

**I. Background**

The regulation addresses three major areas: Diesel engine design and testing requirements; safety standards for the maintenance and use of this equipment; and exhaust gas sampling provisions to protect miners' health. It first requires that diesel engines and their critical components meet design specifications and tests to demonstrate that they are explosion-proof and will not cause a fire in a mine where methane may accumulate. Second, the safety requirements for diesel equipment include many of the proven features required in existing standards for electric-powered equipment, such as cabs or canopies, methane monitors, brakes and lights. The regulation also sets safety requirements for fuel handling and storage and fire suppression. Third, sampling of diesel exhaust emissions is required to protect miners from overexposure to carbon monoxide and nitrogen dioxide contained in diesel exhaust.

**II. Desired Focus of Comments**

MSHA 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.
- A copy of the proposed information collection request can be obtained by contacting the employee listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice, or viewed on the Internet by accessing the MSHA Home Page (<http://www.msha.gov>) and then choosing "Statutory and Regulatory Information" and "Federal Register Documents."

**III. Current Actions**

Provisions under part 7 provides that manufacturers submit applications to demonstrate compliance with the test and specification requirements. In part 75, they establish mandatory safety standards for diesel-powered equipment for use in underground coal mines,

minimum ventilating air quantities, the incorporation of the air quantities into the mine ventilation plan, requirements for routine sampling of toxic exhaust gases, and the use of low sulfur diesel fuel. It also provides that diesel equipment maintenance be performed by adequately trained persons. In addition, the regulation includes standards for storage, transportation and dispensing of diesel fuel, and the installation and maintenance of fire suppression systems on diesel equipment and in permanent underground fuel storage facilities.

*Type of Review:* Extension.  
*Agency:* Mine Safety and Health Administration.  
*Title:* Approval, Exhaust Gas Monitoring, and Safety Requirements for the Use of Diesel-Powered Equipment in Underground Coal Mines.  
*OMB Number:* 1219-0119.  
*Recordkeeping:* The information gathered is required to be recorded, maintained for the period specified, and made accessible, upon request, to authorized representatives of the Secretary of Labor and miners' representatives. This may be done in a traditional manner by recording in a book, or electronically by computer.  
*Frequency:* On occasion.  
*Affected Public:* Business or other for-profit.

Section	Total respondents	Total responses	Avg time/re-sponse (hrs)	Burden hrs
7.83 (permissible applications) .....	690	2	.1	66
7.83 (non-permissible applications) .....	690	20	.8	863
7.9 .....	690	148	.04	25
7.97 .....	690	2	.09	65
7.105 .....	690	20	.004	3
75.363 .....	690	110	.28	193
75.371 .....	690	136	.06	44
75.1901 .....	690	1,690	.12	85
75.1904(b)(4)(i) .....	690	404	.02	14
75.1911(i)(j) .....	690	169,654	8.91	6,146
75.1912(h)(i) .....	690	1,250	.11	75
75.1914(f)(1)(2) & (h) .....	690	32,530	42.35	29,220
75.1914(g) & (h) .....	690	25	.07	49
75.1914(g)(5) & (h) .....	690	154	20.79	4,343
75.1915(a) .....	690	1,010	7.32	5,050
75.1915(b)(5) & (c) .....	690	6	.12	83
<b>Totals .....</b>	<b>690</b>	<b>207,161</b>	<b>.....</b>	<b>56,324</b>

*Total Burden Cost (capital/startup):* \$0.

*Total Burden Cost (operating/maintaining):* \$635,359.

Comments submitted in response to this notice 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 in Arlington, Virginia, this 11th day of December, 2002.

