

TABLE V—U.S. DEPARTMENT OF LABOR; EMPLOYMENT AND TRAINING ADMINISTRATION; WORKFORCE INFORMATION GRANTS TO STATES; PY 2010 vs PY 2009 ALLOTMENTS—Continued

State	PY 2009	PY 2010	Difference	% Difference
Indiana	642,235	637,859	(4,376)	-0.68
Iowa	451,190	450,390	(800)	-0.18
Kansas	427,610	430,687	3,077	0.72
Kentucky	495,574	498,273	2,699	0.54
Louisiana	494,844	499,711	4,867	0.98
Maine	332,053	331,210	(843)	-0.25
Maryland	612,613	608,631	(3,982)	-0.65
Massachusetts	662,375	665,387	3,012	0.45
Michigan	855,176	840,933	(14,243)	-1.67
Minnesota	606,203	606,706	503	0.08
Mississippi	407,221	404,978	(2,243)	-0.55
Missouri	615,454	613,786	(1,668)	-0.27
Montana	306,660	306,340	(320)	-0.10
Nebraska	366,425	365,970	(455)	-0.12
Nevada	414,616	416,502	1,886	0.45
New Hampshire	335,737	335,493	(244)	-0.07
New Jersey	796,139	800,638	4,499	0.57
New Mexico	361,891	362,201	310	0.09
New York	1,420,420	1,439,096	18,676	1.31
North Carolina	805,049	803,030	(2,019)	-0.25
North Dakota	290,398	289,915	(483)	-0.17
Ohio	982,778	974,547	(8,231)	-0.84
Oklahoma	459,625	461,686	2,061	0.45
Oregon	484,917	487,891	2,974	0.61
Pennsylvania	1,027,599	1,032,188	4,589	0.45
Puerto Rico	412,752	408,794	(3,958)	-0.96
Rhode Island	315,475	314,349	(1,126)	-0.36
South Carolina	508,829	512,460	3,631	0.71
South Dakota	299,586	299,507	(79)	-0.03
Tennessee	621,026	616,563	(4,463)	-0.72
Texas	1,680,566	1,704,900	24,334	1.45
Utah	415,279	414,068	(1,211)	-0.29
Vermont	288,282	288,734	452	0.16
Virginia	748,577	753,436	4,859	0.65
Washington	671,927	679,171	7,244	1.08
West Virginia	344,271	342,209	(2,062)	-0.60
Wisconsin	624,534	624,061	(473)	-0.08
Wyoming	280,619	280,600	(19)	-0.01
State Total	31,823,200	31,823,200	0	0.00
Guam	92,899	92,899	0	0.00
Virgin Islands	83,901	83,901	0	0.00
Outlying Areas Total	176,800	176,800	0	0.00

[FR Doc. 2010-6696 Filed 3-30-10; 8:45 am]

BILLING CODE 4510-FN-P

**DEPARTMENT OF LABOR**

**Mine Safety and Health Administration**

**Petitions for Modification**

**AGENCY:** Mine Safety and Health Administration (MSHA), Labor.

**ACTION:** Notice of petitions for modification of existing mandatory safety standards.

**SUMMARY:** Section 101(c) of the Federal Mine Safety and Health Act of 1977 and 30 CFR Part 44 govern the application, processing, and disposition of petitions for modification. This notice is a summary of petitions for modification

filed by the parties listed below to modify the application of existing mandatory safety standards published in Title 30 of the Code of Federal Regulations.

**DATES:** All comments on the petitions must be received by the Office of Standards, Regulations and Variances on or before April 30, 2010.

**ADDRESSES:** You may submit your comments, identified by “docket number” on the subject line, by any of the following methods:

1. *Electronic Mail:* Standards-Petitions@dol.gov.
2. *Facsimile:* 1-202-693-9441.
3. *Regular Mail:* MSHA, Office of Standards, Regulations and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209-3939,

Attention: Patricia W. Silvey, Director, Office of Standards, Regulations and Variances.

4. *Hand-Delivery or Courier:* MSHA, Office of Standards, Regulations and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209-3939, Attention: Patricia W. Silvey, Director, Office of Standards, Regulations and Variances.

