

**FOR FURTHER INFORMATION:** Contact the employee listed in the **ADDRESSES** section of this notice.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act), 30 U.S.C. 811(c), provides that a mine operator or a representative of miners may petition the Secretary of Labor (Secretary) to modify the application of a mandatory safety standard. 30 CFR Part 44 formally delegates the Secretary's authority to receive petitions to the Director of the Office of Standards, Regulations, and Variances and the authority to issue proposed decisions to the Administrators for Coal and Metal/Nonmetal. A petition for modification may be granted if the Secretary determines (1) that an alternative method of achieving the results of the standard exists and that it will guarantee, at all times, no less than the same measure of protection for the miners affected as that afforded by the standard, or (2) that the application of the standard will result in a diminution of safety to the miners affected.

**II. Desired Focus of Comments**

MSHA is particularly interested in comments that:

- 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 submissions of responses.

A copy of the proposed information collection request can be obtained by contacting the employee listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice, or viewed on the internet by accessing the MSHA home page (<http://www.msha.gov/>) and selecting "Rules & Regs", and then selecting "FedReg. Docs". On the next screen, select "Paperwork Reduction Act Supporting Statement" to view

documents supporting the **Federal Register** Notice.

**III. Current Actions**

Under 30 CFR 44.9, mine operators must post a copy of each petition for modification concerning the mine on the mine's bulletin board and maintain the posting until a ruling on the petition becomes final. This applies only to mines for which there is no representative of miners.

Under 30 CFR 44.10, detailed guidance for filing a petition for modification is provided for the operator of the affected mine or any representative of the miners at that mine. The petition must be in writing, filed with the Director of the Office of Standards, Regulations, and Variances, and a copy of the petition served by the filing party (the mine operator or representative of miners) on the other party.

Under 30 CFR 44.11(a), the petition for modification must contain the petitioner's name and address; the mailing address and mine identification number of the mine or mines affected; the mandatory safety standard to which the petition is directed; a concise statement of the modification requested and whether the petitioner (1) Proposes to establish an alternate method in lieu of the mandatory safety standard, or (2) alleges that application of the standard will result in diminution of safety to the miners affected, or (3) requests relief based on both grounds; a detailed statement of the facts that show the grounds upon which a modification is claimed or warranted; and, if the petitioner is a mine operator, the identity of any representative of miners at the affected mine.

*Type of Review:* Extension.

*Agency:* Mine Safety and Health Administration.

*Title:* Petitions for Modification of Mandatory Safety Standards.

*OMB Number:* 1219-0065.

*Recordkeeping:* Under 30 CFR 44.9, mine operators must post a copy of each petition for modification concerning the mine on the mine's bulletin board and maintain the posting until a ruling on the petition becomes final. This applies only to mines for which there is no representative of miners.

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*Frequency:* On occasion.

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

*Respondents:* 80.

*Responses:* 80.

*Total Burden Hours:* 2,560.

*Total Burden Cost (operating/maintaining):* \$32,357.

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 at Arlington, Virginia, this 21st day of July, 2009.

**John Rowlett,**

*Director, Management Services Division.*

[FR Doc. E9-17843 Filed 7-24-09; 8:45 am]

**BILLING CODE 4510-43-P**

**OFFICE OF MANAGEMENT AND BUDGET**

**Proposed Revision of the Policy on Web Tracking Technologies for Federal Web Sites**

**AGENCY:** Office of Management and Budget, Executive Office of the President.

**ACTION:** Request for comments.

**SUMMARY:** The Office of Management and Budget (OMB) is considering options for revising the current prohibition on Web tracking technologies (such as persistent cookies) and invites public comments on the policy that would govern the use of such technologies. The goal of this review is for the Federal Government to continue to protect the privacy of people who visit Federal Government Web sites while at the same time making these Web sites more user-friendly, providing better customer service, and allowing for enhanced Web analytics.

**DATES:** Comments must be received by August 10, 2009.

**ADDRESSES:** Submit comments by one of the following methods:

- *Web site:* <http://www.regulations.gov>.

- *Web site:* <http://www.whitehouse.gov/open>. Click the link to "Federal Web sites Cookie Policy Forum" and follow the instructions for submitting comments electronically.

- *E-mail:* [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov).

- *Fax:* (202) 395-7245

Comments submitted in response to this notice will be made available to the public through the relevant Web sites. For this reason, please do not include in your comments information of a confidential nature, such as sensitive personal information or proprietary information. If you send an e-mail comment, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet.

