

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 Mine Safety and Health Administration (MSHA) is soliciting comments concerning the proposed extension of the information collection related to the Independent Contractor Registration and Identification.

**DATES:** Submit comments on or before December 9, 2008.

**ADDRESSES:** Send comments to U.S. Department of Labor, Mine Safety and Health Administration, Debbie Ferraro, Management Services Division, 1100 Wilson Boulevard, Room 2141, Arlington, VA 22209-3939. Commenters are encouraged to send their comments on a computer disk, or via e-mail to [Ferraro.Debbie@dol.gov](mailto:Ferraro.Debbie@dol.gov), along with an original printed copy. Ms. Ferraro can be reached at (202) 693-9821 (voice), or (202) 693-9801 (facsimile).

**FOR FURTHER INFORMATION CONTACT:**

Contact the employee listed in the ADDRESSES section of this notice.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Independent contractors performing services or construction at mines are subject to the Federal Mine Safety and Health Act of 1977. Title 30 CFR 45.4(b) requires mine operators to maintain a written summary of information concerning each independent contractor present on the mine site. The information includes the trade name, business address, and telephone number; a brief description and the location on the mine of the work to be performed; MSHA identification number, if any; and the contractor's business address of record. This information is required to be provided for inspection and enforcement purposes by the mine operator to any MSHA inspector upon request.

Title 30 CFR 45.3 provides that independent contractors may voluntarily obtain a permanent MSHA identification number by submitting to MSHA their trade name and business address, a telephone number, an estimate of the annual hours worked by the contractor on mine property for the previous calendar year, and the address of record for service of documents upon

the contractor. Independent contractors performing services or construction at mines are subject to the Federal Mine Safety and Health Act of 1977 (Mine Act) and are responsible for violations of the Mine Act committed by them or their employees.

Although Independent Contractors are not required to apply for the identification number, they will be assigned one by MSHA the first time they are cited for a violation of the Mine Act. MSHA uses the information to issue a permanent MSHA identification number to the independent contractor.

**II. Desired Focus of Comments**

Currently, the Mine Safety and Health Administration (MSHA) is soliciting comments concerning the proposed extension of the information collection requirement related to Independent Contractor Registration and Identification. MSHA is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of MSHA's functions, including whether the information has practical utility;
- Evaluate the accuracy of MSHA's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Suggest methods to enhance the quality, utility, and clarity of the information to be collected; and
- Address 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) to minimize the burden of the collection of information on those who are to respond.

A copy of the proposed information collection request can be obtained by contacting the employee listed in the ADDRESSES section of this notice or viewed on the internet by accessing the MSHA home page (<http://www.msha.gov/>) and selecting "Rules and Regs", and then selecting "Fed Reg Docs."

**III. Current Actions**

The information obtained from the contractors is used by MSHA during inspections to determine proper responsibility for compliance with safety and health standards.

*Type of Review:* Extension.

*Agency:* Mine Safety and Health Administration.

*Title:* Independent Contractor Registration and Identification.

*OMB Number:* 1219-0040.

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

*Cite/Reference/Form/etc.:* 30 CFR Part 45.

*Total Respondents:* 14,357.

*Frequency:* On occasion.

*Total Responses:* 93,320.

*Estimated Total Burden Hours:* 7,153 hours.

*Estimated Total Burden Cost:* \$520.

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 2nd day of October 2008.

**David L. Meyer,**

*Director, Office of Administration and Management.*

[FR Doc. E8-24037 Filed 10-9-08; 8:45 am]

**BILLING CODE 4510-43-P**

**DEPARTMENT OF LABOR**

**Mine Safety and Health Administration**

**Proposed Information Collection Request Submitted for Public Comment and Recommendations; Noise Exposure Assessment; Audiometric Testing, Evaluation, and Records and Training in All Mines**

**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 the continuing collection 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.

**DATES:** Submit comments on or before December 9, 2008.

**ADDRESSES:** Send comments to U.S. Department of Labor, Mine Safety and Health Administration, Debbie Ferraro, Management Services Division, 1100 Wilson Boulevard, Room 2141, Arlington, VA 22209-3939. Commenters are encouraged to send their comments on a computer disk, or via Internet E-mail to [Ferraro.Debbie@dol.gov](mailto:Ferraro.Debbie@dol.gov), along with an original printed copy. Ms. Ferraro can be reached at (202) 693-

9821 (voice), or (202) 693-9801 (facsimile).

