

ventilation) and implement additional controls if necessary. Accordingly, these requirements prevent serious injury and death to employees who work on underground-construction projects. In addition, these records provide an efficient means for employees to evaluate the accuracy and effectiveness of an employer's exposure-reduction program, and for OSHA compliance officers to determine that employers performed the required tests and implemented appropriate controls.

### III. Special Issues for Comment

OSHA has a particular interest in comments on the following issues:

- Whether the proposed information collection requirements are necessary for the proper performance of the Agency's functions, including whether the information is useful;
- The accuracy of OSHA's estimate of the burden (time and cost) of the information collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information collected; and
- Ways to minimize the burden of employers who must comply; for example, by using automated or other technological information-collection and transmission techniques.

### IV. Proposed Actions

OSHA is proposing to extend the information collection requirements in the Underground Construction Standard (29 CFR part 1926.800). The Agency will summarize the comments submitted in response to this notice and will include this summary in its request to OMB to extend the approval of these information collection requirements contained in the Standard.

*Type of Review:* Extension of currently approved information collection requirements.

*Title:* Underground Construction (29 CFR part 1926.800).

*OMB Number:* 1218-0067.

*Affected Public:* Business or other for-profit; not-for-profit institutions; Federal government; State, local, or tribal governments.

*Number of Respondents:* 323.

*Frequency of Response:* Varies from recording air-quality tests twice per shift to posting a warning sign or notice once every two years.

*Average Time per Response:* Varies from 30 seconds to read and record air-quality test results to one hour to inspect, load test, and complete and maintain a certification record for a hoist.

*Estimated Total Burden Hours:* 57,464.

*Estimated Cost (Operation and Maintenance):* \$0.

### V. Authority and Signature

John L. Henshaw, Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506 *et seq.*) and Secretary of Labor's Order No. 5-2002 (67 FR 65008).

Dated: Signed at Washington, DC on December 7, 2004.

**John L. Henshaw,**

*Assistant Secretary of Labor.*

[FR Doc. 04-27352 Filed 12-13-04; 8:45 am]

**BILLING CODE 4510-26-M**

## NATIONAL LABOR RELATIONS BOARD

[53 FR 10305]

### Merger of Regional Offices

**AGENCY:** National Labor Relations Board.

**ACTION:** Final notice.

Notice of change in status of the Milwaukee Regional Office to Subregional Office (Subregion 30) of the Minneapolis Regional Office and transfer of supervision over the Des Moines Resident Office from the Minneapolis Regional Office to the Kansas City Regional Office.

**SUMMARY:** The National Labor Relations Board is reorganizing the structure of its office in Milwaukee, Wisconsin to restructure it from a Regional Office to a subregion of the Minneapolis Regional Office. As part of this reorganization, the supervision of the Des Moines Resident Office will be transferred from the Minneapolis Regional Office to the Kansas City Regional Office. The National Labor Relations Board is revising its Statement of Organization and Functions accordingly.

**SUPPLEMENTARY INFORMATION:** The National Labor Relations Board has decided to restructure the status of the Agency's Milwaukee office from a Regional Office to a Subregion of the Minneapolis Regional Office and to transfer supervision of the Des Moines Resident Office from the Minneapolis Regional Office to the Kansas City Regional Office. These change are prompted by a decline in unfair labor practice and representation case filings in the Minneapolis and Milwaukee offices and a desire to equalize caseload and case management responsibilities in the three contiguous NLRB regions.

Twenty-four comments were received in response to the notice of proposed merger published in the **Federal Register** on June 2, 2004. Those comments exclusively addressed the merger of Region 18 (Minneapolis) and Region 30 (Milwaukee). Each of the comments opposed the action proposed. The reasons advanced by the comments can be summarized as follows:

1. Access by Wisconsin practitioners to the Regional Director deciding their cases will be impeded and representatives will lose their ability to advocate directly to the Regional Director.

2. The addition of Milwaukee's caseload to Region 18 will create overload and slow down case decisions.

3. Combining the offices to save the cost of a Regional Director salary is not sufficient to justify the change and will be offset by such costs as travel between the offices and transportation of files.

4. Insofar as the proposal is based upon a decline in case intake in Region 30, that decline is transient and case intake will increase in the future.

5. Having a smaller office absorb a larger office seems justified only because the Milwaukee Regional Director position is currently vacant, not a logical rationale for a decision to reorganize.

6. There are other small offices (Regions 11 (Winston-Salem), 15 (New Orleans) and 34 (Hartford)) that are not being consolidated.

7. The merger will have a deleterious effect on promotional opportunities and the morale and retention of Milwaukee employees.

