

(202) 693-8410; Fax: (202) 219-4745. These are not toll-free numbers. Comments may also be submitted electronically to [ebbsa.opr@dol.gov](mailto:ebbsa.opr@dol.gov).

#### SUPPLEMENTARY INFORMATION:

### I. Background

The Employee Benefits Security Administration (EBSA) has promulgated three regulations and a prohibited transaction class exemption (PTE) that address the problem of abandoned individual account pension plans. The abandoned plan initiative includes the following actions, which impose the following information collections:

#### 1. Qualified Termination

**Administrator (QTA) Regulation:** The QTA regulation creates an orderly and efficient process by which a financial institution that holds the assets of a plan that is deemed to have been abandoned may undertake to terminate the plan and distribute its assets to participants and beneficiaries holding accounts under the plan, with protections and approval of the Department under the standards of the regulation. The regulation requires the QTA to provide certain notices to the Department, to participants and beneficiaries, and to the plan sponsor (or service providers to the plan, if necessary), and to keep certain records pertaining to the termination.

**2. Abandoned Plan Terminal Report Regulation:** The terminal report regulation provides an alternative, simplified method for a QTA to satisfy the annual report requirement otherwise applicable to a terminating plan by filing a special simplified terminal report with the Department after terminating an abandoned plan and distributing its accounts to participants and beneficiaries.

**3. Terminated Plan Distribution Regulation:** The terminated plan distribution regulation establishes a safe harbor method by which fiduciaries who are terminating individual account pension plans (whether abandoned or not) may select an investment vehicle to receive account balances distributed from the terminated plan when the participant has failed to provide investment instructions. The regulation requires the fiduciaries to provide advance notice to participants and beneficiaries of how such distributions will be invested, if no other investment instructions are provided.

**4. Abandoned Plan Class Exemption:** The exemption permits a QTA that terminates an abandoned plan under the QTA regulation to receive payment for its services from the abandoned plan and to distribute the account balance of a participant who has failed to provide

investment direction into an individual retirement account (IRA) maintained by the QTA or an affiliate. Without the exemption, financial institutions could be unable to receive payment for services rendered out of plan assets without violating ERISA's prohibited transaction provisions and would therefore be highly unlikely to undertake the termination of abandoned plans. The exemption includes the condition that the QTA keep records of the distributions for a period of six years and make such records available on request to interested persons (including the Department and participants and beneficiaries). If a QTA wishes to be paid out of plan assets for services provided prior to becoming a QTA, the exemption requires that the QTA enter into a written agreement with a plan fiduciary or the plan sponsor prior to receiving payment and that a copy of the agreement be provided to the Department.

**5. PTE 2004-16 (Automatic Rollover Exemption):** Also included in this ICR are the notice and recordkeeping requirements contained in PTE 2004-16, which permits a pension plan fiduciary that is a financial institution and is also the employer maintaining an individual account pension plan for its employees to establish, on behalf of its separated employees, an IRA at a financial institution that is either the employer or an affiliate, which IRA would receive mandatory distributions that the fiduciary "rolls over" from the plan when an employee terminates employment.

Because all of these regulations and exemptions relate to terminating or abandoned plans and/or to distribution and rollover of distributed benefits for which no participant investment election has been made, the Department has combined the paperwork burden for all of these actions into one ICR. In the Department's view, this combination allows the public to have a better understanding of the aggregate burden imposed on the public for these related regulatory actions. OMB approved the ICR under OMB control number 1210-0127, which is scheduled to expire on June 30, 2009.

### II. Desired Focus of Comments

The Department is particularly interested in comments that:

- Evaluate whether the collections of information are 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 collections 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., by permitting electronic submission of responses.

### III. Current Action

The Department is requesting an extension of the currently approved ICR titled Termination of Abandoned Individual Account Plans. The Department is not proposing or implementing changes to the regulation or to the existing ICR. A summary of the ICR and the current burden estimates follows:

**Type of Review:** Extension of a currently approved collection of information.

**Agency:** Employee Benefits Security Administration, Department of Labor.

**Title:** Termination of Abandoned Individual Account Plans.

**OMB Number:** 1210-0127.

**Affected Public:** Individuals or households; Business or other for-profit; Not-for-profit institutions.

**Respondents:** 164,240.

**Frequency of Response:** On occasion.

**Responses:** 164,240.

**Estimated Total Burden Hours:** 7,313.

**Total Annual Cost (Operating and Maintenance):** \$997,000.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of the information collection request; they will also become a matter of public record.

