

airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

\* \* \* \* \*

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth*

\* \* \* \* \*

ANM WY E5 Sheridan, WY [Revised]  
Sheridan County Airport, WY  
(Lat. 44°46'15"N, long. 106°58'43"W)

### Sheridan VORTAC

(Lat. 44°50'32"N, long. 107°03'40"W)

That airspace extending upward from 700 feet above the surface within a 6.1-mile radius of the Sheridan County Airport; that Airspace extending upward from 1,200 feet above the surface within 6.1 miles southwest and 8.7 miles northeast of the Sheridan VORTAC 138° and 318° radials extending from 16.1 miles northwest to 29.6 miles southeast of the VORTAC, and that airspace southeast of Sheridan bounded on the north by a line located 4.3 miles south of and parallel to the Sheridan VORTAC 104° radial, on the east by a 30.5-mile radius of the Sheridan VORTAC, and on the south by a line located 8.7 miles north of and parallel to the Sheridan VORTAC 138° radial.

\* \* \* \* \*

Issued in Seattle, Washington, on  
September 14, 1995.

Helen Fabian Parke,

*Manager, Air Traffic Division, Northwest Mountain Region.*

[FR Doc. 95-24282 Filed 9-28-95; 8:45 am]

BILLING CODE 4910-13-M

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## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

#### 29 CFR Parts 1915 and 1926

RIN 1218-AB25

#### Occupational Exposure to Asbestos

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

**ACTION:** Final rule; amendments.

**SUMMARY:** This document corrects the Asbestos final rule which was published August 10, 1994 (59 FR 40964, 29 CFR 1915.1001 and 1926.1101) and corrected and clarified June 29, 1995 (60 FR 33974).

**EFFECTIVE DATE:** These amendments take effect on October 1, 1995.

**FOR FURTHER INFORMATION CONTACT:** Ms. Ann Cyr, Acting Director of Information and Consumer Affairs, Occupational Safety and Health Administration, U.S. Department of

Labor, Room N3647, 200 Constitution Avenue, NW., Washington, DC 20210, telephone (202) 219-8151.

**SUPPLEMENTARY INFORMATION:** OSHA issued improved asbestos standards for general industry, construction, and shipyard employment on August 10, 1994 at 59 FR 40964 to better protect workers from lung cancer, asbestosis and other diseases caused by asbestos exposure. OSHA published a notice correcting and clarifying certain provisions on June 29, 1995. This document further corrects and clarifies various provisions of the construction and shipyards employment standards. The general industry standard is not further amended.

Because the corrections are based on the existing rulemaking record and are not intended to affect the protection afforded by the standard in a significant way, OSHA finds good cause, pursuant to 29 CFR 1911.15 and the Administrative Procedure Act, for promulgating the corrections without notice and opportunity for public comment.

OSHA briefly describes in this preamble, changes to the regulatory text of the standards which are more than typographical in nature.

In both the construction and shipyards standards paragraph (g)(7)(iii) is redesignated as (g)(7)(ii)(C) to clarify that dropcloths are required beneath all indoor removal activity.

OSHA has determined that when gaskets are removed intact, wet methods are not required. Therefore, paragraph (g)(8)(iv)(B) is deleted and the word "wet" is removed from (g)(8)(iv)(C). The standard still requires that when gaskets are visibly deteriorated, they must be removed using glovebags and wet methods.

Paragraph (g)(11) of 1926.1101 and paragraph (g)(12) of 1915.1001 are revised to allow bituminous or asphaltic pipeline coating to be handled using the same "alternative methods" set forth in the June 1995 correction notice, for certain bituminous/resinous roofing materials. OSHA recognizes that asphaltic wrap is similar to these roofing materials because the highly effective material used to bind asbestos fibers, is the same. A new paragraph (g)(11)(vi) of the construction standard (1926.1101) and (g)(12)(vi) of the shipyard employment standard (1915.1001) is added to specify that activities that disturb asphaltic pipeline wrap must be performed using wet methods. Submissions by Exxon to the 1994 rulemaking record which indicate that these activities generate low fiber levels were performed using wet methods (Docket H033e, Exhibit 127).

In the preamble to the June 29 Federal Register correction document, OSHA stated its intention to allow the use of powered air-purifying respirators adequately fitted to give a good face seal when exposure assessment and monitoring data indicate that asbestos exposure levels do not exceed 1.0 fibers per cubic centimeter as an 8-hour time weighted average. However, this provision was inadvertently omitted from the regulatory text. Paragraph (h)(2)(v) of both standards is corrected to include this provision.