MSHA will consider only comments postmarked by the U.S. Postal Service or proof of delivery from another delivery service such as UPS or Federal Express on or before the deadline for comments. Individuals who submit comments by hand-delivery are required to check in at the receptionist desk on the 21st floor.

Individuals may inspect copies of the petitions and comments during normal

business hours at the address listed above.

**FOR FURTHER INFORMATION CONTACT:**

Barbara Barron, Office of Standards, Regulations and Variances at 202-693-9447 (Voice), *barron.barbara@dol.gov* (E-mail), or 202-693-9441 (Telefax). [These are not toll-free numbers].

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary determines that: (1) An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or (2) that the application of such standard to such mine will result in a diminution of safety to the miners in such mine. In addition, the regulations at 30 CFR 44.10 and 44.11 establish the requirements and procedures for filing petitions for modification.

**II. Petitions for Modification**

*Docket Number:* M-2010-011-C.

*Petitioner:* Alex Energy, Jerry Fork Road, Drennen, West Virginia 26667.

*Mine:* Jerry Fork Eagle Mine, MSHA I. D. No. 46-08787, located in Nicholas County, West Virginia.

*Regulation Affected:* 30 CFR 75.1101-1(b) (Deluge-type water spray systems).

*Modification Request:* The petitioner requests a modification of the existing standard to eliminate the use of blow-off dust covers for the spray nozzles of a deluge-type water spray system. As an alternative to using the blow-off dust covers, the petitioner proposes the following terms and conditions: (1) A person trained in the testing procedures specific to the deluge-type water spray fire suppression systems utilized at each belt drive will once each week: (a) Conduct a visual examination of each of the deluge-type water spray fire suppression systems; (b) conduct functional test of the deluge-type water spray fire suppression systems by actuating the system and watching its performance; and (c) record the results of the examination and functional test in a book maintained on the surface for that purpose. The record will be made available to the authorized representative of the Secretary and retained at the mine for one year; (2) any malfunction or clogged nozzle detected as a result of the weekly examination or

functional test will be corrected immediately; and (3) 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 will provide a measure of protection equal to or greater than that of the standard.

*Docket Number:* M-2010-012-C.

*Petitioner:* White Buck Coal Company, P.O. Box 180, Leivasy, West Virginia 26676.

*Mine:* Grassy Creek Mine, MSHA I.D. No. 46-08365 and Hominy Creek Mine, MSHA I.D. No. 46-09266, located in Nicholas County, West Virginia; and Pocahontas Mine, MSHA I.D. No. 46-09154, located in Greenbrier County, West Virginia.

*Regulation Affected:* 30 CFR 75.1101-1(b) (Deluge-type water spray systems).

*Modification Request:* The petitioner requests a modification of the existing standard to eliminate the use of blow-off dust covers for the spray nozzles of a deluge-type water spray system. As an alternative to using the blow-off dust covers, the petitioner proposes the following terms and conditions: (1) A person trained in the testing procedures specific to the deluge-type water spray fire suppression systems utilized at each belt drive will once each week: (a) Conduct a visual examination of each of the deluge-type water spray fire suppression systems; (b) conduct functional test of the deluge-type water spray fire suppression systems by actuating the system and watching its performance; and (c) record the results of the examination and functional test in a book maintained on the surface for that purpose. The record will be made available to the authorized representative of the Secretary and retained at the mine for one year; (2) any malfunction or clogged nozzle detected as a result of the weekly examination or functional test will be corrected immediately; and (3) 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 will provide a measure of protection equal to or greater than that of the standard.

*Docket Number:* M-2010-013-C.

*Petitioner:* RoxCoal, Inc., 1576 Stoystown Road, P.O. Box 149, Friedens, Pennsylvania 15541.

*Mine:* Quecreek No. 1 Mine, MSHA I. D. No. 36-08746, and Roytown Deep Mine, MSHA I.D. No. 36-09260, located in Somerset County, Pennsylvania.

*Regulation Affected:* 30 CFR 75.1101-1(b) (Deluge-type water spray systems).

