

**ADDRESSES:** Send comments to Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203-1984. Commenters are encouraged to send their comments on a computer disk, or via E-mail to [psilvey@msha.gov](mailto:psilvey@msha.gov), along with an original printed copy. Ms. Silvey can be reached at (703) 235-1910 (voice) or (703) 235-5551 (facsimile).

**FOR FURTHER INFORMATION CONTACT:** George M. Fesak, Director, Office of Program Evaluation and Information Resources, U.S. Department of Labor, Mine Safety and Health Administration, Room 715, 4015 Wilson Boulevard, Arlington, VA 22203-1984. Mr. Fesak can be reached at [gfesak@msha.gov](mailto:gfesak@msha.gov) (Internet E-mail), (703) 235-8378 (voice), or (703) 235-1563 (facsimile).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Under section 103(c) of the Federal Mine Safety and Health Act of 1977, MSHA is required to “\* \* \* issue regulations requiring operators to maintain accurate records of employee exposures to potentially toxic materials or harmful physical agents which are required to be monitored or measured under any applicable mandatory health or safety standard promulgated under this Act.”

Gamma radiation occurs anywhere that radioactive materials are present, and has been associated with lung cancer and other debilitating occupational diseases. Gamma radiation hazards may be found near radiation sources at surface operations using X-ray machines, weightometers, nuclear and diffraction units.

##### II. Current Actions

Annual gamma radiation surveys are required to be conducted in all underground mines where radioactive ores are mined. Where the average gamma radiation measurements are in excess of 2.0 milliroentgens per hour in the working place, all persons are to be provided with gamma radiation dosimeters and records of cumulative individual gamma radiation exposures been kept.

Records of cumulative occupational radiation exposures aid in the protection of workers and in control of subsequent radiation exposure, and are used by MSHA in the evaluation of the effectiveness of the protection program in demonstrating compliance with regulatory requirements.

*Type of Review:* Reinstatement without change.

*Agency:* Mine Safety and Health Administration.

*Title:* Gamma Radiation Exposure Records.

*OMB Number:* 1219-0039.

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

*Cite/Reference/Form/etc:* 30 CFR 57.5047.

*Total Respondents:* 2.

*Frequency:* Annually.

*Total Responses:* 2.

*Average Time per Response:* 2 hours.

*Estimated Total Burden Hours:* 2.

*Estimated Total Burden Cost:* \$73.

*Total Burden Cost (capital/startup):*

*Total Burden Cost (operating/maintaining):*

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: July 24, 1997.

**George M. Fesak,**

*Director, Program Evaluation and Information Resources.*

[FR Doc. 97-20106 Filed 7-30-97; 8:45 am]

BILLING CODE 4510-43-M

#### DEPARTMENT OF LABOR

##### Pension and Welfare Benefits Administration

##### Proposed Information Collection Request Submitted for Public Comment and Recommendations; Prohibited Transaction Class Exemption 80-83

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, provides 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 (PRA 95) [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 Pension and Welfare Benefits Administration is soliciting comments concerning the proposed extension of a currently approved collection of information, Prohibited Transaction Class Exemption 80-83. A copy of the proposed information collection request can be obtained by contacting the employee listed below in the contact section of this notice.

**DATES:** Written comments must be submitted on or before September 29, 1997. 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 number of respondents and 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.

**ADDRESSES:** Gerald B. Lindrew, Department of Labor, Pension and Welfare Benefits Administration, 200 Constitution Avenue, NW, Room N-5647, Washington, DC 20210. Telephone: 202-219-4782 (this is not a toll-free number). Fax: 202-219-4745.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Prohibited Transaction Class Exemption 80-83 permits, under certain conditions, purchases of securities by employee benefit plans when the proceeds from the sale of such securities may be used by the issuer to reduce or retire indebtedness to persons who are parties in interest with respect to such plans.

##### II. Current Actions

The Pension and Welfare Benefits Administration proposes to extend the currently approved information collection requirements of Prohibited Transaction Class Exemption 80-83. The recordkeeping requirements of the exemption are intended to protect the interests of plan participants and beneficiaries. This class exemption requires the plan to maintain for six years from the date of the transaction the records necessary to enable interested parties including the Department of Labor to determine whether the conditions of the exemption have been met. The exemption also requires that those records be made available to certain

persons on request. Without the recordkeeping requirement, the Department, which may only grant an exemption if it can find that participants and beneficiaries are protected, would be unable to effectively enforce the terms of the exemption and insure user compliance.

