

measure the current level of volunteer activities in the U.S.

Ira L. Mills,

*DOL Clearance Officer.*

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## DEPARTMENT OF LABOR

### Employment Standards Administration Wage and Hour Division

#### Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and area based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedeas decisions thereto, contain no expiration dates and are effective from their date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon And Related Acts," shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, NW., Room S-3014, Washington, DC 20210.

#### Modification to General Wage Determination Decisions

The number of the decisions listed to the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts" being modified are listed by Volume and State. Dates of publication in the **Federal Register** are in parentheses following the decisions being modified.

##### Volume I

New York

NY020013 (Mar. 1, 2002)

##### Volume II

District of Columbia

DC020001 (Mar. 1, 2002)

DC020003 (Mar. 1, 2002)

##### Volume III

Georgia

GA020003 (Mar. 1, 2002)

GA020006 (Mar. 1, 2002)

GA020022 (Mar. 1, 2002)

GA020032 (Mar. 1, 2002)

GA020040 (Mar. 1, 2002)

GA020041 (Mar. 1, 2002)

GA020050 (Mar. 1, 2002)

GA020053 (Mar. 1, 2002)

GA020055 (Mar. 1, 2002)

GA020073 (Mar. 1, 2002)

GA020084 (Mar. 1, 2002)

GA020085 (Mar. 1, 2002)

GA020086 (Mar. 1, 2002)

GA020087 (Mar. 1, 2002)

GA020088 (Mar. 1, 2002)

##### Volume IV

Michigan

MI020026 (Mar. 1, 2002)

MI020027 (Mar. 1, 2002)

MI020031 (Mar. 1, 2002)

MI020034 (Mar. 1, 2002)

MI020035 (Mar. 1, 2002)

MI020039 (Mar. 1, 2002)

MI020040 (Mar. 1, 2002)

MI020041 (Mar. 1, 2002)

MI020042 (Mar. 1, 2002)

MI020046 (Mar. 1, 2002)

MI020049 (Mar. 1, 2002)

MI020050 (Mar. 1, 2002)

##### Volume V

Iowa

IA020031 (Mar. 1, 2002)

##### Volume VI

Idaho

ID020001 (Mar. 1, 2002)

ID020002 (Mar. 1, 2002)

ID020003 (Mar. 1, 2002)

Oregon

OR020001 (Mar. 1, 2002)

OR020017 (Mar. 1, 2002)

##### Volume VII

California

CA020001 (Mar. 1, 2002)

CA020002 (Mar. 1, 2002)

CA020004 (Mar. 1, 2002)

CA020009 (Mar. 1, 2002)

CA020013 (Mar. 1, 2002)

CA020019 (Mar. 1, 2002)

CA020023 (Mar. 1, 2002)

CA020025 (Mar. 1, 2002)

CA020028 (Mar. 1, 2002)

CA020029 (Mar. 1, 2002)

CA020030 (Mar. 1, 2002)

CA020031 (Mar. 1, 2002)

CA020032 (Mar. 1, 2002)

CA020033 (Mar. 1, 2002)

CA020035 (Mar. 1, 2002)

CA020036 (Mar. 1, 2002)

CA020037 (Mar. 1, 2002)

#### General Wage Determination Publication

General wage determinations issued under the Davis-Bacon and related Acts, including those noted above, may be found in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under the Davis-Bacon And Related Acts". This publication is available at each of the 50 Regional Government Depository Libraries and many of the 1,400 Government Depository Libraries across the country.

General wage determinations issued under the Davis-Bacon and related Acts

are available electronically at no cost on the Government Printing Office site at <http://www.access.gpo.gov/davisbacon>. They are also available electronically by subscription to the Davis-Bacon Online Service <http://davisbacon.fedworld.gov> of the National Technical Information Service (NTIS) of the U.S. Department of Commerce at 1-800-363-2068. This subscription offers value-added features such as electronic delivery of modified wage decisions directly to the user's desktop, the ability to access prior wage decisions issued during the year, extensive Help desk Support, etc.

Hard-copy subscriptions may be purchased from: Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, (202) 512-1800.

When ordering hard-copy subscription(s), be sure to specify the State(s) of interest, since subscriptions may be ordered for any or all of the six separate Volumes, arranged by State. Subscriptions include an annual edition (issued in January or February) which includes all current general wage determinations for the States covered by each volume. Throughout the remainder of the year, regular weekly updates will be distributed to subscribers.

Signed at Washington, DC this 15th day of August, 2002.

