

*Background:* ACCSH is a continuing advisory committee established under Section 107(e) of the CSA to advise the Secretary of Labor (Secretary) in the formulation of construction safety and health standards, as well as on policy matters arising under the CSA and the OSH Act. In particular, 29 CFR 1911.10(a) and 1912.3(a) provide that the Assistant Secretary shall consult with ACCSH whenever the Agency proposes any safety or health standard that affects the construction industry.

ACCSH operates in accordance with the CSA, the OSH Act, the Federal Advisory Committee Act (FACA) (5 U.S.C. App. 2), and regulations issued pursuant to those statutes (29 CFR part 1912, 41 CFR part 102-3). ACCSH generally meets two to four times a year.

*ACCSH membership:* ACCSH consists of 15 members whom the Secretary appoints. ACCSH members generally serve staggered two-year terms, unless they resign, cease to be qualified, or become unable to serve, or the Secretary removes them (29 CFR 1912.3(e)). The Secretary may appoint ACCSH members to successive terms. No member of ACCSH, other than members who represent employers or employees, shall have an economic interest in any proposed rule that affects the construction industry (29 CFR 1912.6).

The categories of ACCSH membership, and the number of new members to be appointed to replace members whose terms will expire, are:

- Five members who are qualified by experience and affiliation to present the viewpoint of employers in the construction industry—three employer representatives will be appointed;
- Five members who are similarly qualified to present the viewpoint of employees in the construction industry—three employee representatives will be appointed;
- Two representatives of State safety and health agencies—one representative from a State safety and health agency will be appointed;
- Two public members, qualified by knowledge and experience to make a useful contribution to the work of ACCSH, such as those who have professional or technical experience and competence with occupational safety and health in the construction industry—one public representative will be appointed; and
- One representative designated by the Secretary of the Department of Health and Human Services and appointed by the Secretary—no new appointment will be made.

The Department of Labor is committed to equal opportunity in the workplace and seeks broad-based and

diverse ACCSH membership. Any interested person or organization may nominate one or more individuals for membership on ACCSH. Interested persons also are invited and encouraged to submit statements in support of nominees.

*Submission requirements:* Nominations must include the following information:

- Nominee's contact information and current employment or position;
- Nominee's résumé or curriculum vitae, including prior membership on ACCSH and other relevant organizations and associations;
- Category of membership (employer, employee, public, State safety and health agency) that the nominee is qualified to represent;
- A summary of the background, experience, and qualifications that addresses the nominee's suitability for each of the nominated membership categories;
- Articles or other documents the nominee has authored that indicate the nominee's knowledge, experience, and expertise in occupational safety and health, particularly as it pertains to the construction industry; and
- A statement that the nominee is aware of the nomination, is willing to regularly attend and participate in ACCSH meetings, and has no conflicts of interest that would preclude membership on ACCSH.

*Member selection:* The Secretary will select ACCSH members on the basis of their experience, knowledge, and competence in the field of occupational safety and health, particularly as it pertains to the construction industry. Information received through this nomination process, in addition to other relevant sources of information, will assist the Secretary in appointing members to ACCSH. In selecting ACCSH members, the Secretary will consider individuals nominated in response to this **Federal Register** notice, as well as other qualified individuals.

*Instructions for submitting nominations:* All nominations, supporting documents, attachments, and other materials must identify the Agency name and the docket number for this **Federal Register** notice (Docket No. OSHA-2016-0009). Submit materials electronically, by FAX, or by hard copy. You may supplement electronic submissions by attaching electronic files. If you supplement electronic submissions with hard-copy documents, submit the hard copy documents to the OSHA Docket Office and clearly identify the electronic submission by Agency name and docket number (Docket No. OSHA-2016-0009) so the

Docket Office can attach the hard-copy documents to the appropriate electronic submission.

The OSHA Docket Office will post all submissions, including personal information provided, in the docket without change. Therefore, OSHA cautions interested parties about submitting personal information such as Social Security numbers and birthdates. Guidance on submitting nominations and supporting materials is available on-line at: <http://www.regulations.gov> and from the OSHA Docket Office.