*Type of Review:* Extension.

*Agency:* Pension and Welfare Benefits Administration.

*Title:* Prohibited Transaction Class Exemption 80-83.

*OMB Number:* 1210-0064.

*Affected Public:* Business or other for-profit, Not-for-profit institutions, Individuals.

*Frequency:* On occasion.

*Estimated Total Burden Hours:* 1.

*Respondents, proposed frequency of response, and annual hour burden:* The number of respondents is estimated to be 25. The exemption contains a six year recordkeeping requirement for information related to the affected securities transactions. Most of the records required to be maintained by the exemption are normally maintained for purposes of completing the annual report required by ERISA (Form 5500 Series). Those records not maintained for purposes related to the annual report are maintained as a standard business practice or for purposes of complying with the Internal Revenue Code. The Department estimates one additional hour of burden for this exemption.

*Total Burden Cost (capital/start-up):* \$0.00.

*Total Burden Cost (operating/maintenance):* \$0.00.

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: July 25, 1997.

**Gerald B. Lindrew,**

*Director, Pension and Welfare Benefits Administration, Office of Policy and Legislative Analysis.*

[FR Doc. 97-20102 Filed 7-30-97; 8:45 am]

BILLING CODE 4510-29-P

## DEPARTMENT OF LABOR

### Pension and Welfare Benefits Administration

#### Proposed Information Collection Request Submitted for Public Comment and Recommendations; Prohibited Transaction Class Exemption 75-1

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, provides 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 (PRA 95) [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 Pension and Welfare Benefits Administration is soliciting comments concerning the proposed extension of a currently approved collection of information, Prohibited Transaction Class Exemption 75-1. A copy of the proposed information collection request can be obtained by contacting the employee listed below in the contact section of this notice.

**DATES:** Written comments must be submitted on or before September 29, 1997. 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 number of respondents and 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.

**ADDRESSES:** Gerald B. Lindrew, Department of Labor, Pension and Welfare Benefits Administration, 200 Constitution Avenue, NW, Room N-5647, Washington, DC 20210. Telephone: 202-219-4782 (this is not a toll-free number). Fax: 202-219-4745.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Prohibited Transaction Class Exemption 75-1 permits banks,

registered broker-dealers and reporting dealers in Government securities who are parties in interest to engage in certain kinds of securities transactions with plans. In the absence of this exemption, these transactions might be prohibited by section 406 of the Employee Retirement Income Security Act of 1974 (the Act).

##### II. Current Actions

The Pension and Welfare Benefits Administration proposes to extend the currently approved information collection requirements of Prohibited Transaction Class Exemption 75-1. The recordkeeping requirements of the class exemption are intended to protect the interests of plan participants and beneficiaries. The exemption has one basic information collection condition. The plan is to maintain for a period of six years from the date of a covered transaction such records as are necessary to enable the Department of Labor, the Internal Revenue Service, plan participants and beneficiaries, any employer of plan participants and beneficiaries, and any employee organization any of whose members are covered by such plan to determine whether the conditions of the exemption have been met.

*Type of Review:* Extension.

*Agency:* Pension and Welfare Benefits Administration.

*Title:* Prohibited Transaction Class Exemption 75-1.

*OMB Number:* 1210-0092.

*Affected Public:* Business or other for-profit, Not-for-profit institutions, Individuals.

*Frequency:* On occasion.

*Estimated Total Burden Hours:* 1.

*Respondents, proposed frequency of response, and annual hour burden:* The number of respondents is estimated to be 750. The exemption contains a six year recordkeeping requirement for information related to the affected securities transactions. This information would normally be maintained in connection with required reporting for the annual financial report (Form 5500 and 5500-C). The Department estimates that the recordkeeping burden of this class exemption, in effect, has been incorporated in the burden for Form 5500 (and 5500-C). Since this information has been approved for the Form 5500 (and 5500-C), we estimate one additional hour of burden for this exemption.

*Total Burden Cost (capital/start-up):* \$0.00.

*Total Burden Cost (operating/maintenance):* \$0.00.

Comments submitted in response to this notice will be summarized and/or