**Terry Sullivan,**

*Acting Chief, Branch of Construction Wage Determinations.*

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## 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. Buck Mountain Coal Company

[Docket No. M-2002-062-C]

Buck Mountain Coal Company, PO Box 6, Tremont, Pennsylvania 17981 has filed a petition to modify the application of 30 CFR 75.1002-1 (Location of other electric equipment; requirements for permissibility) to its Buck Mountain Slope Mine (I.D. No. 36-01962) located in Schuylkill County, Pennsylvania. The petitioner requests a modification of the existing standard to permit the use of non-permissible electric equipment within 150 feet of the pillar line. The petitioner states that the non-permissible equipment would

include drags and battery locomotives due in part to the method of mining used in pitching anthracite mines and the alternative evaluation of the mine air quality for methane on an hourly basis during operation. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

##### 2. Buck Mountain Coal Company

[Docket No. M-2002-063-C]

Buck Mountain Coal Company, PO Box 6, Tremont, Pennsylvania 17981 has filed a petition to modify the application of 30 CFR 75.1100-2(a) (Quantity and location of firefighting equipment) to its Buck Mountain Slope Mine (I.D. No. 36-01962) located in Schuylkill County, Pennsylvania. The petitioner requests a modification of the standard to permit use of only portable fire extinguishers to replace existing requirements where rock dust, water cars, and other water storage equipped with three (3) ten quart pails is not practical. The petitioner proposes to use two (2) fire extinguishers near the slope bottom and an additional portable fire extinguisher within 500 feet of the working face for equivalent fire protection for the Buck Mountain Slope Mine. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

##### 3. Buck Mountain Coal Company

[Docket No. M-2002-064-C]

Buck Mountain Coal Company, PO Box 6, Tremont, Pennsylvania 17981 has filed a petition to modify the application of 30 CFR 75.1200 (d) & (i) (Mine map) to its Buck Mountain Slope Mine (I.D. No. 36-01962) located in Schuylkill County, Pennsylvania. The petitioner proposes to use cross-sections instead of contour lines through the intake slope, at locations of rock tunnel connections between veins, and at 1,000 foot intervals of advance from the intake slope; and to limit the required mapping of the mine workings above and below to those present within 100 feet of the vein being mined except when veins are interconnected to other veins beyond the 100-foot limit through rock tunnels. The petitioner asserts that due to the steep pitch encountered in mining anthracite coal veins, contours provide no useful information and their presence would make portions of the map illegible. The petitioner further asserts that use of cross-sections in lieu of contour lines has been practiced since the late 1800's thereby providing critical information relative to the

spacing between veins and proximity to other mine workings which fluctuate considerably. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

##### 4. Buck Mountain Coal Company

[Docket No. M-2002-065-C]

Buck Mountain Coal Company, PO Box 6, Tremont, Pennsylvania 17981 has filed a petition to modify the application of 30 CFR 75.1202 and 75.1202-1(a) (Temporary notations, revisions, and supplements) to its Buck Mountain Slope Mine (I.D. No. 36-01962) located in Schuylkill County, Pennsylvania. The petitioner proposes to revise and supplement mine maps annually instead of every 6 months as required, and to update maps daily by hand notations. The petitioner also proposes to conduct surveys prior to commencing retreat mining and whenever either a drilling program under 30 CFR 75.388 or plan for mining into inaccessible areas under 30 CFR 75.389 is required. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

##### 5. Energy West Mining Company

[Docket No. M-2002-066-C]

Energy West Mining Company, PO 310, Huntington, Utah 84528 has filed a petition to modify the application of 30 CFR 75.500(d) (Permissible electric equipment) to its Deer Creek Mine (I.D. No. 42-00121) located in Emery County, Utah. The petitioner proposes to use the following non-permissible equipment in by the last open crosscut: low-voltage or battery powered electronic testing and diagnostic equipment such as lap top computers, oscilloscopes, vibration analysis machines, cable fault detectors, point temperature probes, recording amp meters, thermal image devices, infrared temperature devices and recorders, pressure and flow measurement devices, signal analyzer devices, ultrasonic thickness gauges, electronic component testers, and electronic tachometers; low-voltage or battery powered equipment such as electric and/or battery operated drills and grinders; and other testing and diagnostic equipment if approved by the District Office. The petitioner states that equipment used in or in by the last open crosscut shall be examined by a qualified person on a weekly basis, and new equipment would be examined prior to use. The petitioner has listed in this petition specific procedures that would be followed when using this