**FOR FURTHER INFORMATION CONTACT:**

Contact the employee listed in the **ADDRESSES** section of this notice.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Noise is one of the most pervasive health hazards in mining. Exposure to hazardous sound levels results in the development of occupational noise-induced hearing loss (NIHL), a serious physical, psychological, and social problem. NIHL can be distinguished from aging and medical factors, diagnosed, and prevented. NIHL is among the "top ten" leading occupational diseases and injuries.

For many years, the risk of acquiring an NIHL was accepted as an inevitable consequence associated with mining occupations. Miners use mechanized equipment and work under conditions that often expose them to hazardous sound levels. But MSHA standards, OSHA standards, military standards, and others around the world have been established in recognition of the controllability of this risk. Records of miner exposures are necessary so that mine operators and MSHA can evaluate the need for and effectiveness of engineering controls, administrative controls, and personal protective equipment to protect miners from harmful levels of exposure.

**II. Desired Focus of Comments**

Currently, the Mine Safety and Health Administration (MSHA) is soliciting comments concerning the proposed extension of the information collection related to the Noise Exposure Assessment; Audiometric Testing, Evaluation, and Records and Training in all Mines. MSHA is particularly interested in comments that:

- Evaluate whether the 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 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 **ADDRESSES** section of this notice or viewed on the internet by accessing the MSHA home page (<http://www.msha.gov/>) and selecting "Rules and Regs", and then selecting "Fed Reg Docs."

**III. Current Actions**

Records of miner exposures are necessary so that mine operators and MSHA can ensure that engineering controls, administrative controls, and personal protective equipment are used to protect miners from harmful levels of exposure. However, the Agency believes that extensive records for this purpose now maintained by the coal mining sector are not needed, Part 62 replaced these requirements with a performance-oriented approach to monitoring. The final rule expanded notification of exposure information to miners to assist them in becoming more active participants in hearing conservation efforts.

Hearing tests of miners are offered and if a miner takes the test mine operators are required to compile and maintain a record of each audiometric test. Detection of a hearing loss can trigger certain protective actions under Part 62. The record will be used by mine operators and MSHA to verify that the testing was done and the required actions implemented. Part 62 also requires the mine operator to provide training to overexposed miners about the hazards of noise exposure, hearing protector selection and use, the hearing test program, and the operator's noise controls. Records of training are needed to confirm that miners receive the information they need to become active participants in hearing conservation efforts. There is no existing requirement for such records; however, training records required under other MSHA regulations are used for similar purposes.

*Type of Review:* Extension.

*Agency:* Mine Safety and Health Administration.

*Title:* Noise exposure assessment; audiometric testing, evaluation, and records and training in all mines.

*OMB Number:* 1219-0120.

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

*Respondents:* 14,726.

*Responses:* 764,753.

*Burden Hours:* 84,146.

*Total Burden Cost (operating/maintaining):* \$5,472,084.

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 2nd day of October 2008.

**David L. Meyer,**

*Director, Office of Administration and Management.*

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**DEPARTMENT OF LABOR**

**Occupational Safety and Health Administration**

[Docket No. OSHA-2008-0002]

**National Advisory Committee on Occupational Safety and Health (NACOSH), Charter Renewal**

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

**ACTION:** Notice of renewal of the NACOSH charter.

**SUMMARY:** The Secretary of Labor has renewed the charter of the National Advisory Committee on Occupational Safety and Health (NACOSH) for two years.

**FOR FURTHER INFORMATION CONTACT:** Ms. Deborah Crawford, OSHA Directorate of Evaluation and Analysis, Room N-3641, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693-1932.

**SUPPLEMENTARY INFORMATION:** NACOSH was established by Section 7(a) of the Occupational Safety and Health Act of 1970 (the Act) (29 U.S.C. 651, 656) to advise, consult with, and make recommendations to the Secretary of Labor and the Secretary of Health and Human Services on matters relating to the administration of the Act. Under the Act, Congress intended NACOSH to be a continuing advisory committee of indefinite duration.

NACOSH operates in accordance with the Federal Advisory Committee Act (FACA) (5 U.S.C. App. 2) and OSHA's regulations on advisory committees (29 CFR parts 1912 and 1912a). Pursuant to FACA and its implementing regulations (41 CFR 102-3), the NACOSH charter must be renewed every two years. The current charter expires on January 29, 2009. The Secretary has determined that renewing the NACOSH charter is necessary and in the public interest. The new Committee charter will expire two years from the date it is filed.