Dated: March 23, 2009.

**Joseph S. Piacentini,**  
Director, Office of Policy and Research,  
Employee Benefits Security Administration.  
[FR Doc. E9-6838 Filed 3-26-09; 8:45 am]

BILLING CODE 4510-29-P

### DEPARTMENT OF LABOR

#### Occupational Safety and Health Administration

[Docket No. OSHA-2009-0001]

#### Advisory Committee on Construction Safety and Health (ACCSH) and ACCSH Work Group; Meetings

**AGENCY:** Occupational Safety and Health Administration (OSHA), Department of Labor.

**ACTION:** Announcement of a meeting of the Advisory Committee on Construction Safety and Health (ACCSH) and ACCSH Work Group meetings.

**SUMMARY:** ACCSH will meet April 16–17, 2009, and ACCSH Work Groups will meet April 14–15, 2009, in Washington, DC.

**DATES:**

*ACCSH:* ACCSH will meet from 8:30 a.m. to 4:30 p.m., Thursday, April 16, 2009, and from 8:30 a.m. to 1 p.m., Friday, April 17, 2009.

*ACCSH Work Groups:* ACCSH Work Groups will meet Tuesday, April 14, and Wednesday, April 15, 2009. (For Work Group meeting times, see the Work Group Schedule information in the **SUPPLEMENTARY INFORMATION** section of this notice.)

*Submission of Comments, Requests to Speak and Requests for Special Accommodation:* Comments, requests to speak at the ACCSH meeting and requests for special accommodation must be submitted (postmarked, sent, transmitted) by April 8, 2009.

**ADDRESSES:** *ACCSH and ACCSH Work Group Meetings:* ACCSH and ACCSH Work Group meetings will be held in Rooms N–3437 A–C of the Frances Perkins Building, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

*Submission of Comments, Requests to Speak at the ACCSH or ACCSH Work Group Meetings:* Interested parties may submit comments and requests to speak using any one of the following methods:

*Electronically:* You may submit materials, including attachments, electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the on-line instructions for submissions.

*Facsimile (FAX):* If your submission, including attachments, does not exceed 10 pages, you may fax it to the OSHA Docket Office at: (202) 693–1648.

*Mail, Hand Delivery, Express Mail, Messenger, or Courier Service:* Submit three copies of your submissions to the OSHA Docket Office, Room N–2625, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210. Deliveries (hand, express mail, messenger, and courier service) are accepted during the Department of Labor's and OSHA Docket Office's normal business hours, 8:15 a.m.–4:45 p.m., e.t. For assistance submitting materials to the OSHA's Docket Office, please call: telephone (202) 693–2350 (TTY (877) 889–5627).

*Requests for Special Accommodations:* Submit requests for special accommodations by telephone,

e-mail or hard copy to Ms. Veneta Chatmon, OSHA, Office of Communications, Room N–3647, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693–1999; e-mail [chatmon.veneta@dol.gov](mailto:chatmon.veneta@dol.gov).

*Instructions:* All submissions, requests to speak and requests for special accommodations must include the Agency name and the docket number for this meeting (Docket No. OSHA–2009–0001). Because of security-related procedures, submissions by regular mail may experience significant delays.

Comments and requests to speak, including personal information, are placed in the public docket without change and may be available online. Therefore, OSHA cautions against submitting certain personal information such as social security numbers and birthdates. For further information on submitting comments, requests to speak, and requests for public accommodation, see the Public Participation information in the **SUPPLEMENTARY INFORMATION** section of this notice.

**FOR FURTHER INFORMATION CONTACT:**

*For Press Inquiries:* Ms. Jennifer Ashley, OSHA, Office of Communications, Room N–3647, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693–1999.

*For General Information About ACCSH and ACCSH Meetings:* Mr. Michael Buchet, OSHA, Directorate of Construction, Room N–3468, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693–2020; e-mail [buchet.michael@dol.gov](mailto:buchet.michael@dol.gov).