Paragraph (o)(4) of both standards is corrected to allow competent/qualified person training to be obtained in a course that meets the EPA criteria for supervisors, one which is state-approved, or one which is equivalent in stringency, content, and length. This restores the August 10, 1994 regulatory text allowing training in state-approved courses for competent/qualified persons which was inadvertently omitted from the June 19 document.

List of Subjects in 29 CFR Parts 1915 and 1916

Asbestos, Occupational Safety and Health.

This document was prepared under the direction of Joseph A. Dear, Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

Accordingly, pursuant to sections 4, 6(b), 8(c), and 8(g) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 653, 655, 657); Sec. 107, Contract Work Hours and Safety Standards Act (Construction Safety Act, 40 U.S.C. 333); Sec. 41, Longshore and Harbor Workers' Compensation Act (33 U.S.C. 941); 5 U.S.C. Sec. 553; and 29 CFR Part 1911; 29 CFR Parts 1915 and 1926 are amended as set forth below.

Signed at Washington, DC this 25th day of September, 1995.

Joseph A. Dear,

*Assistant Secretary, Occupational Safety and Health Administration.*

## PART 1915—OCCUPATIONAL SAFETY AND HEALTH STANDARDS FOR SHIPYARD EMPLOYMENT

### § 1915.1001 [Amended]

1. and 2. The authority citation of 29 CFR Part 1915 continues to read as follows:

Authority: Sec. 41, Longshore and Harbor Workers Compensation Act (33 U.S.C. 941); sections 4, 6, and 8, Occupational Safety and Health Act of 1970 (29 U.S.C. 653, 655, 657); sec. 4 of the Administrative Procedure Act (5 U.S.C. 553); Secretary of Labor's Order No. 12-71 (36 FR 8754), 8-76 (41 FR 25059), 9-

83 (48 FR 35736) or 1-90 (55 FR 9033), as applicable; 29 CFR Part 1911.

**§ 1915.1001 [Amended]**

3. In § 1915.1001, paragraph (g)(7)(iii) is redesignated as (g)(7)(ii)(C), and a new paragraph (g)(7)(iii) is added and reserved.

4. and 5. In § 1915.1001, paragraph (g)(8)(iv)(B) is removed and reserved.

6. In § 1915.1001, paragraph (g)(8)(iv)(C) is revised to read as follows:

**§ 1915.1001 Asbestos.**

\* \* \* \* \*

- (g) \* \* \*
- (8) \* \* \*
- (iv) \* \* \*

(C) The gasket shall be immediately placed in a disposal container.

\* \* \* \* \*

7. In § 1915.1001, paragraph (g)(12) introductory text is revised to read as follows:

\* \* \* \* \*

- (g) \* \* \*

(12) Alternative methods of compliance for installation, removal, repair, and maintenance of certain roofing and pipeline coating materials. Notwithstanding any other provision of this section, and employer who complies with all provisions of this paragraph (g)(12) when installing, removing, repairing, or maintaining intact pipeline asphaltic wrap, or roof cements, mastics, coatings, or flashings which contain asbestos fibers encapsulated or coated by bituminous or resinous compounds shall be deemed to be in compliance with this section. If an employer does not comply with all provisions of this paragraph (g)(12), or if during the course of the job the material does not remain intact, the provisions of paragraph (g)(8) of this section apply instead of this paragraph (g)(12).

\* \* \* \* \*

8. In § 1915.1001, paragraph (g)(12)(vi) is added to read as follows:

\* \* \* \* \*

- (g) \* \* \*
- (12) \* \* \*

(vi) All removal or disturbance of pipeline asphaltic wrap shall be performed using wet methods.

\* \* \* \* \*

9. In § 1915.1001, paragraph (h)(2)(v) is revised to read as follows:

\* \* \* \* \*

- (h) \* \* \*
- (2) \* \* \*

(v) In addition to the selection criteria in paragraph (h)(2)(i) through (iv), the employer shall provide a tight-fitting powered air purifying respirator equipped with high efficiency filters or

a full facepiece supplied air respirator operated in the pressure demand mode equipped with HEPA egress cartridges or an auxiliary positive pressure self-contained breathing apparatus for all employees within the regulated area where Class I work is being performed for which a negative exposure assessment has not been produced and, the exposure assessment indicates the exposure level will not exceed 1 f/cc as an 8-hour time weighted average. A full facepiece supplied air respirator operated in the pressure demand mode equipped with an auxiliary positive pressure self-contained breathing apparatus shall be provided under such conditions, if the exposure assessment indicates exposure levels above 1 f/cc as an 8-hour time weighted average.

