

Test Certification Record, contact OSHA's WebPage on the Internet at <http://www.osha.gov/> and click on "standard."

SUPPLEMENTARY INFORMATION:

I. Background

OSHA requires that you hydrostatically test portable fire extinguishers every five to 12 years depending upon the type of shell construction. Upon request, evidence must be presented indicating that such tests had been conducted at the time intervals shown in Table L-1 of 29 CFR 1910.157. OSHA requires the employer to provide, as evidence of the test, the date of the test, the signature of the person performing the test, and the serial number or other identifier of the extinguisher that was tested. The employer must retain the evidence of testing for the test interval OSHA requires for the extinguisher (five to 12 years) or until the extinguisher is removed from service.

II. Current Actions

This notice requires an extension of the current Office of Management and Budget (OMB) approval of the inspection certification requirements contained in Portable Fire Extinguishers (29 CFR 1910.157(f)(16))—Hydrostatic Test Certification Record (currently approved under OMB Control No. 1218-0210).

Type of Review: Extension.

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

Title: Portable Fire Extinguishers (29 CFR 1910.157(f)(16))—Hydrostatic Test Certification Record.

OMB Number: 1218.

Agency Number: Docket Number ICR-97-31.

Affected Public: Business or other for-profit; Federal, state, local or tribal governments.

Number of Respondents: 1,275,500.

Frequency: Varies.

Average Time per Response: 0.25 hours.

Estimated Total Burden Hours: 318,750.

Total Annualized Capital/Startup Costs: \$0.

Signed at Washington, D.C., this 26th day of June 1997.

John F. Martonik,

Acting Director, Directorate of Safety Standards Program.

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DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. ICR 97-30]

Agency Information Collection Activities; Request for Withdrawal of Approval for Information Collection Activities; Aboveground Tank Venting Devices (29 CFR 1910.106(b)(2)(v)(i) and 29 CFR 1926.152(i)(2)(v)(i)—Manufacturers' Certification of Test

ACTION: Withdrawal.

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, OSHA is soliciting comments concerning the proposed withdrawal of the information collection requirements for a manufacturer's certification of test validity for aboveground liquid storage tank venting devices contained in 29 CFR 1910.106(b)(2)(v)(i) and 29 CFR 1926.152(i)(v)(I).

DATES: Written comments must be submitted on or before September 5, 1997.

ADDRESSES: Comments are to be submitted to the Docket Office, Docket No. ICR-97-30, Occupational Safety and Health Administration, U.S. Department of Labor, Room N-2625, 200 Constitution Avenue, NW, 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: Michael B. Moore, Directorate of Safety Standards Programs, Occupational Safety and Health Administration, U.S. Department of Labor, Room N-3605, 200 Constitution Avenue, NW, Washington, D.C. 20210. Telephone: (202) 219-7216, ext. 115. Copies of the referenced information collection request are 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, ext. 100, or Barbara Bielaski at (202) 219-8076, ext. 142. For electronic copies of the Information Collection Request to Withdraw on the certification provisions of Aboveground Tank Venting Devices, contact OSHA's Web Page on the Internet at <http://www.osha.gov/> and click on standards.

SUPPLEMENTARY INFORMATION:

I. Comments

OSHA requests comments on its determination that the vent test requirements do not involve a collection of information and; therefore, are not subject to approval of OMB under the Paperwork Reduction Act (PRA).

The provisions in question require the employer to make a test but do not require records. Tests performed by manufacturer must be certified by a qualified impartial observer. OSHA originally considered the term "certified" to involve a collection of information and to be subject to PRA. Upon reconsideration, OSHA no longer believes the term "certified" as used implies a paperwork burden and hence its request to withdraw its paperwork burden estimate. There is no change to the actual requirement to conduct the test as a result of the Agency's determination that no paperwork burden exists.

If commenters disagree with the Agency's determination, and instead believe that a burden does exist, then 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 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.

