applies only to mines for which there is no representative of miners.

Under 30 CFR 44.10, detailed guidance for filing a petition for modification is provided for the operator of the affected mine or any representative of the miners at that mine. The petition must be in writing, filed with the Director, Office of Standards, Regulations and Variances, and a copy of the petition served by the filing party (the mine operator or representative of miners) on the other party.

Under 30 CFR 44.11(a), the petition for modification must contain the petitioner's name and address; the mailing address and mine identification number of the mine or mines affected; the mandatory safety standard to which the petition is directed; a concise statement of the modification requested and whether the petitioner (1) proposes to establish an alternate method in lieu of the mandatory safety standard, or (2) alleges that application of the standard will result in diminution of safety to the miners affected, or (3) requests relief based on both grounds; a detailed statement of the facts that show the grounds upon which a modification is claimed or warranted; and, if the petitioner is a mine operator, the identity of any representative of miners at the affected mine.

Promptly upon receipt of a petition, MSHA publishes a notice in the **Federal Register** advising interested parties that they may provide comments or other relevant information on the proposed modification. Thereafter, MSHA conducts an investigation to determine the merits of the petition for the purpose of deciding whether or not to grant it and, if granted, whether there is a need for any additional terms or conditions.

**Ira L. Mills,**

*Departmental Clearance Officer.*

[FR Doc. 06-7347 Filed 8-30-06; 8:45 am]

**BILLING CODE 4510-43-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Proposed Collection for the ETA 227, Overpayment Detection and Recovery Activities; Comment Request

**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 Employment and Training Administration is soliciting comments concerning the proposed extension for collection of the ETA 227 Report, Overpayment Detection and Recovery Activities.

A copy of the proposed information collection request (ICR) can be obtained by contacting the office listed below in the **ADDRESSES** section of this notice or by accessing: <http://www.doleta.gov/Performance/guidance/OMBCControlNumber.cfm>.

**DATES:** Written comments must be submitted to the office listed in the addressee section below on or before October 30, 2006.

**ADDRESSES:** Nancy Dean, U.S. Department of Labor, Employment and Training Administration, Room S4231, 200 Constitution Avenue, NW., Washington, DC 20210, Phone: (202) 693-3215 (This is not a toll-free number), Fax: (202) 693-3975, e-mail: [dean.nancy@dol.gov](mailto:dean.nancy@dol.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Section 303(a)(1) of the Social Security Act requires a state's unemployment insurance (UI) law to include provisions for:

“Such methods of administration \* \* \* as are found by the Secretary of Labor to be reasonably calculated to insure full payment of unemployment compensation when due \* \* \*”

Section 303(a)(5) of the Social Security Act further requires a state's UI law to include provisions for:

"Expenditure of all money withdrawn from an unemployment fund of such State, in the payment of unemployment compensation \* \* \*

Section 3304(a)(4) of the Internal Revenue Code of 1954 provides that:

"all money withdrawn from the unemployment fund of the State shall be used solely in the payment of unemployment compensation \* \* \*

The Secretary of Labor has interpreted the above sections of federal law in Section 7511, Part V, ES Manual to further require a state's UI law to include provisions for such methods of administration as are, within reason, calculated (1) to detect benefits paid through error by the State Workforce Agency (SWA) or through willful misrepresentation or error by the claimant or others, (2) to deter claimants from obtaining benefits through willful misrepresentation, and (3) to recover benefits overpaid. The ETA 227 is used to determine whether SWAs meet these requirements.

The ETA-227 contains data on the number and amounts of fraud and non-fraud overpayments established, the methods by which overpayments were detected, the amounts and methods by which overpayments were collected, the amounts of overpayments waived and written off, the accounts receivable for overpayments outstanding, and data on criminal/civil actions.

These data are gathered by 53 SWAs and reported to the Department of Labor following the end of each calendar quarter. The overall effectiveness of SWAs' UI integrity efforts can be determined by examining and analyzing the data.

These data are also used by SWAs as a management tool for effective UI program administration.

## II. Review Focus

The Department of Labor 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

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## III. Current Actions

The UI program paid approximately \$42 billion in benefits in 2004. Although the overpayment rate (fraud and non-fraud) derived from the ETA 227 is relatively low (less than 3.25 percent), high amounts of money are involved, and it is in the national interest to maintain the program's integrity. Therefore, we are proposing to extend the authorization to continue collecting data to measure the effectiveness of the benefit payment control programs in the SWAs.

*Type of Review:* Extension.

*Agency:* Employment and Training Administration.

*Title:* Overpayment Detection and Recovery Activities.

*OMB Number:* 1205-0173.

*Agency Form Number:* ETA 227.

*Affected Public:* State Government.

*Total Respondents:* 53 state agencies.

*Frequency:* Quarterly.

*Total Responses:* 212.

*Average Time per Response:* 14 hours.

*Estimated Total Burden Hours:* 2,968.

*Total Burden Cost (operating/maintaining):* \$0.

Comments submitted in response to this comment request will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: August 24, 2006.

**Dale Zeigler,**

*Deputy Administrator, Office of Workforce Security.*

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BILLING CODE 4510-30-P

## NATIONAL COUNCIL ON DISABILITY

### International Watch Advisory Committee Meetings (Conference Calls)

*Agency:* National Council on Disability (NCD).

*Time and Dates:* 12 noon, Eastern Time, November 2, 2006; January 4, 2007; March 1, 2007; May 3, 2007; July 5, 2007; September 6, 2007.

*Place:* National Council on Disability, 1331 F Street, NW., Suite 850, Washington, DC.

*Status:* All parts of these conference calls will be open to the public. Those interested in participating on conference calls should contact the appropriate staff member listed below. Due to limited resources, only a few telephone lines will be available for each conference call.

*Agendas:* Roll call, announcements, overview of accomplishments, planning, reports, new business, adjournment.

*Contact Person for More Information:*

Joan M. Durocher, Senior Attorney Advisor and Designated Federal Official, National Council on Disability, 1331 F Street NW., Suite 850, Washington, DC 20004; 202-272-2004 (voice), 202-272-2074 (TTY), 202-272-2022 (fax), [jdurocher@ncd.gov](mailto:jdurocher@ncd.gov) (e-mail).

*Accommodations:* Those needing reasonable accommodations should notify NCD at least two weeks before this meeting.

*International Watch Advisory Committee Mission:* The purpose of NCD's International Watch is to share information on international disability issues and to advise NCD on developing policy proposals that will advocate for a foreign policy that is consistent with the values and goals of the Americans with Disabilities Act.

*Language Translation:* In accordance with E.O. 13166, Improving Access to Services for Persons with Limited English Proficiency, those people with disabilities who are limited English proficient and seek translation services for this meeting should notify NCD at least two weeks before this meeting.

Dated: August 24, 2006.

**Mark S. Quigley,**

*Acting Executive Director and Director of Communications.*

[FR Doc. E6-14492 Filed 8-30-06; 8:45 am]

BILLING CODE 6820-MA-P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 030-34438]

### Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment to Byproduct Materials License No. 29-30390-01, for Unrestricted Release of the SFBC Taylor Technology, Incorporated Facility Located at 107 College Road East in Princeton, NJ

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Issuance of Environmental Assessment and Finding of No Significant Impact for License Amendment.