**David L. Meyer,**  
 Director, Office of Administration and Management.  
 [FR Doc. 02-31764 Filed 12-17-02; 8:45 am]  
**BILLING CODE 4510-43-M**

**DEPARTMENT OF LABOR**  
**Mine Safety and Health Administration**  
**Proposed Information Collection Request, Submitted for Public Comment and Recommendations; Mine Operator Dust Cards**

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden conducts a pre-clearance 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)(c)(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 Mine Safety and Health Administration (MSHA) is soliciting comments concerning the extension of the information collection related to the 30 CFR sections 70.209, 71.209, and 90.209—Mine Operator Dust Data Card; 70.201(c), 71.201(c), 90.201(c)—Reporting Operator Sampling Dates; 70.202(b), 71.202(b), and 90.202(b)—Dust Sampling Certification; 70.220(a), 71.220(a), and 90.220(a)—Reporting Status Changes; and 71.300, 71.301(d), 90.300, and 90.301(d)—Respirable Dust Control Plan.

**DATES:** Submit comments on or before February 18, 2003.

**Addresses:** Send comments to Jane Tarr, Management Analyst, Administration and Management 1100 Wilson Boulevard, Room 2171, Arlington, VA 22209-3939. Commenters are encouraged to send their comments on computer disk, or via Internet e-mail to [Tarr-Jane@Msha.Gov](mailto:Tarr-Jane@Msha.Gov). Ms. Tarr can be reached at (202) 693-9824 (voice), or (202) 693-9801 (facsimile).

**FOR FURTHER INFORMATION CONTACT:** Jane Tarr, Management Analyst, Records Management Group, U.S. Department of Labor, Mine Safety and Health Administration, Room 2171, 1100 Wilson Boulevard, Arlington, VA 22209-3939. Ms. Tarr can be reached at [Tarr-Jane@Msha.Gov](mailto:Tarr-Jane@Msha.Gov) (Internet E-mail), (202) 693-9824 (voice), or (202) 693-9801 (facsimile).

#### **SUPPLEMENTARY INFORMATION:**

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

30 CFR, 70.201(c), 71.201(c), and 90.201(c), authorizes the District Manager to require the mine operator to submit and dates(s) when sampling will begin. Only a certified person is allowed to conduct the respirable dust sampling required by these parts.

Sections 70.202(b), 71.202(b), and 90.202(b), requires that the person must

pass the MSHA examination on sampling of respirable coal mine dust.

Sections 70.220(a), 71.220(a), requires the operator to report status changes to MSHA in writing within 3 working days after the status change has occurred.

Sections 70.209, 71.209, and 90.209, requires persons who are certified by MSHA to take respirable dust samples to complete the dust data card that accompanies each sample being submitted for analysis.

Sections 71.300 and 90.300 require a coal mine operator to submit to MSHA for approval a written respirable dust control plan with 15 calendar days after the termination date of a citation for violation of the applicable dust standard.

Section 71.301(d) requires the respirable dust control plan to be posted on the mine bulletin board however, 90.301(d) prohibits posting of the dust control plan for P-90 miners and, instead, requires a copy be provided to the affected P-90 miner.

##### **II. Desired Focus of Comments**

MSHA 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 the appropriate automated, electronic, mechanical, or other technologies collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

A copy of the proposed information collection request can be obtained by contacting the employee listed in the For Further Information Contact section of this notice, or viewed on the Internet by accessing the MSHA Home Page (<http://www.msha.gov>) and then choosing "Statutory and Regulatory Information" and "Federal Register Documents."

##### **III. Current Actions**

The information provided by the mine operator on the dust data card that

accompanies each dust sample, the reporting of when such samples will be collected to allow MSHA to observe the actual collection, and the reporting of any changes in operation status affecting sampling, is vital to effectively administer the operator sampling program. This allows MSHA to determine not only whether mine operators have complied with the sampling requirements stipulated in the regulations but also which operators were in noncompliance with the applicable dust standard. After processing, results are reported back to mine operators for posting on the mine bulletin board and viewing by miners. MSHA also uses this information to plan enforcement activities and evaluate programs.

*Type of Review:* Extension.

*Agency:* Mine Safety and Health Administration.

*Title:* Mine Operator Dust Cards.

*OMB Number:* 1219-0011.