*For Special Accommodations for the Meetings:* Ms. Veneta Chatmon, OSHA, Office of Communications, Room N–3647, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693–1999; e-mail [chatmon.veneta@dol.gov](mailto:chatmon.veneta@dol.gov).

**SUPPLEMENTARY INFORMATION:**

**ACCSH Meeting**

ACCSH will meet Thursday, April 16, 2009 and Friday, April 17, 2009, in Washington, DC. The meeting is open to the public.

ACCSH is authorized to advise the Secretary of Labor and Assistant Secretary of Labor for Occupational Safety and Health in the formulation of standards affecting the construction industry and on policy matters arising in the administration of the safety and health provisions of the Contract Work Hours and Safety Standards Act (Construction Safety Act) (40 U.S.C.

3701, 3704) and the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 *et seq.*). (See also 29 CFR 1911.10 and 1912.3).

The agenda topics for this meeting include:

- Remarks from the Office of the Assistant Secretary;
- Construction Update: Directorate of Construction;
- Trench Protective Systems—Trench Shoring and Shielding Association;
- Construction Stimulus Package Analysis: Major Sectors—McGraw-Hill Construction;
- Stimulus Impact on Road/Bridge Construction Safety—American Road and Transportation Builders Association;
- Stimulus Impact on Equipment Operations Safety—International Union of Operating Engineers;
- Stimulus Impact on Highway Work Zone Safety—Laborers' International Union of North America;
- Stimulus Impact on Paving and Associated Operations Safety—National Asphalt Pavers Association;
- Stimulus Impact on Transit and Other Sector Construction Safety—Associated Genreal Contractors;
- Stimulus Impact on Green Construction Safety—The Center for Construction Research and Training;
- Stimulus Challenges and Opportunities: Tracking Changes In Outcomes; Research To Practice; And Promoting Good Practice—National Institute of Occupational Safety and Health, Office of the Director;
- Work Group Reports, Work Group and Committee Administration;
- Public Comment Period.

ACCSH meetings are transcribed and detailed minutes of the meetings are prepared. Meeting transcripts and minutes are included in the record of ACCSH meetings which is available at <http://www.regulations.gov>. Work Group reports are also included in the ACCSH meeting record.

**ACCSH Work Group Meetings**

In conjunction with the ACCSH meeting, the following ACCSH Work Groups will meet on Tuesday, April 14, 2009:

- Diversity—Women in Construction, 8:15 to 9:45 a.m.;
- ROPS (Roll Over Protective Structures), 10 to 11:30 a.m.;
- Powered Fastening Tools (Nailguns), 12:30 to 2 p.m.;
- Silica, 2:15 to 3:45 p.m.; and
- Residential Fall Protection, 3:45 to 5:15 p.m.

The following additional ACCSH Work Groups will meet on Wednesday, April 15, 2009:

- Regulatory Compliance (Focused Inspections), 8:30 to 10 a.m.;
- Education and Training (OTI), 10:15 to 11:45 a.m.;
- Trenching, 12:45 to 2:15 p.m.; and
- Multilingual, 2:30 to 4 p.m.

For additional information on ACCSH Work Group meetings or participating in them, please contact Mr. Michael Buchet at the address above or look on the ACCSH page on OSHA's Web page at <http://www.osha.gov>.

#### Public Participation

*ACCSH Meetings and ACCSH Work Group Meetings:* ACCSH and ACCSH Work Group meetings are open to the public. Individuals needing special accommodations for ACCSH or ACCSH Work Group meetings please contact Ms. Chatmon at the address above.

*Submission of written comments and requests to address ACCSH:* Interested parties may submit written comments and request to make oral presentations to ACCSH (1) electronically, (2) by FAX, or (3) by hard copy (mail, hand delivery, express mail, messenger, courier). The request must include the docket number for this ACCSH meeting (Docket No. OSHA-2009-0001) and state the amount of time desired, the interest the presenter represents (e.g., businesses, organizations, themselves, affiliations, etc.), if any, and a brief outline of the presentation. Additionally at the Committee meeting, attendees may also request to address ACCSH by signing the public comment request sheet and listing the interests they represent (e.g., businesses, organizations, themselves, affiliations, etc., if any) and the topics to be addressed. Such requests may be granted at the ACCSH Chair's discretion and as time and circumstances permit.