*Modification Request:* The petitioner requests a modification of the existing standard to permit an alternate method of compliance with the blow-off dust cover requirement at deluge-type water spray systems. In lieu of using blow-off dust covers, the petitioner proposes to: (1) Once every 7 days, a person trained in the testing procedures specific to the water deluge-type fire suppression systems utilized at each belt drive will: (a) Conduct a visual examination of each water deluge-type fire suppression system; (b) conduct a functional test of the water deluge-type fire suppression systems by actuating the system; and (c) any malfunction or clogged nozzle detected as a result of the examination and functional test will be recorded in a book maintained on the surface for that purpose. The record will be made available to the authorized representative of the Secretary and retained at the mine for one year; (2) any malfunction or clogged nozzle detected as a result of the weekly examination or functional test will be corrected immediately; (3) the written procedure used to perform the functional test will be provided to each individual trained in the testing procedure for reference; and (4) conducting weekly functional tests of the water deluge-type fire suppression systems as the proposed alternative method will provide for a level of safety equal to or greater than the statute in place. The petitioner asserts that the proposed alternative method will at all times guarantee no less than the same measure of protection afforded the miners by such standard with no diminution of safety to the miners.

*Docket Number:* M-2010-014-C.

*Petitioner:* Sunrise Coal, LLC, 1183, East Canvasback Drive, Terre Haute, Indiana 47802.

*Mine:* Carlisle Mine, MSHA I.D. No. 12-02349, located in Sullivan County, Indiana.

*Regulation Affected:* 30 CFR 75.1101-1(b) (Deluge-type water spray systems).

*Modification Request:* The petitioner requests a modification of the existing standard to permit weekly examinations and functional testing of the deluge-type water fire suppression systems in lieu of providing blow-off dust covers. The petitioner states that: (1) Conducting a weekly examination and functional test of the deluge water fire suppression systems will provide an improvement in safety and insure that the spray nozzles do not become plugged; and (2) replacing the dust caps creates an unnecessary hazard by exposing miners

to the risk of a slip/fall type accident. The petitioner asserts that this petition upon approval will be mandated throughout the Carlisle Mine and will provide no less than the same measure of protection afforded by the standard.

*Docket Number:* M-2010-015-C.

*Petitioner:* Sunrise Coal, LLC, 1183 East Canvasback Drive, Terre Haute, Indiana 47802.

*Mine:* Carlisle Mine, MSHA I.D. No. 12-02349, located in Sullivan County, Indiana.

*Regulation Affected:* 30 CFR 75.1700 (Oil and gas wells).

*Modification Request:* The petitioner requests a modification of the existing standard to permit mine through or near (whenever the safety barrier diameter is reduced to a distance less than the District Manager would approve pursuant to 75.1700) plugged oil and gas wells penetrating the Indian V coal seam. The petitioner has listed in this petition a complete list of procedures to be utilized when plugging oil and gas wells. Persons may review these procedures at the MSHA address listed in this notice. The petitioner asserts that the proposed alternative method will at all times guarantee no less than the same measure of protection afforded to the miners under 30 CFR 75.1700.

*Docket Number:* M-2010-016-C.

*Petitioner:* Lone Mountain Processing, Inc., Drawer C, St. Charles, Virginia 24282.

*Mine:* Huff Creek No. 1 Mine, MSHA I.D. No. 15-17234, Darby Fork No. 1 Mine, MSHA I.D. No. 15-02263, Clover Fork No. 1 Mine, MSHA I.D. No. 15-18647, all located in Harlan County, Kentucky.

*Regulation Affected:* 30 CFR 75.208 (Warning devices).

*Modification:* The petitioner requests a modification of the existing standard to permit a readily visible warning to be posted, or a physical barrier to be installed on the second row of permanent roof support outby unsupported roof to impede travel beyond permanent support, except during the installation of roof supports. The petitioner asserts that the proposed alternative method will at all times guarantee no less than the same measure of protection afforded by the appropriate portion of 30 CFR 75.208.

Dated: March 26, 2010.

