

*Total Annualized capital/startup costs: \$0.*

*Total Annual Costs (operating/maintaining systems or purchasing services): \$428,400.*

*Description:* The Employee Retirement Income Security Act of 1974 (ERISA) prohibits a fiduciary with respect to a plan from causing the plan to engage in the direct or indirect lending of money or other extension of credit between the plan and a party in interest. ERISA section 408(b)(1) exempts loans made by a plan to parties in interest who are participants and beneficiaries of the plan from this prohibition provided that certain requirements are satisfied. The regulation at 29 CFR 2550.408b-1 provides additional guidance on section 408(b)(1)(C), which requires that loans must be made in accordance with specific provisions set forth in the plan. This ICR relates to the specific provisions that must be included in plan documents for those plans that permit loans to participants.

**Ira L. Mills,**

*Departmental Clearance Officer.*

[FR Doc. 04-19196 Filed 8-20-04; 8:45 am]

**BILLING CODE 4510-29-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-54,695]

#### **C-Cor Corporation, Repair Services Department, Meriden, Connecticut; Notice of Negative Determination Regarding Application for Reconsideration**

By application postmarked June 17, 2004, petitioners requested administrative reconsideration of the Department's negative determination regarding eligibility for workers and former workers of the subject firm to apply for Trade Adjustment Assistance (TAA). The denial notice applicable to workers of C-Cor Corporation, Repair Services Department, Meriden, Connecticut was signed on May 25, 2004, and published in the **Federal Register** on June 17, 2004 (69 FR 33941).

Pursuant to 29 CFR 90.18(c), reconsideration may be granted under the following circumstances:

(1) If it appears on the basis of facts not previously considered that the determination complained of was erroneous;

(2) If it appears that the determination complained of was based on a mistake in the determination of facts not previously considered; or

(3) If in the opinion of the Certifying Officer, a misinterpretation of facts or of the law justified reconsideration of the decision.

The TAA petition was filed on behalf of workers at C-Cor Corporation, Repair Services Department, Meriden, Connecticut engaged in activities related to the repair of broadband communication products. The petition was denied because the petitioning workers did not produce an article within the meaning of section 222 of the Act.

In the request for reconsideration, petitioners allege that the workers supported production of C-Cor products, namely electronic broadband equipment. They further state that the subject firm outsourced repair of its products to Mexico through the third party.

A company official was contacted to clarify the work performed by the Repair Services Department. It was revealed that the subject group of workers did not support any production at the subject facility but performed repair services of the equipment produced by C-Cor Corporation in Meriden, Connecticut.

The official further confirmed the fact established during the original investigation that C-Cor Corporation, Meriden, Connecticut outsourced its repair services to a non-affiliated domestic company in California, which was the cause of the job eliminations of the subject group of workers.

Repair of products already purchased does not constitute production within the context of eligibility requirements for trade adjustment assistance.

#### **Conclusion**

After review of the application and investigative findings, I conclude that there has been no error or misinterpretation of the law or of the facts which would justify reconsideration of the Department of Labor's prior decision. Accordingly, the application is denied.

Signed in Washington, DC, this 12th day of August, 2004.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 04-19099 Filed 8-20-04; 8:45 am]

**BILLING CODE 4510-30-M**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Petitions for Modification

The following parties have filed petitions to modify the application of existing safety standards under section 101(c) of the Federal Mine Safety and Health Act of 1977.

##### **1. Mississippi Lime Company**

[Docket No. M-2004-008-M]

Mississippi Lime Company, 16147 Highway 61, Ste. Genevieve, Missouri 63670 has filed a petition to modify the application of 30 CFR 56.15005 (Safety belts and lines) to its Peerless Mine and Mill (MSHA I.D. No. 23-00542) located in Ste. Genevieve County, Missouri. The petitioner proposes to facilitate non-entry full body harness and lifeline whenever an entrant enters a tank, bin or other dangerous areas, to facilitate non-entry rescue, unless the retrieval equipment would increase the overall risk of entry or not contribute to the rescue of the entrant. When a lifeline is used, the petitioner proposes to have a second person attending the lifeline. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

##### **2. American Engineering & Construction Company**

[Docket No. M-2004-035-C]

American Engineering & Construction Company, 735 St. Rt. 857, Clay, Kentucky 42404 has filed a petition to modify the application of 30 CFR 75.364(b)(4) (Weekly examination) to its Baker Mine (MSHA I.D. No. 15-14992) located in Webster County, Kentucky. Due to deteriorating roof conditions in the 13 seam seals at the 2nd and 3rd North Main Entries No. 1 Set of Seals, (affected Seals are No.'s 9, 10, 11, 12, and 13), the petitioner proposes to use an alternative method for examinations of the seals in the return air courses of the affected areas. The petitioner proposes to conduct examinations at evaluation points No. 1 and No. 2, and monitor upstream (with respect to air flow) and downstream of the seal locations that cannot be examined. The petitioner states that monitoring at these evaluation points will evaluate the atmosphere going into and coming out from the seals. The petitioner asserts that application of the existing standard will result in a diminution of safety to the miners and that the proposed alternative method would provide at least the same measure of protection as the existing standard.