*Access to docket:* The <http://www.regulations.gov> index lists all submissions provided in response to this **Federal Register** notice; however, some information (e.g., copyrighted material) is not publicly available to read or download from that Web page. All submissions, including materials not available on-line, are available for inspection at the OSHA Docket Office. For information about accessing materials in Docket No. OSHA-2016-0009, including materials not available on-line, contact the OSHA Docket Office.

#### Authority and Signature

David Michaels, Ph.D., MPH, Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice under the authority granted by 29 U.S.C. 656; 40 U.S.C. 3704; 5 U.S.C. App. 2; 29 CFR parts 1911 and 1912; 41 CFR 102-3; and Secretary of Labor's Order No. 1-2012 (77 FR 3912, Jan. 25, 2012).

Signed at Washington, DC, on September 26, 2016.

**David Michaels,**

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

[FR Doc. 2016-23550 Filed 9-28-16; 8:45 am]

**BILLING CODE 4510-26-P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA-2010-0022]

#### Student Data Form; Extension of the Office of Management and Budget's (OMB) Approval of Information Collection (Paperwork) Requirements

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

**ACTION:** Request for public comments.

**SUMMARY:** OSHA solicits public comments concerning its proposal to extend the Office of Management and Budget's (OMB) approval of the information collection requirements

contained in the Student Data Form (OSHA Form 182).

**DATES:** Comments must be submitted (postmarked, sent, or received) by November 28, 2016.

**ADDRESSES:**

*Electronically:* You may submit comments and attachments electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the instructions online for submitting comments.

*Facsimile:* If your comments, including attachments, are not longer than 10 pages you may fax them to the OSHA Docket Office at (202) 693-1648.

*Mail, hand delivery, express mail, messenger, or courier service:* When using this method, you must submit a copy of your comments and attachments to the OSHA Docket Office, Docket Number OSHA-2010-0022, U.S. Department of Labor, Room N-2625, 200 Constitution Avenue NW., Washington, DC 20210. Deliveries (hand, express mail, messenger, and courier service) are accepted during the Department of Labor's and Docket Office's normal business hours, 8:15 a.m. to 4:45 p.m., e.t.

*Instructions:* All submissions must include the Agency name and the OSHA docket number (OSHA-2010-0022) for this Information Collection Request (ICR). All comments, including any personal information you provide, are placed in the public docket without change, and may be made available online at <http://www.regulations.gov>. For further information on submitting comments see the "Public Participation" heading in the section of this notice titled **SUPPLEMENTARY INFORMATION**.

*Docket:* To read or download comments or other material in the docket, go to <http://www.regulations.gov> or the OSHA Docket Office at the address above. All documents in the docket (including this **Federal Register** notice) are listed in the <http://www.regulations.gov> index; however, some information (e.g., copyrighted material) is not publicly available to read or download from the Web site. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. You may also contact Theda Kenney at the address below to obtain a copy of the ICR.

**FOR FURTHER INFORMATION CONTACT:**

Theda Kenney or Todd Owen, Directorate of Standards and Guidance, OSHA, U.S. Department of Labor, Room N-3609, 200 Constitution Avenue NW.,

Washington, DC 20210; telephone (202) 693-2222.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

The Department of Labor, as part of its continuing effort to reduce paperwork and respondent (*i.e.*, employer) burden, conducts a preclearance consultation program to provide the public with an opportunity to comment on proposed and continuing information collection requirements in accord with the Paperwork Reduction Act of 1995 (PRA-95) (44 U.S.C. 3506(c)(2)(A)). This program ensures that information is in the desired format, reporting burden (time and costs) is minimal, collection instruments are clearly understood, and OSHA's estimate of the information collection burden is accurate. The Occupational Safety and Health Act of 1970 (the OSH Act) (29 U.S.C. 651 *et seq.*) authorizes information collection by employers as necessary or appropriate for enforcement of the OSH Act or for developing information regarding the causes and prevention of occupational injuries, illnesses, and accidents (29 U.S.C. 657). The OSH Act also requires that OSHA obtain such information with minimal burden upon employers, especially those operating small businesses, and to reduce to the maximum extent feasible unnecessary duplication of efforts in obtaining information (29 U.S.C. 657). The OSH Act authorizes the Occupational Safety and Health Administration ("OSHA" or the "Agency") to conduct education and training courses (29 U.S.C. 670). These courses must educate an adequate number of qualified personnel to fulfill the purposes of the OSH Act, provide them with short-term training, inform them of the importance and proper use of safety and health equipment, and train employers and workers to recognize, avoid, and prevent unsafe and unhealthful working conditions.