**Patricia W. Silvey,**  
*Director.*

[FR Doc. 2010-7197 Filed 3-30-10; 8:45 am]

**BILLING CODE 4510-43-P**

## LEGAL SERVICES CORPORATION

### Sunshine Act Meetings of the Board of Directors and Five Committees of the Board

#### Notice

**DATE AND TIME:** The Legal Services Corporation Board of Directors will meet on April 7, 2010 at 12 p.m., Eastern Time.

**LOCATION:** Legal Services Corporation, 3333 K Street, NW., Washington, DC 20007, 3rd Floor Conference Center.

**PUBLIC OBSERVATION:** For all meetings and portions thereof open to public observation, members of the public who are unable to attend but wish to listen to the proceedings may do so by following the telephone call-in directions given below. You are asked to keep your telephone muted to eliminate background noises. From time to time the Chairman may solicit comments from the public.

#### Call-in Directions for Open Session(s)

- Call toll-free number: 1-(866) 451-4981;
- When prompted, enter the following numeric pass code: 5907707348;
- When connected to the call, please "MUTE" your telephone immediately.

**STATUS OF MEETING:** Open.

**MATTERS TO BE CONSIDERED:**

#### Board of Directors

##### Agenda

##### Open Session

1. Approval of agenda;
2. Consider and act on nominations for the Chairman of the Board of Directors;
3. Consider and act on nominations for the Vice Chairman of the Board of Directors;
4. Consider and act on delegation to Chairman of authority to make Committee assignments;
5. Public comment;
6. Consider and act on other business;
7. Consider and act on motion to adjourn meeting.

#### CONTACT PERSON FOR INFORMATION:

Katherine Ward, Executive Assistant to the Vice President & General Counsel, at (202) 295-1500. Questions may be sent by electronic mail to [FR\\_NOTICE\\_QUESTIONS@lsc.gov](mailto:FR_NOTICE_QUESTIONS@lsc.gov).

**SPECIAL NEEDS:** Upon request, meeting notices will be made available in alternate formats to accommodate visual and hearing impairments. Individuals who have a disability and need an accommodation to attend the meeting may notify Katherine Ward, at (202)

295-1500 or  
[FR\\_NOTICE\\_QUESTIONS@lsc.gov](mailto:FR_NOTICE_QUESTIONS@lsc.gov).

Dated: March 29, 2010.

**Patricia D. Batie,**

*Corporate Secretary.*

[FR Doc. 2010-7388 Filed 3-29-10; 4:15 pm]

**BILLING CODE 7050-01-P**

## OFFICE OF MANAGEMENT AND BUDGET

### Office of Federal Procurement Policy

#### Work Reserved for Performance by Federal Government Employees

**AGENCY:** Office of Management and Budget, Office of Federal Procurement Policy.

**ACTION:** Notice of proposed policy letter.

**SUMMARY:** The Office of Federal Procurement Policy (OFPP) in the Office of Management and Budget (OMB) is issuing a proposed policy letter to provide guidance to Executive Departments and agencies on circumstances when work must be reserved for performance by Federal government employees. The Presidential Memorandum on Government Contracting, issued on March 4, 2009, directs OMB to clarify when governmental outsourcing of services is, and is not, appropriate, consistent with section 321 of the National Defense Authorization Act (NDAA) for FY 2009. Section 321 requires OMB to (i) create a single definition for the term "inherently governmental function" that addresses any deficiencies in the existing definitions and reasonably applies to all agencies; (ii) establish criteria to be used by agencies to identify "critical" functions and positions that should only be performed by federal employees; and (iii) provide guidance to improve internal agency management of functions that are inherently governmental or critical. The Presidential Memorandum is available at [http://www.whitehouse.gov/the\\_press\\_office/](http://www.whitehouse.gov/the_press_office/).

Memorandum-for-the-Heads-of-Executive-Departments-and-Agencies-Subject-Government/.

Section 321 may be found at <http://thomas.loc.gov/cgi-bin/query/F?c110:5:./temp/~c110wWVqGQ:e178256>.

*Comment Date:* OFPP invites interested parties from both the public and private sectors to provide comments to be considered in the formulation of the final policy letter. Interested parties should submit comments in writing to