\* \* \* \* \*

10. In § 1915.1001, paragraph (o)(4)(i) is revised to read as follows:

\* \* \* \* \*

- (o) \* \* \*
- (4) \* \* \*

(i) For Class I and II asbestos work the qualified person shall be trained in all aspects of asbestos removal and handling, including: Abatement, installation, removal and handling; the contents of this standard; the identification of asbestos; removal procedures, where appropriate; and other practices for reducing the hazard. Such training shall be obtained in a comprehensive course for supervisors, that meets the criteria of EPA's Model Accreditation Plan (40 CFR part 763, subpart E, Appendix C), such as a course conducted by an EPA-approved or state-approved training provider, certified by EPA or a state, or a course equivalent in stringency, content, and length.

\* \* \* \* \*

**PART 1926—SAFETY AND HEALTH REGULATIONS FOR CONSTRUCTION**

1. and 2. The authority citation of subpart Z of 29 CFR Part 1926 continues to read as follows:

Authority: Sections 6 and 8, Occupational Safety and Health Act, 29 U.S.C. 655, 657; Secretary of Labor's Orders Nos. 12-71 (36 FR 8754), 8-76 (41 FR 25059), 9-83 (48 FR 35736) or 1-90 (55 FR 9033) as applicable; and 29 CFR Part 1911.

Section 1926.1101 also issued under 5 U.S.C. 553.

Section 1926.1102 not issued under 29 U.S.C. 655 or 29 CFR Part 1911; also issued under 5 U.S.C. 553.

Section 1926.1103 through 1926.1118 also issued under 29 U.S.C. 653.

Section 1926.1128 also issued under 29 U.S.C. 653.

Section 1926.1145 and 1926.1147 also issued under 29 U.S.C. 653.

Section 1926.1148 also issued under 29 U.S.C. 653.

**§ 1926.1101 [Amended]**

3. In § 1926.1101, paragraph (g)(7)(iii) is redesignated as (g)(7)(ii)(C), and a new paragraph (g)(7)(iii) is added and reserved.

4. and 5. In § 1926.1101, paragraph (g)(8)(iv)(B) is removed and reserved.

6. In § 1926.1101, paragraph (g)(8)(iv)(C) is revised to read as follows:

**§ 1926.1101 Asbestos.**

\* \* \* \* \*

- (g) \* \* \*
- (8) \* \* \*
- (iv) \* \* \*

(c) The gasket shall be immediately placed in a disposal container.

\* \* \* \* \*

7. In § 1926.1101, paragraph (g)(11) introductory text is revised to read as follows:

\* \* \* \* \*

- (g) \* \* \*

(11) Alternative methods of compliance for installation, removal, repair, and maintenance of certain roofing and pipeline coating materials. Notwithstanding any other provision of this section, an employer who complies with all provisions of this paragraph (g)(11) when installing, removing, repairing, or maintaining intact pipeline asphaltic wrap, or roof cements, mastics, coatings, or flashings which contain asbestos fibers encapsulated or coated by bituminous or resinous compounds shall be deemed to be in compliance with this section. If an employer does not comply with all provisions of this paragraph (g)(11), or if during the course of the job the material does not remain intact, the provisions of paragraph (g)(8) of this section apply instead of this paragraph (g)(11).

\* \* \* \* \*

8. In § 1926.1101, paragraph (g)(11)(vi) is added to read as follows:

\* \* \* \* \*

- (g) \* \* \*
- (11) \* \* \*

(vi) All removal or disturbance of pipeline asphaltic wrap shall be performed using wet methods.

\* \* \* \* \*

9. In § 1926.1101, paragraph (h)(2)(v) is revised to read as follows:

\* \* \* \* \*

- (h) \* \* \*
- (2) \* \* \*

(v) In addition to the selection criteria in paragraphs (h)(2)(i) through (iv), the employer shall provide a tight-fitting powered air purifying respirator equipped with high efficiency filters or

a full facepiece supplied air respirator operated in the pressure demand mode equipped with HEPA egress cartridges or an auxiliary positive pressure self-contained breathing apparatus for all employees within the regulated area where Class I work is being performed for which a negative exposure assessment has not been produced and, the exposure assessment indicates the exposure level will not exceed 1 f/cc as an 8-hour time weighted average. A full facepiece supplied air respirator operated in the pressure demand mode equipped with an auxiliary positive pressure self-contained breathing apparatus shall be provided under such conditions, if the exposure assessment indicates exposure levels above 1 f/cc as an 8-hour time weighted average.

\* \* \* \* \*

10. In § 1926.1101, paragraph (o)(4)(i) is revised to read as follows:

\* \* \* \* \*

(o) \* \* \*

(4) \* \* \*

(i) For Class I and II asbestos work the competent person shall be trained in all aspects of asbestos removal and handling, including: abatement, installation, removal and handling; the contents of this standard; the identification of asbestos; removal procedures, where appropriate; and other practices for reducing the hazard. Such training shall be obtained in a comprehensive course for supervisors that meets the criteria of EPA's Model Accreditation Plan (40 CFR part 763, subpart E, Appendix C), such as a course conducted by an EPA-approved or state-approved training provider, certified by EPA or a state, or a course equivalent in stringency, content, and length.