Under Section 21 of the OSH Act, the OSHA Training Institute (the "Institute") provides basic, intermediate, and advanced training and education in occupational safety and health for state compliance officers, Agency professionals and technical-support personnel, employers, workers, organizations representing workers and employers, educators who develop curricula and teach occupational safety and health courses, and representatives of professional safety and health groups. The Institute provides courses on occupational safety and health at its national training facility in Arlington Heights, Illinois.

Students attending Institute courses complete the one-page Student Data

Form (OSHA Form 182) on the first day of class. The form provides information under five major categories titled "Course Information," "Personal Data," "Employer Data," "Emergency Contacts," and "Student Groups." The OSHA Directorate of Training and Education (the "Directorate") compiles, for each fiscal year, the following information from the "Course Information" and "Student Groups" categories: Total student attendance at the Institute; the number of students attending each training course offered by the Institute; and the types of students attending these courses (for example, students from federal or state occupational safety and health agencies). The Directorate uses this information to demonstrate, in an accurate and timely manner, that the Agency is providing the training and worker education mandated by Section 21 of the OSH Act. OSHA also uses this information to evaluate training output, and to make decisions regarding program/course revisions, budget support, and tuition costs.

The Agency uses the information collected under the "Course Information," "Personal Data," and "Employer Data" to identify private sector students so that it can collect tuition costs from them or their employers as authorized by 31 U.S.C. 9701 ("Fees and Charges for Government Services and Things of Value"); Office of Management and Budget Circular A-25 ("User Charges"); and 29 CFR part 1949 ("Directorate of Training and Education, Occupational Safety and Health Administration"). The information in the "Personal Data" and "Emergency Contacts" categories permits OSHA to contact students who are residing in local hotels/motels if an emergency arises at their home or place of employment, and to alert supervisors/alternate contacts of a trainee's injury or illness.

**II. Special Issues for Comment**

OSHA has a particular interest in comments on the following issues:

- Whether the proposed information collection requirements are necessary for the proper performance of the Agency's functions, including whether the information is useful;
- The accuracy of the Agency's estimate of the burden (time and costs) of the information collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information collected; and
- Ways to minimize the burden on employers who must comply; for example, by using automated or other

technological information collection and transmission techniques.

### III. Proposed Actions

The Agency is requesting an adjustment increase of 160 burden hours (from 240 hours to 400 hours) as a result of the increasing number of students attending the Institute from 3,000 to 5,000 students. The Agency will summarize the comments submitted in response to this notice, and will include this summary in the request for approval to OMB.

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

*Title:* Student Data Form (OSHA Form 182).

*OMB Control Number:* 1218-0172.

*Affected Public:* Individuals; business or other for-profit organizations; Federal government; State, Local, or Tribal governments.

*Number of Respondents:* 5,000.

*Frequency of Responses:* On occasion.

*Total Responses:* 5,000.

*Average Time per Response:* 5 minutes (.08 hour).

*Estimated Total Burden Hours:* 400 hours.

*Estimated Cost (Operation and Maintenance):* \$0.

### IV. Public Participation—Submission of Comments on This Notice and Internet Access to Comments and Submissions

You may submit comments in response to this document as follows: (1) Electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal; (2) by facsimile (fax); or (3) by hard copy. All comments, attachments, and other material must identify the Agency name and the OSHA docket number (OSHA-2010-0022) for this ICR. You may supplement electronic submissions by uploading document files electronically. If you wish to mail additional materials in reference to an electronic or a facsimile submission, you must submit them to the OSHA Docket Office (see the section of this notice titled **ADDRESSES**). The additional materials must clearly identify your electronic comments by your name, date, and the docket number so the Agency can attach them to your comments.