II. OSHA's Estimate of a Burden

As stated before, OSHA no longer believes that an information collection burden exists for these two provisions.

However, with respect to 29 CFR 1910.106(b)(2)(v)(i), OSHA estimated previously that there were 3 million employers that could have aboveground storage tanks that would require venting devices. Of those, OSHA estimated that one-half or 1.5 million employers would turn to the manufacturer for venting device testing. OSHA previously assumed that these 1.5 million employers would have to obtain and make available to OSHA a manufacturer's certificate of test validity. OSHA estimated that it would take each employer 5 minutes to retrieve and provide the manufacturer's test certificate to OSHA and that each employer could have 5 tanks. Based upon these assumptions, OSHA estimated previously that it would take employers 625,000 hours to provide the test certificates (1.5 million employers x 5 minutes/employer x 5 tanks/employer). OSHA used a wage rate of \$25.00/hour for the individual who would obtain and provide the test validity certificate. OSHA, therefore, estimated a one-time cost burden of \$15,625,000.00.

With respect to 29 CFR 1926.152(i)(2)(v)(I), OSHA estimated previously that there were 1,000 construction sites that could have as many as two tanks per site that would use the manufacturer's test. Using the same wage rate as used for part 1910, OSHA estimated that employers in the construction industry would use approximately 833 hours and spend approximately \$20,825.00 to obtain and provide the manufacturer's certificate of test validity.

The total burden estimate for this standard in both general industry and construction was estimated to be 625,833 hours and \$15,627,075.00.

With the withdrawal of the previous information collection approval, the burden for these certifications will become zero dollars.

Type of Review: Request for withdrawal of approval.

Title: Aboveground Tank Venting Devices (29 CFR 1910.106(b)(2)(v)(i) and 29 CFR 1926.152(i)(2)(v)(I)—Manufacturer's Certification Test.

Frequency of Response: Varies.

Affected Public: Business or other for profit and Federal; State, local or tribal governments.

Previous Number of Respondents: 1,501,000.

Revised Number of Respondents: Zero (0).

Previous Estimated Time Per Response: 5 minutes.

(Revised Time of Response: Zero minutes (0:00).

Previous Total Annual Burden Hours: 625,083.

Revised Total Annual Burden Hours: 0.

Total Annualized Capital/Startup Costs: 0.

Signed at Washington, D.C., this 26th day of June 1997.

John F. Martonik,

Acting Director, Directorate of Safety Standards Programs.

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DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. ICR-97-39]

Agency Information Collection Activities; Proposed Collection; Comment Request; Telecommunications (19 CFR 1910.268(c))—Training Certification

ACTION: Notice.

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 requirement contained in 29 CFR 1910.268(c). 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 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 September 5, 1997.

ADDRESSES: Comments are to be submitted to the Docket Office, Docket No. ICR-97-39, Occupational Safety and Health Administration, U.S. Department of Labor, Room N-2625, 200 Constitution Avenue, NW, Washington, D.C. 20210. Telephone: (202) 219-7894. Written comments limited as 10 pages or less in length may also be transmitted by facsimile to (202) 219-5046.

FOR FURTHER INFORMATION CONTACT: Belinda Cannon, Directorate of Safety Standards Programs, Occupational Safety and Health Administration, U.S. Department of Labor, Room N-3605, 200 Constitution Avenue, NW, Washington, D.C. 20210, telephone: (202) 219-8161. Copies of the referenced information collection request are 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, ext. 100, or Barbara Bielaski at (202) 219-8076, ext. 142. For electronic copies of the Information Collection Request on the training provision in the Telecommunications standard, contact OSHA's WebPage on the Internet at <http://www.osha.gov/> and click on "standards."

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 training certification records required in 29 CFR 1910.268(c) are necessary to assure compliance with the requirement for telecommunications. They are intended to assure that employees have been trained in the various precautions and safe practices in work performed at