

estimate the cost of administering the Act.

Ira L. Mills,

Departmental Clearance Officer.

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DEPARTMENT OF LABOR

Office of the Secretary

Submission for OMB Review: Comment Request

January 27, 2005.

The Department of Labor (DOL) has submitted the following public information collection requests (ICRs) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35). A copy of each ICR, with applicable supporting documentation, may be obtained by contacting Darrin King on 202-693-4129 (this is not a toll-free number) or e-mail: king.darrin@dol.gov.

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Occupational Safety and Health Administration (OSHA), Office of Management and Budget, Room 10235, Washington, DC 20503, 202-395-7316 (this is not a toll-free number), within 30 days from the date of this publication in the **Federal Register**.

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: Occupational Safety and Health Administration.
Type of Review: Extension of currently approved collection.

Title: Fire Brigades (29 CFR 1910.156).

OMB Number: 1218-0075.

Frequency: On occasion.

Type of Response: Recordkeeping and Third party disclosure.

Affected Public: Business or other for-profit; Not-for-profit institutions; Federal Government; and State, local, or tribal government.

Number of Respondents: 8,391.

Number of Annual Responses: 8,391.

Estimated Time Per Response: 5 minutes to obtain a physician's certificate and 2 hours to develop or revise organizational statements for fire brigades.

Total Burden Hours: 6,042.

Total Annualized Capital/Startup Costs: \$0.

Total Annual Costs (Operating/Maintaining Systems or Purchasing Services): \$0.

Description: Although OSHA does not mandate that employers establish fire brigades, 29 CFR 1910.156 (the Standard) requires an employer who does establish a fire brigade to write an organizational statement; obtain a physician's certificate of fitness for employees with specific physical conditions to participate in fire-related operations; and provide appropriate training and information to fire brigade members. The provisions of the Standard apply to fire brigades, industrial fire departments, and private or contract fire departments, but not to airport crash-rescue units or forest fire-fighting operations. The Standard serves to protect the occupational health and safety of employees who participate in fire brigades.

Agency: Occupational Safety and Health Administration.

Type of Review: Extension of currently approved collection.

Title: Voluntary Protection Program Information.

OMB Number: 1218-0239.

Frequency: On occasion; Annually; Quarterly; and Every three years.

Type of Response: Reporting.

Affected Public: Business or other for-profit; Not-for-profit institutions; Federal Government; State, local, or tribal government; and Individuals or households.

Number of Respondents: 1,566.

Number of Annual Responses: 1,874.

Estimated Time Per Response: Varies from 200 hours to prepare an application to 8 minutes to complete a general eligibility information sheet.

Total Burden Hours: 86,900.

Total Annualized Capital/Startup Costs: \$0.

Total Annual Costs (Operating/Maintaining Systems or Purchasing Services): \$0.

Description: The Voluntary Protection Programs (VPP) established the efficacy of cooperative action among government, industry, and labor to address worker safety and health issues and to expand worker protection. To qualify, employers must meet OSHA's rigorous safety and health management criteria which focus on comprehensive management systems and active employee involvement to prevent or control worksite safety and health hazards.

The information collection requirements associated with the VPP include various application requirements, quarterly and annual reports as well as annual evaluations. The information collected on applications helps applicants and OSHA ensure that potential participants qualify for the program. The information collected by quarterly and annual reports and annual evaluations help participants and OSHA determine the effectiveness of the program.

Ira L. Mills,

Departmental Clearance Officer.

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DEPARTMENT OF LABOR

Office of the Secretary

Submission for OMB Review: Comment Request

January 26, 2005.

The Department of Labor (DOL) has submitted the following public information collection requests (ICRs) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35). A copy of each ICR, with applicable supporting documentation, may be obtained by contacting Darrin King on (202) 693-4129 (this is not a toll-free number) or e-mail: king.darrin@dol.gov.

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Employee Benefits Security Administration (EBSA), Office of Management and Budget, Room 10235, Washington, DC 20503, (202) 395-7316 (this is not a toll-free number), within 30 days from the date of this publication in the **Federal Register**.

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: Employee Benefits Security Administration.

Type of Review: Extension of currently approved collection.

Title: Class Exemption 81–8 for Investment of Plan Assets in Certain Types of Short-Term Investments.

OMB Number: 1210–0061.

Frequency: On occasion.

Type of Response: Third party disclosure.

Affected Public: Business or other for-profit; not-for-profit institutions; and individuals or households.

Number of Respondents: 46,000.

Number of Annual Responses: 230,000.

Estimated Time per Response: 10 minutes.

Total Burden Hours: 38,300.

Total Annualized Capital/Startup Costs: \$0.

Total Annual Costs (operating/maintaining systems or purchasing services): \$85,100.

Description: Prohibited Transaction Class Exemption 81–8 permits the investment of plan assets that involve the purchase or other acquisition, holding, sale, exchange or redemption by or on behalf of an employee benefit plan in certain types of short-term investments. These include investments in banker's acceptances, commercial paper, repurchase agreements, certificates of deposit, and bank securities. Absent the exemption, certain aspects of these transactions might be prohibited by section 406 of the Employee Retirement Income Security Act (ERISA).

The information collection requirements incorporated within this class exemption are intended to protect the interests of plan participants and beneficiaries and provide the Department with sufficient information to support a finding that the exemption meets the statutory standards of section 406 of ERISA.

Agency: Employee Benefits Security Administration.

Type of Review: Extension of currently approved collection.

Title: Prohibited Transaction Class Exemption 96–62; Process for Expedited Approval of an Exemption for Prohibited Transaction.

OMB Number: 1210–0098.

Frequency: On occasion.

Type of Response: Reporting and third party disclosure.

Affected Public: Business or other for-profit; not-for-profit institutions; and individuals or households.

Number of Respondents: 45.

Number of Annual Responses: 45.

Estimated Time per Response: 1.5 minutes.

Total Burden Hours: 56.

Total Annualized Capital/Startup Costs: \$0.

Total Annual Costs (operating/maintaining systems or purchasing services): \$40,463.

Description: Prohibited Transaction Exemption 96–62, which, pursuant to the exemption procedure set forth in 29 CFR part 2570, subpart B, permits a plan to seek approval on an accelerated basis of other wise prohibited transactions. The information collection requirements of this class exemption provide the Department with sufficient information to support a finding that the exemption meets the statutory standards of section 408(a) of Employee Retirement Income Security Act of 1974.

Ira L. Mills,

Departmental Clearance Officer.

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DEPARTMENT OF LABOR

Employment Standards Administration; Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits

have been made in accordance with 29 CFR part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedeas decisions thereto, contain no expiration dates and are effective from their date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon And Related Acts," shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department. Further information and self-explanatory forms for the purpose of