

Dated: August 7, 1998.

Laurie Robinson,

Assistant Attorney General.

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DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. ICR-98-34]

Presence Sensing Device Initiation (PSDI) (29 CFR 1910.217(h); Information Collection Requirements

ACTION: Notice; Opportunity for Public Comment.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA-95) (44 U.S.C. 3506(c)(2)(A)). This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and impact of collection requirements on respondents can be properly assessed. Currently, the Occupational Safety and Health Administration (OSHA) is soliciting comments concerning the proposed extension of the information collection requirements contained in the standard on Presence Sensing Device Initiation (29 CFR 1910.217(h)). The Agency is particularly interested in comments which:

- 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 use;
- 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.

DATES: Written comments must be submitted on or before October 13, 1998.

ADDRESSES: Comments are to be submitted to the Docket Office, Docket No. ICR-98-34, Occupational Safety and Health Administration, U.S. Department of Labor, Room N-2625, 200 Constitution Avenue, N.W., Washington, D.C. 20210. Telephone: (202) 219-7894. Written comments limited to 10 pages or less in length may also be transmitted by facsimile to (202) 219-5046.

FOR FURTHER INFORMATION CONTACT: Theda Kenney, Directorate of Safety Standards Programs, Occupational Safety and Health Administration, U.S. Department of Labor, Room N-3605, 200 Constitution Avenue, N.W., Washington, D.C. 20210, telephone: (202) 219-8061. A copy of the referenced information collection request is available for inspection and copying in the Docket Office and will be mailed to persons who request copies by telephoning Theda Kenney at (202) 219-8061, extension 100, or Barbara Bielaski at (202) 219-8076, extension 142. For electronic copies of the Information Collection Request on Presence Sensing Device Initiation (29 CFR 1910.217(h)), contact OSHA's WebPage on the Internet at <http://www.osha.gov> and click on "Regulations and Compliance."

SUPPLEMENTARY INFORMATION

I. Background

The Occupational Safety and Health Act of 1970 (the Act) authorizes the promulgation of such health and safety standards as are necessary or appropriate to provide safe or healthful employment and places of employment. The statute specifically authorizes information collection by employers as necessary or appropriate for the enforcement of the Act or for developing information regarding the causes and prevention of occupational injuries, illnesses, and accidents.

The collections of information contained in PSDI are considered essential for ensuring the safety of employees using presence sensing devices. The requirement for affixing test rod instructions label to the presence sensing device—1910.217(h)(10)(i)—enhances the proper and essential device testing. Because operator safety depends on the PSDI safety system, conforming with the equipment testing and checking requirements is absolutely essential for worker safety.

The requirements for certification/validation—1910.217(h)(11)(i) through (vi), (13), and Appendices A and C—ensure that the design, installation, and ongoing maintenance of the safety system is objectively evaluated for conformance with all applicable requirements of the section. The section further requires notification of unplanned incidents such as component failures and accidents which could impair the continuing safety of the system. For employees, employers, OSHA compliance and consultation personnel, insurance authorities, and others involved to be able to recognize easily that the system meets OSHA standards, the press must be labeled to affirm validation/certification. Submitting copies of accident reports to the validation organization is necessary to assure that the validation organization will have knowledge of field experience in this mode of press operation and will be able to incorporate any lessons learned from the accidents into the certification/validation program provisions.

Because this rule permits a mode of operation which previously was prohibited, OSHA believes it is especially essential to verify that this method does not compromise worker safety. The certification/validation program provides a method to ensure that the press and related equipment are properly arranged and that the installation does not become degraded over time. It should be noted that although OSHA uses the term "certification" for this process, it should not be confused with the use of the word as addressed in the OMB implementing regulations for the Paperwork Reduction Act, to reflect a minimal information collection method. The word "certification" in this rulemaking is based on the American National Standard ANSI Z31.1. 1-1987, and is nationally recognized as describing a broad, comprehensive, well-defined program for ensuring product or material conformance with established standards.

II. Current Actions

This notice requests public comment on OSHA's burden hour estimates before OSHA seeks Office of Management and Budget (OMB) approval of the information collection requirements contained in the Presence Sensing Device Initiation (PSDI) standard.

OSHA has calculated the burden for this collection of information at 30,615 burden hours. OSHA believes this amount may be even lower because many employers do not use PSDI. In

fact, many employers have not incurred any paperwork burden to comply with the standard because they have not elected to use PSDI features on their power presses. OSHA is requesting the appropriate approval from OMB in the event an employer may wish to use a PSDI, which will trigger the collection of information requirements.