Relevant comments submitted through the White House Open Government Initiative will be taken into consideration alongside those received in response to this notice.

**FOR FURTHER INFORMATION CONTACT:**

Mabel Echols, Office of Information and Regulatory Affairs, Records Management Center, Office of Management and Budget, Room 10102, NEOB, 725 17th Street, NW., Washington, DC 20503. Telephone: (202) 395-6880.

Copies of OMB memoranda M-00-13 and M-03-22 are available on OMB's Web site at [http://www.whitehouse.gov/omb/memoranda\\_default/](http://www.whitehouse.gov/omb/memoranda_default/).

**SUPPLEMENTARY INFORMATION:** On June 22, 2000, OMB issued memorandum M-00-13, which was later updated by memorandum M-03-22, prohibiting the use of Web tracking technologies unless the agency head approves the use of these technologies due to a compelling need.

During the past nine years, Web tracking technologies have become a staple on most commercial Web sites with widespread public acceptance of their use. Technologies such as persistent cookies enable Web sites to remember a visitor's preferences and settings, allowing for a more personalized, user-friendly experience. Moreover, such technologies are necessary for accurate analytics of Web traffic, which helps to inform decisions about how to improve a Web site so that it can better serve the public.

While the benefits of using Web tracking technologies are clear, OMB is

acutely aware of, and sensitive to, the privacy questions raised by the use of such technologies. Any evaluation of revisions to the current prohibition must consider, and address, potential risks to privacy.

Under a framework that we are considering, any Federal agency using Web tracking technologies on a Federal Government Web site would be subject to basic principles governing the use of such technologies and would be required to:

- Adhere to all existing laws and policies (including those designed to protect privacy) governing the collection, use, retention, and safeguarding of any data gathered from users;
- Post clear and conspicuous notice on the Web site of the use of Web tracking technologies;
- Provide a clear and understandable means for a user to opt-out of being tracked; and
- Not discriminate against those users who decide to opt-out, in terms of their access to information.

OMB is currently considering the application of a three-tiered approach to the use of Web tracking technologies on Federal Government Web sites. A set of tiers that we are considering would be:

- 1st Single-session technologies—which track users over a single session and do not maintain tracking data over multiple sessions or visits;
- 2nd Multi-session technologies for use in Web analytics—which track users over multiple sessions purely to gather data to analyze Web traffic statistics; and
- 3rd Multi-session technologies for use as persistent identifiers—which track users over multiple visits with the intent of remembering data, settings, or preferences unique to that visitor for purposes beyond what is needed for Web analytics.

It is anticipated that there would be more stringent restrictions or review of the uses of such technologies within the tiers that have higher privacy risks associated with them.

OMB invites public comment on the framework that should govern Federal agency use of Web tracking technologies, including such topics as:

- The appropriate tiers;
- The acceptable use and restrictions of each tier;
- The basic principles governing the use of such technologies;
- The degree of clear and conspicuous notice on each Web site that Web tracking technologies are being used;
- The applicability and scope of such a framework on Federal agency use of third-party applications or Web sites;

- The choice between an opt-in versus opt-out approach for users;
- Unintended or non-obvious privacy implications; and
- Any other general comments with respect to this issue.

**Kevin F. Neyland,**

*Acting Administrator, Office of Information and Regulatory Affairs.*

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**BILLING CODE 3110-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket No. NRC-2009-0133]

### Agency Information Collection Activities: Submission for the Office of Management and Budget (OMB) Review; Comment Request

**AGENCY:** U.S. Nuclear Regulatory Commission (NRC).

**ACTION:** Notice of the OMB review of information collection and solicitation of public comment.

**SUMMARY:** The NRC has recently submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The NRC published a **Federal Register** Notice with a 60-day comment period on this information collection on March 27, 2009.

1. *Type of submission, new, revision, or extension:* Extension.

2. *The title of the information collection:* 10 CFR Part 40, Domestic Licensing of Source Material.

3. *Current OMB approval number:* 3150-0020.

4. *The form number if applicable:* N/A.

5. *How often the collection is required:* On occasion. Reports required under 10 CFR Part 40 are collected and evaluated on a continuing basis as events occur. There is a one-time submittal of information to receive a license. Renewal applications need to be submitted every 5 to 10 years. Information in previous applications may be referenced without being resubmitted. In addition, recordkeeping must be performed on an on-going basis.

6. *Who will be required or asked to report:* 10 CFR Part 40: Applicants for and holders of NRC licenses authorizing the receipt, possession, use, or transfer