The comments received were carefully considered. The Board (Chairman Robert J. Battista and Members Peter C. Schaumber and Ronald Meisburg; Members Liebman and Walsh dissenting) has approved the merger and restructuring set forth in the proposed notice of merger. The Board majority has confidence that the concerns raised by the comments will be addressed productively and successfully by the staffs of the Minneapolis and Milwaukee offices with the cooperation of the management-labor bar and the labor-relations communities in the State of Wisconsin. The Board majority also noted that similar concerns have been successfully addressed in other prior restructuring efforts; advances in technology have made communication far easier and will allow the Regional Director in Minneapolis to establish and maintain close relations with the Milwaukee Office and stakeholders of the Agency in Wisconsin; that the increased size of the case intake of the

restructured Region will not negatively impact on the quality or efficiency of case processing; that the merged region will be a mid-level region in terms of intake and staffing level; and that while not dramatic, the cost savings to be realized by the merger are not insubstantial.

The Milwaukee Subregional Office will be headed by an Officer-in-Charge who will report to the Regional Director in Minneapolis. This change will vest the Regional Director in the Minneapolis Regional Office with casehandling authority for the geographic area covered by the Milwaukee Subregional Office. The geographic area covered by the Milwaukee Subregion will be the same as that covered by the Milwaukee Regional Office. The Statement of Organization and Functions published at 53 FR 10305–10308 on March 30, 1998, is revised to reflect the addition of Subregion 30, the elimination of Region 30 and the transfer of the territory in the State of Iowa served by the Des Moines Resident Office from Region 18, Minneapolis, to Region 17, Kansas City.

**EFFECTIVE DATE:** The changes announced above shall be effective on January 13, 2005.

Dated: Washington, DC December 9, 2004.  
By direction of the Board.

**Lester A. Heltzer,**

*Executive Secretary.*

[FR Doc. 04–27344 Filed 12–13–04; 8:45 am]

**BILLING CODE 7545–01–P**

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–315 and 50–316]

### Indiana Michigan Power Company; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of the Indiana Michigan Power Company (the licensee) to withdraw its February 14, 2004, application for proposed amendment to Facility Operating License Nos. DPR–58 and DPR–74 for the Donald C. Cook Nuclear Plant, Units 1 and 2, located in Berrien County, Michigan.

The proposed amendment would have revised the Technical Specifications (TSs) governing containment penetrations and the Containment Purge and Exhaust Isolation System, which are applicable during core alterations and movement of irradiated fuel, such that those TSs

would only be applicable during the movement of recently irradiated fuel.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on May 11, 2004 (69 FR 26191). However, by letter dated November 4, 2004, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated February 14, 2004, and the licensee's letter dated November 4, 2004, 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, Public File Area O1 F21, 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 ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR reference staff by telephone at 1–800–397–4209, or 301–415–4737 or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov). Note: Public access to ADAMS has been temporarily suspended so that security reviews of publicly available documents may be performed and potentially sensitive information removed. Please check the NRC Web site for updates on the resumption of ADAMS access.

Dated at Rockville, Maryland, this 15th day of November 2004.

For the Nuclear Regulatory Commission.

**Carl F. Lyon,**

*Project Manager, Section 1, Project Directorate III, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 04–27325 Filed 12–14–04; 8:45 am]

**BILLING CODE 7590–01–P**

## NUCLEAR REGULATORY COMMISSION

### Sunshine Act Notice

**Date:** Weeks of December 13, 20, 27, 2004, January 3, 10, 17, 2005.

**Place:** Commissioner's Conference Room, 11555 Rockville Pike, Rockville, Maryland.

**Status:** Public and closed.

**Matters to be Considered:**

### Week of December 13, 2004

*Tuesday, December 14, 2004:*

12:55 p.m. Affirmation Session (Public Meeting) (Tentative).

a. HYDRO RESOURCES, INC. Petition for Review of LBP–04–23 (Final Environmental Impact Statement Supplementation) (Tentative).

1 p.m. Briefing on Emergency Preparedness Program Initiatives (Public Meeting) (Contact: Nader Mamish, 301–415–1086).

This meeting will be webcast live at the Web address—<http://www.nrc.gov>

### Week of December 20, 2004—Tentative

There are no meetings scheduled for the week of December 20, 2004.

### Week of December 27, 2004—Tentative

There are no meetings scheduled for the week of December 27, 2004.

### Week of January 3, 2005—Tentative

There are no meetings scheduled for the week of January 3, 2005.

### Week of January 10, 2005—Tentative

There are no meetings scheduled for the week of January 10, 2005.

### Week of January 17, 2005—Tentative

*Wednesday, January 19, 2005:*

9:30 a.m. Briefing on Human Capital Initiatives (Closed—Ex. 2).

The schedule for Commission meetings is subject to change on short notice. To verify the status of meetings call (recording)—(301) 415–1292. Contact person for more information: Dave Gamberoni, (301) 415–1651.

\* \* \* \* \*

The NRC Commission Meeting Schedule can be found on the Internet at: <http://www.nrc.gov/what-we-do/policy-making/schedule.html>.

\* \* \* \* \*

The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings, or need this meeting notice or the transcript or other information from the public meetings in another format (e.g. braille, large print), please notify the NRC's Disability program Coordinator, August Spector, at 301–415–7080, TDD: 301–415–2100, or by e-mail at [aks@nrc.gov](mailto:aks@nrc.gov). Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

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