Because of security procedures, the use of regular mail may cause a significant delay in the receipt of comments. For information about security procedures concerning the delivery of materials by hand, express delivery, messenger or courier service, please contact the OSHA Docket Office at (202) 693-2350, (TTY) (877) 889-5627).

Comments and submissions are posted without change at <http://www.regulations.gov>.

[www.regulations.gov](http://www.regulations.gov). Therefore, OSHA cautions commenters about submitting personal information such as social security numbers and dates of birth. Although all submissions are listed in the <http://www.regulations.gov> index, some information (e.g., copyrighted material) is not publicly available to read or download from this Web site. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Information on using the <http://www.regulations.gov> Web site to submit comments and access the docket is available at the Web site's "User Tips" link. Contact the OSHA Docket Office for information about materials not available from the Web site, and for assistance in using the Internet to locate docket submissions.

Electronic copies of this **Federal Register** document are available at <http://www.regulations.gov>. This document, as well as news releases and other relevant information, are available at OSHA's Web page at <http://www.osha.gov>.

### V. Authority and Signature

David Michaels, Ph.D., MPH, Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506 *et seq.*) and Secretary of Labor's Order No. 1-2012 (77 FR 3912).

Signed at Washington, DC, on September 26, 2016.

**David Michaels,**

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

[FR Doc. 2016-23580 Filed 9-28-16; 8:45 am]

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## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA-2016-0023]

### Tennessee State Plan; Change in Level of Federal Enforcement: Marine Construction

**AGENCY:** Occupational Safety and Health Administration (OSHA).

**ACTION:** Notice.

**SUMMARY:** This document gives notice of OSHA's approval of a change to the state of Tennessee's occupational safety and health State Plan to include marine construction in its State Plan. Marine construction was previously exempted from the State Plan by the Tennessee Occupational Safety and Health Act of

1972. Therefore, OSHA amends the Tennessee State Plan's coverage to reflect this change in the level of federal enforcement.

**DATES:** *Effective Date:* September 29, 2016.

### FOR FURTHER INFORMATION CONTACT:

For press inquiries, contact Francis Meilinger, Director, Office of Communications, Room N-3647, OSHA, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210; telephone: (202) 693-1999; email: [meilinger.francis2@dol.gov](mailto:meilinger.francis2@dol.gov).

For general and technical information, contact Douglas J. Kalinowski, Director, Directorate of Cooperative and State Programs, Room N-3700, OSHA, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210; telephone: (202) 693-2200; email: [kalinowski.doug@dol.gov](mailto:kalinowski.doug@dol.gov).

**SUPPLEMENTARY INFORMATION:** Section 18 of the Occupational Safety and Health Act of 1970, 29 U.S.C. 667 (OSH Act), provides that states that wish to assume responsibility for developing and enforcing their own occupational safety and health standards may do so by submitting and obtaining federal approval of a State Plan. State Plan approval occurs in stages that include initial approval under Section 18(c) of the Act and, ultimately, final approval under Section 18(e).

The Tennessee State Plan was initially approved under Section 18(c) of the OSH Act and 29 CFR part 1902 on July 5, 1973. The Tennessee State Plan is administered by the Tennessee Department of Labor and Workforce Development, Division of Occupational Safety and Health (TOSHA). On July 22, 1985, OSHA announced the final approval of the Tennessee State Plan pursuant to Section 18(e) and amended Subpart P of 29 CFR part 1952 to reflect the Assistant Secretary's decision (50 FR 29659-01). As a result, OSHA relinquished its concurrent standards and enforcement authority with regard to occupational safety and health issues covered by the Tennessee State Plan.

OSHA retained its authority over safety and health in private sector maritime employment; federal government employers and workers; the U.S. Postal Service (USPS), including USPS employees and contract employees at contractor-operated facilities engaged in USPS mail operations; railroad employment; employment at Tennessee Valley Authority facilities; and on military bases.

Under the Tennessee Occupational Safety and Health Act of 1972, workers protected by the Longshore and Harbor