

Dated: August 18, 1995.

Joshua Holian,

Paralegal, U.S. Department of Justice,
Antitrust Division, Computers & Finance
Section.

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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 are 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, N.W., Room S-3014, Washington, DC 20210.

Modifications to General Wage Determination Decisions

The number of decisions listed in 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

Massachusetts

MA950001 (Feb. 10,1995)
MA950002 (Feb. 10,1995)
MA950003 (Feb. 10,1995)
MA950007 (Feb. 10,1995)
MA950009 (Feb. 10,1995)
MA950010 (Feb. 10,1995)

Maine

ME950013 (Feb. 10,1995)

New Hampshire

NJ950007 (Feb. 10,1995)

New Jersey

NJ950002 (Feb. 10,1995)
NJ950003 (Feb. 10,1995)

New York

NY950008 (Feb. 10,1995)
NY950010 (Feb. 10,1995)
NY950016 (Feb. 10,1995)
NY950017 (Feb. 10,1995)
NY950033 (Feb. 10,1995)
NY950039 (Feb. 10,1995)
NY950041 (Feb. 10,1995)
NY950045 (Feb. 10,1995)
NY950072 (Feb. 10,1995)

Rhode Island

RI950001 (Feb. 10,1995)

Volume II

Pennsylvania

PA950006 (Feb. 10,1995)
PA950007 (Feb. 10,1995)
PA950009 (Feb. 10,1995)
PA950026 (Feb. 10,1995)
PA950030 (Feb. 10,1995)
PA950031 (Feb. 10,1995)
PA950040 (Feb. 10,1995)
PA950042 (Feb. 10,1995)

Volume III

None

Volume IV

Illinois

IL950001 (Feb. 10,1995)
IL950002 (Feb. 10,1995)
IL950004 (Feb. 10,1995)
IL950005 (Feb. 10,1995)
IL950006 (Feb. 10,1995)
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 IL950094 (Feb. 10,1995)
 IL950095 (Feb. 10,1995)
 IL950096 (Feb. 10,1995)
 IL950098 (Feb. 10,1995)

Volume V

Iowa

IA950005 (Feb. 10,1995)

Louisiana

LA950001 (Feb. 10,1995)

LA950004 (Feb. 10,1995)

LA950005 (Feb. 10,1995)

Volume VI

California

CA950004 (Feb. 10,1995)

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.

The general wage determinations issued under the Davis-Bacon and related Acts are available electronically by subscription to the FedWorld Bulletin Board System of the National Technical Information Service (NTIS) of the U.S. Department of Commerce at (703) 487-4630.

Hard-copy subscriptions may be purchased from: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 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 are distributed to subscribers.

Signed at Washington, D.C. this 1st day of September 1995.

Alan L. Moss,

Director, Division of Wage Determinations.

[FR Doc. 95-22253 Filed 9-7-95; 8:45 am]

BILLING CODE 4510-27-M

Mine Safety and Health Administration

Petitions for Modification

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

1. E & E Fuels

[Docket No. M-95-110-C]

E & E Fuels, P.O. Box 322, Hegins, Pennsylvania 17938 has filed a petition to modify the application of 30 CFR 75.340 to its Orchard Slope (I.D. No. 36-08346) located in Schuylkill County, Pennsylvania. The petitioner proposes to charge batteries on the mine's locomotive during idle periods when all miners are out of the mine and to have intake air used to ventilate the charging station to continue through the normal route to the last open crosscut and into the monkey airway (return). The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

2. Solar Sources Underground L.L.C.

[Docket No. M-95-111-C]

Solar Sources Underground L.L.C., P.O. Box 325, Monroe City, Indiana 47557 has filed a petition to modify the application of 30 CFR 75.1700 to its Monroe City Mine (I.D. No. 12-02103) located in Knox County, Indiana. The petitioner proposes to plug and mine through oil and gas wells. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

3. Peabody Coal Company

[Docket No. M-95-112-C]

Peabody Coal Company, 1951 Barrett Court, P.O. Box 1990, Henderson, Kentucky 42420-1990 has filed a petition to modify the application of 30 CFR 75.342(a)(2) to its Camp No. 11 Mine (I.D. No. 15-08357) located in Union County, Kentucky. The petitioner proposes to have alternative locations for two additional methane monitors in the longwall face area of the longwall shearing machine instead of using a single methane monitor. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

4. Continuous Mining, Inc.

[Docket No. M-95-113-C]

Continuous Mining, Inc., P.O. Box 239, Edgerton, West Virginia 25672 has filed a petition to modify the

application of 30 CFR 75.1710 to its Mine No. 1 (I.D. No. 46-07891) located in Mingo County, West Virginia. The petitioner operates its bridge haulage equipment manufactured for use in extremely low-seam mines and built without operator compartments or canopies. The petitioner proposes to operate this haulage equipment without canopies due to the frequent tearing out of roof bolts when trampling through dips and crests of hills in the coal seam being mined. The petitioner states that the use of canopies would expose the equipment operator to greater hazards than those incurred by operating without operator compartments and canopies.

5. Mystic Energy, Inc.

[Docket No. M-95-114-C]

Mystic Energy, Inc., 130 George Street, Suite J, Beckley, West Virginia 25801 has filed a petition to modify the application of 30 CFR 75.364(b)(1) to its B. L. Mining No. 3 Mine (I.D. No. 46-07139) located in Boone County, West Virginia. Due to deteriorating roof conditions in the intake air course, the area cannot be traveled safely. The petitioner proposes to examine approximately 3,000 feet of the intake air course in the No. 4 Entry by checking the inby and outby ends of the affected area and to monitor for methane and the quantity and quality of air. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

6. Consolidation Coal Company

[Docket No. M-95-115-C]

Consolidation Coal Company, Consol Plaza, 1800 Washington Road, Pittsburgh, Pennsylvania 15241-1421 has filed a petition to modify the application of 30 CFR 75.364(b)(1) to its Shoemaker Mine (I.D. No. 46-01436) located in Marshall County, West Virginia. Due to deteriorating roof and rib conditions in the intake airway from the Seabright Shaft to the No. 8 Seal in 4 North, the area cannot be traveled safely. The petitioner proposes to establish check points J and K to monitor the affected area and to have a certified person examine the area for methane and the quantity of air at both check points on a weekly basis; and to have the certified person initial and record the date, time, and results of the weekly examinations in a book kept on the surface and made available for inspection by interested persons. The petitioner asserts that the proposed alternative method would provide at