\* \* \* \* \*

[FR Doc. 95-24171 Filed 9-28-95; 8:45 am]

BILLING CODE 4510-26-M

**PENSION BENEFIT GUARANTY CORPORATION**

**29 CFR Parts 2627, 2645, and 2674**

**RIN 1212-AA77**

**Display of OMB Control Numbers**

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Final rule; technical amendments.

**SUMMARY:** This document amends the PBGC's final regulations on Disclosure to Participants (29 CFR Part 2627), Extension of Special Withdrawal Liability Rules (29 CFR Part 2645), and

Notice of Insolvency (29 CFR Part 2674) to display the applicable OMB control numbers.

**EFFECTIVE DATE:** September 29, 1995.

**FOR FURTHER INFORMATION CONTACT:** Catherine B. Klion, Attorney, Office of the General Counsel, PBGC, 1200 K Street, NW., Washington, DC 20005-4026, 202-326-4024 (202-326-4179 for TTY and TDD).

**SUPPLEMENTARY INFORMATION:** The Pension Benefit Guaranty Corporation is amending several of its regulations to display the applicable Office of Management and Budget control numbers as required by 5 CFR 1320.4 and 1320.5. All of the collections of information contained in Parts 2627, 2645, and 2674 have been approved by OMB.

List of Subjects in 29 CFR Parts 2627, 2645, and 2674

Pension insurance, Pensions, Reporting and recordkeeping requirements.

Accordingly, 29 CFR Parts 2626, 2645, and 2674 are amended as follows:

**PART 2627—DISCLOSURE TO PARTICIPANTS**

1. The authority citation for part 2627 continues to read as follows:

Authority: 29 U.S.C. 1302(b)(3), 1311.

2. A new § 2627.11 is added to read as follows:

**§ 2627.11 OMB control number.**

The collections of information contained in this part have been approved by the Office of Management and Budget under OMB control number 1212-0050.

**PART 2645—EXTENSION OF SPECIAL WITHDRAWAL LIABILITY RULES**

3. The authority citation for part 2645 continues to read as follows:

Authority: 29 U.S.C. 1302(b)(3), 1383(f), 1388(e)(3).

4. A new § 2645.5 is added to read as follows:

**§ 2645.5 OMB control number.**

The collections of information contained in this part have been approved by the Office of Management and Budget under OMB control number 1212-0023.

**PART 2674—NOTICE OF INSOLVENCY**

5. The authority citation for part 2674 continues to read as follows:

Authority: 29 U.S.C. 1302(b)(3), 1426(e).

**§ 2674.5 [Amended]**

6. At the end of § 2674.5, the words "(Approved by the Office of Management and Budget under control number 1212-0033)" are removed.

**§ 2674.6 [Amended]**

7. At the end of § 2674.6, the words "(Approved by the Office of Management and Budget under control number 1212-0033)" are added.

Issued in Washington, DC, this 22d day of September 1995.

Martin Slate,

*Executive Director, Pension Benefit Guaranty Corporation.*

[FR Doc. 95-24220 Filed 9-28-95; 8:45 am]

BILLING CODE 7708-01-M

**DEPARTMENT OF EDUCATION**

**34 CFR Part 80**

**Education Department General Administrative Regulations; Cost Principles for State, Local and Indian Tribal Governments**

**AGENCY:** Department of Education.

**ACTION:** Announcement regarding the revision of certain cost principles.

**SUMMARY:** The Secretary announces the applicability of revised Office of Management and Budget (OMB) Circular A-87, "Cost Principles for State, Local and Indian Tribal Governments," as revised by OMB in the Federal Register of May 17, 1995 (60 FR 26484). This Circular establishes principles for determining allowable costs incurred by State, local, and Indian tribal governments under certain agreements with the Federal Government.

While the Department has decided to make this circular apply to grants and subgrants made on or after October 1, 1995, this notice also permits flexibility for costs incurred after July 1, 1995.

**DATES:** This notice takes effect for grants and subgrants awarded on or after on October 1, 1995.

**FOR FURTHER INFORMATION CONTACT:** Richard T. Mueller, U.S. Department of Education, Grants and Contracts Service, Room 3652 ROB, 600 Independence Ave., SW. Washington, DC 20202-4201. Telephone: (202) 708-8787. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

**SUPPLEMENTARY INFORMATION:** On March 11, 1988, the Secretary published 34