Type of Review: Extension of a Currently Approved Collection.

Agency: U.S. Department of Labor, Occupational Safety and Health Administration.

Title: Presence Sensing Device Initiation (29 CFR 1910.217(h)).

OMB Number: 1218-0143.

Agency Number: Docket Number ICR-98-34.

Affected Public: Business or other for-profit; Not for profit institutions; Federal Government; State, local or tribal Government.

Number of Respondents: 2,238.

Frequency: Varies (Initially, Yearly, On Occasion).

Average Time per Response: Varies from two minutes (.02 hr.) to 4 hours.

Estimated Total Burden Hours: 30,615.

Total Annualized Capital/Startup Costs: \$0.

Comments submitted in response to this notice will be summarized and included in the request for Office of Management and Budget (OMB) approval of the information collection request. The comments will become a matter of public record.

Signed at Washington, DC, this 5th day of August 1998.

[FR Doc. 98-21784 Filed 8-12-98; 8:45 am]

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DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. ICR-98-32]

Control of Hazardous Energy Sources (Lockout/Tagout) (29 CFR 1910.147); Information Collection Requirements

ACTION: Notice; Opportunity for Public Comment.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA-95) (44 U.S.C. 3506(c)(2)(A)). This

program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and impact of collection requirements on respondents can be properly assessed. Currently, the Occupational Safety and Health Administration (OSHA) is soliciting comments concerning the proposed extension of the information collection requirements contained in the standard on the Control of Hazardous Energy Sources (Lockout/Tagout) (29 CFR 1910.147). The Agency 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.

DATES: Written comments must be submitted on or before October 13, 1998.

ADDRESSES: Comments are to be submitted to the Docket Office, Docket No. ICR-98-32, Occupational Safety and Health Administration, U.S. Department of Labor, Room N-2625, 200 Constitution Avenue, NW., Washington, DC 20210. Telephone: (202) 219-7894. Written comments limited to 10 pages or less in length may also be transmitted by facsimile to (202) 219-5046.

FOR FURTHER INFORMATION CONTACT: Theda Kenney, Directorate of Safety Standards Programs, Occupational Safety and Health Administration, U.S. Department of Labor, Room N-3605, 200 Constitution Avenue, NW., Washington, DC 20210, telephone: (202) 219-8061. A copy of the referenced information collection request is available for inspection and copying in the Docket Office and will be mailed to persons who request copies by telephoning Theda Kenney at (202) 219-8061, extension 100, or Barbara Bielaski

at (202) 219-8076, extension 142. For electronic copies of the Information Collection Request on the Control of Hazardous Energy (Lockout/Tagout), contact OSHA's WebPage on the Internet at <http://www.osha.gov> and click on "Regulations and Compliance."

SUPPLEMENTARY INFORMATION:

I. Background

The Occupational Safety and Health Act of 1970 (the Act) authorizes the promulgation of such health and safety standards as are necessary or appropriate to provide safe or healthful employment and places of employment. The statute specifically authorizes information collection by employers as necessary or appropriate for the enforcement of the Act or for developing information regarding the causes and prevention of occupational injuries, illnesses, and accidents.

The collections of information contained in the standard on the Control of Hazardous Energy Sources (Lockout/Tagout) are needed to reduce injuries and deaths in the workplace that occur when employees are engaged in maintenance, repair, and other service related activities requiring the control of potentially hazardous energy. The employer will use the information in the procedures he or she develops to provide employees with a clear understanding of uniform and safe methods for the application and removal of energy control measures involving work on machines or equipment, thereby, reducing accident probability. In addition, the information will be used by employers to enable them to pinpoint methods and operations currently in use that may require additional attention. The failure to provide and maintain access to this information will significantly impair OSHA's effort to control or reduce injuries and fatalities in the workplace that are associated with these activities and conditions.

II. Current Actions

This notice requests public comment on OSHA's burden hour estimates prior to OSHA seeking Office of Management and Budget (OMB) approval of the information collection requirements contained in the Control of Hazardous Energy Sources (Lockout/Tagout) standard.

Type of Review: Extension of a Currently Approved Collection.

Agency: U.S. Department of Labor, Occupational Safety and Health Administration.

Title: Control of Hazardous Energy Sources (Lockout/Tagout) (29 CFR 1910.147).