**3. Warrior Coal, LLC**

[Docket No. M-2004-036-C]

Warrior Coal, LLC, 57 J.E. Ellis Road, Madisonville, Kentucky 42431 has filed a petition to modify the application of 30 CFR 75.1101-1(b) (Deluge-type water spray) to its Cardinal Mine (MSHA I.D. No. 15-17216) located in Hopkins County, Kentucky. The petitioner requests a modification of the existing standard to permit an alternative method of compliance for the use of blow-off dust covers for deluge-type water spray nozzles. The petitioner proposes to train a person on testing procedures specific to the deluge-type water spray fire suppression system that will be utilized once a week at each belt drive; conduct a visual examination of each deluge-type water spray fire suppression system; conduct a functional test of the deluge-type water spray fire suppression system by actuating the system and observing its performance; and record results of the examination and test in a book maintained on the surface and made available to interested parties. The petitioner states that any malfunction or clogged nozzle detected as a result of the weekly examination or test will be corrected immediately, and the procedure used to perform the functional test will be posted at or near each belt drive that utilizes a deluge-type water spray fire suppression system. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

**Request for Comments**

Persons interested in these petitions are encouraged to submit comments via e-mail to [comments@msha.gov](mailto:comments@msha.gov), by fax at (202) 693-9441, or by regular mail to the Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209. All comments must be postmarked or received in that office on or before September 22, 2004. Copies of these petitions are available for inspection at that address.

Dated at Arlington, Virginia this 17th day of August 2004.

**Marvin W. Nichols, Jr.,**

*Director, Office of Standards, Regulations, and Variances.*

[FR Doc. 04-19191 Filed 8-20-04; 8:45 am]

BILLING CODE 4510-43-M

**NATIONAL ARCHIVES AND RECORDS ADMINISTRATION****Records Schedules; Availability and Request for Comments**

**AGENCY:** National Archives and Records Administration (NARA).

**ACTION:** Notice of availability of proposed records schedules; request for comments.

**SUMMARY:** The National Archives and Records Administration (NARA) publishes notice at least once monthly of certain Federal agency requests for records disposition authority (records schedules). Once approved by NARA, records schedules provide mandatory instructions on what happens to records when no longer needed for current Government business. They authorize the preservation of records of continuing value in the National Archives of the United States and the destruction, after a specified period, of records lacking administrative, legal, research, or other value. Notice is published for records schedules in which agencies propose to destroy records not previously authorized for disposal or reduce the retention period of records already authorized for disposal. NARA invites public comments on such records schedules, as required by 44 U.S.C. 3303a(a).

**DATES:** Requests for copies must be received in writing on or before October 7, 2004. Once the appraisal of the records is completed, NARA will send a copy of the schedule. NARA staff usually prepare appraisal memorandums that contain additional information concerning the records covered by a proposed schedule. These, too, may be requested and will be provided once the appraisal is completed. Requesters will be given 30 days to submit comments.

**ADDRESSES:** You may request a copy of any records schedule identified in this notice by contacting the Life Cycle Management Division (NWML) using one of the following means:

*Mail:* NARA (NWML), 8601 Adelphi Road, College Park, MD 20740-6001  
*E-mail:* [records.mgt@nara.gov](mailto:records.mgt@nara.gov)  
*Fax:* (301) 837-3698

Requesters must cite the control number, which appears in parentheses after the name of the agency which submitted the schedule, and must provide a mailing address. Those who desire appraisal reports should so indicate in their request.

**FOR FURTHER INFORMATION CONTACT:** Paul M. Wester, Jr., Director, Life Cycle Management Division (NWML),

National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. Telephone: (301) 837-3120. E-mail: [records.mgt@nara.gov](mailto:records.mgt@nara.gov).

**SUPPLEMENTARY INFORMATION:** Each year Federal agencies create billions of records on paper, film, magnetic tape, and other media. To control this accumulation, agency records managers prepare schedules proposing retention periods for records and submit these schedules for NARA's approval, using the Standard Form (SF) 115, Request for Records Disposition Authority. These schedules provide for the timely transfer into the National Archives of historically valuable records and authorize the disposal of all other records after the agency no longer needs them to conduct its business. Some schedules are comprehensive and cover all the records of an agency or one of its major subdivisions. Most schedules, however, cover records of only one office or program or a few series of records. Many of these update previously approved schedules, and some include records proposed as permanent.

No Federal records are authorized for destruction without the approval of the Archivist of the United States. This approval is granted only after a thorough consideration of their administrative use by the agency of origin, the rights of the Government and of private persons directly affected by the Government's activities, and whether or not they have historical or other value.

Besides identifying the Federal agencies and any subdivisions requesting disposition authority, this public notice lists the organizational unit(s) accumulating the records or indicates agency-wide applicability in the case of schedules that cover records that may be accumulated throughout an agency. This notice provides the control number assigned to each schedule, the total number of schedule items, and the number of temporary items (the records proposed for destruction). It also includes a brief description of the temporary records. The records schedule itself contains a full description of the records at the file unit level as well as their disposition. If NARA staff has prepared an appraisal memorandum for the schedule, it too includes information about the records. Further information about the disposition process is available on request.

**Schedules Pending:**

1. Department of Agriculture, Food and Nutrition Service (N1-462-04-3, 59