*Recordkeeping:* 30 CFR, 70.201(c), 71.201(c), and 90.201(c), authorizes the District Manager to require the mine operator to submit the dates(s) when sampling will begin. Only a certified person is allowed to conduct the respirable dust sampling required by these parts.

Sections 70.202(b), 71.202(b), and 90.202(b), require that the person must pass the MSHA examination on sampling of respirable coal mine dust.

Sections 70.220(a), 71.220(a), and 90.220(a), require the operator to report status changes to MSHA in writing within 3 working days after the status change has occurred.

Sections 70.209, 71.209, and 90.209, require persons who are certified by MSHA to take respirable dust samples to complete the dust data card that accompanies each sample being submitted for analysis.

Sections 71.300 and 90.300 require a coal mine operator to submit to MSHA for approval a written respirable dust control plan with 15 calendar days after the termination date of a citation for violation of the applicable dust standard.

Section 71.301(d) requires the respirable dust control plan to be posted on the mine bulletin board however, 90.301(d) prohibits posting of the dust control plan for P-90 miners and, instead, requires a copy be provided to the affected P-90 miner.

*Frequency:* On occasion.

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

Section	Total respondents	Total responses	Avg. time/re- sponse	Burden hours
70.209 .....	1,911	36,000	.83	29,998
71.209 .....				
90.209 .....				
(submit) .....				
70.209 .....	1,911	50,200	.17	8,534
71.209 .....				
90.209 .....				
(monitor) .....				
70.201(c) .....	1,911	630	1	630
71.201(c) .....				
90.201(c) .....				
70.202(b) .....		182	8	1,456
71.201(b) .....				
90.201(b) .....				
(Train and Test) .....				
70.202(b) .....	1,911	48	1.5	72
71.201(b) .....				
90.201(b) .....				
(Test only) .....				
70.220(a) .....	1,911	3,200	.5	1,600
71.220(a) .....				
90.220(a) .....				
71.300 .....	1,900	40	3	120
(new) .....				
71.300 .....	1,900	5	1.2	6
(revised) .....				
71.300 .....		N/a		8
(copy & mail) .....				
71.301(d) .....	1,900	45	.24	11
90.300 .....	1,900	4	3	12
(new) .....				
90.300 .....	1,900	2	1.5	3
(revised) .....				
90.300 .....		N/a		1
(copy & mail) .....				
90.301(d) .....	1,900	6	.33	2
Total .....	1,900	90,362		42,453

*Total Burden Cost (capital/startup):*  
\$990,887.

*Total Burden Cost (operation/  
maintaining):* \$2,136,598.

Comments submitted in response to this notice 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 at Arlington, Virginia, this 11th day of December, 2002.

**David L. Meyer,**

*Director, Office of Administration and Management.*

[FR Doc. 02-31765 Filed 12-17-02; 8:45 am]

**BILLING CODE 4510-43-M**

## **NUCLEAR REGULATORY COMMISSION**

**[Docket Nos. 50-373 and 50-374]**

### **Exelon Generation Company, LLC; LaSalle County Station, Units 1 and 2; Notice of Withdrawal of Application for Amendment to Facility Operating License**

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Exelon Generation Company, LLC (the licensee), to withdraw its May 31, 2002 application, as supplemented by letter dated October 4, 2002, for proposed amendments to Facility Operating License Nos. NPF-11 and NPF-18 for LaSalle County Station, Units 1 and 2, respectively, located in LaSalle County, Illinois.

The proposed amendments would have changed Appendix A, Technical Specifications (TS), of the Facility Operating Licenses. Specifically, the proposed change would have modified TS Surveillance Requirement 3.6.1.3.8 to reduce the number of excess flow

check valves required to be tested every 24 months.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on July 23, 2002 (67 FR 48218). However, by letter dated October 30, 2002, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated May 31, 2002, as supplemented by letter dated October 4, 2002, and the licensee's letter dated October 30, 2002, which withdrew the application for license amendment. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Room on the internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams/html>. Persons who do not have access to