Submissions, including written comments, materials presented to ACCSH and Work Group reports, will be included without change in the meeting record and may be made available online at <http://www.regulations.gov>.

Therefore, OSHA cautions interested parties about submitting certain personal information such as birth dates and social security numbers.

*Access to the Record of ACCSH Meetings, Including Work Group Reports:* To read or download submissions or the record of this ACCSH meeting, go to Docket No. OSHA-2009-0001 at <http://www.regulations.gov>.

• The meeting record and all submissions for this meeting will be listed in the <http://www.regulations.gov> index. Although listed in the index, some documents (e.g., copyrighted materials) are not publicly available through <http://www.regulations.gov>.

- The record and all submissions, including materials not available through <http://www.regulations.gov> will be available for inspection and copying in the OSHA Docket Office at the address above.

#### Authority and Signature

Mr. Donald G. Shalhoub, Deputy Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice under the authority granted by section 7 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 656), section 107 of the Contract Work Hours and Safety Standards Act (Construction Safety Act) (40 U.S.C. 3701 *et seq.*), 29 CFR 1911 and 1912, and Secretary of Labor's Order No. 5-2007 (72 FR 31160).

Signed at Washington, DC this 23rd day of March 2009.

**Donald G. Shalhoub,**

*Deputy Assistant Secretary of Labor for Occupational Safety and Health.*

[FR Doc. E9-6824 Filed 3-26-09; 8:45 am]

**BILLING CODE 4510-26-P**

#### NATIONAL SCIENCE FOUNDATION

##### National Science Board; Executive Committee; Sunshine Act Meetings; Notice (Revised)

The National Science Board's Executive Committee, pursuant to NSF regulations (45 CFR Part 614), the National Science Foundation Act, as amended (42 U.S.C. 1862n-5), and the Government in the Sunshine Act (5 U.S.C. 552b), hereby gives notice in regard to the scheduling of meetings for the transaction of National Science Board business and other matters specified, as follows:

**DATE AND TIME:** Tuesday, March 31, 2009 at 11:30 a.m.

**SUBJECT MATTER:** To make award actions.

**STATUS:** Closed.

This meeting will be held by teleconference originating at the National Science Board Office, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230. Please refer to the National Science Board Web site (<http://www.nsf.gov/nsb>) for information or schedule updates, or contact: Clifford Gabriel, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230. Telephone: (703) 292-7571.

**Ann Ferrante,**  
*Writer-Editor.*

[FR Doc. E9-6834 Filed 3-26-09; 8:45 am]

**BILLING CODE 7555-01-P**

#### NUCLEAR REGULATORY COMMISSION

[Docket No. NRC-2009-0133]

##### Agency Information Collection Activities: Proposed Collection; Comment Request

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

**ACTION:** Notice of pending NRC action to submit an information collection request to the Office of Management and Budget (OMB) and solicitation of public comment.

**SUMMARY:** The NRC invites public comment about our intention to request the OMB's approval for renewal of an existing information collection that is summarized below. We are required to publish this notice in the **Federal Register** under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

Information pertaining to the requirement to be submitted:

1. *The Title of the Information Collection:* 10 CFR part 40, Domestic Licensing of Source Material.
2. *Current OMB Approval Number:* 3150-0020.
3. *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. NRC Form 484 is submitted semiannually to report ground-water data necessary to implement EPA ground-water standards.
4. *Who is Required or Asked to Report:* 10 CFR part 40: Applicants for and holders of NRC licenses authorizing the receipt, possession, use, or transfer of radioactive source and byproduct material.
5. *The Number of Annual Respondents:* 894 (273 NRC Licensees [68 NRC responses + 205 NRC Recordkeepers] + 621 Agreement State Licensees [349 Agreement State responses + 272 Agreement State recordkeepers])
6. *The Number of Hours Needed Annually to Complete the Requirement or Request:* 64,214 total hours [20,525 for NRC Licensees (15,823 hours for reporting and 4,702 hours for recordkeeping) and 43,689 for Agreement State Licensees (25,963