

beneficiaries of individual retirement accounts (and certain similar plans).

Section 408(b)(14) sets forth the investment advice-related transactions that will be exempt from the prohibitions of ERISA section 406 if the requirements of section 408(g) are met. The transactions described in section 408(b)(14) are: The provision of investment advice to the participant or beneficiary with respect to a security or other property available as an investment under the plan; the acquisition, holding or sale of a security or other property available as an investment under the plan pursuant to the investment advice; and the direct or indirect receipt of compensation by a fiduciary adviser or affiliate in connection with the provision of investment advice or the acquisition, holding or sale of a security or other property available as an investment under the plan pursuant to the investment advice. The requirements in section 408(g) are met only if advice is provided by a fiduciary adviser under an "eligible investment advice arrangement." Section 408(g) provides for two general types of eligible arrangements: One based on compliance with a "fee-leveling" requirement (imposing limitation on fees and compensation of the fiduciary adviser); the other, based on compliance with a "computer model" requirement (requiring use of a certified computer model).

*The regulation contains the following collections of information:* (1) A fiduciary adviser must furnish an initial disclosure that provides detailed information to participants about an advice arrangement before initially providing investment advice; (2) a fiduciary adviser must engage, at least annually, an independent auditor to conduct an audit of the investment advice arrangement for compliance with the regulation; (3) if the fiduciary adviser provides the investment advice through the use of a computer model, then before providing the advice, the fiduciary adviser must obtain the written certification of an eligible investment expert as to the computer model's compliance with certain standards (e.g., applies generally accepted investment theories, unbiased operation, objective criteria) set forth in the regulation; and (4) fiduciary advisers must maintain records with respect to the investment advice provided in reliance on the regulation necessary to determine whether the applicable requirements of the regulation have been satisfied.

The ICR was approved by OMB under OMB Control Number 1210-0134 and is

scheduled to expire on December 31, 2017.

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

*Title:* Alternative Reporting Methods for Apprenticeship and Training Plans and Top Hat Plans.

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

*OMB Number:* 1210-0153.

*Affected Public:* Businesses or other for-profits, Not-for-profit institutions.

*Respondents:* 2,120.

*Responses:* 2,120.

*Estimated Total Burden Hours:* 636.

*Estimated Total Burden Cost* (Operating and Maintenance): \$0.

*Description:* The Department's regulations (29 CFR 2520.104-22) provide an exemption to the reporting and disclosure provisions of Part 1 of Title I of ERISA for employee welfare benefit plans that provide only apprenticeship or training benefits, or both, if the plan administrator: (1) Files a notice with the Secretary that provides the name of the plan, the plan sponsor's Employer Identification Number (EIN), the plan administrator's name, and the name and location of an office or person from whom interested individuals can obtain certain information about courses offered by the plan; (2) takes steps reasonably designed to ensure that the information required to be contained in the notice is disclosed to employees of employers contributing to the plan who may be eligible to enroll in any course of study sponsored or established by the plan; and (3) makes the notice available to these employees upon request. The plan administrator must file the notice with the Secretary of Labor by mailing or delivering it to the Department at the address set forth in the regulation.

The regulation (29 CFR 2520.104-23) provides an alternative method of compliance with the reporting and disclosure provisions of Title I of ERISA for unfunded or insured plans established for a select group of management or highly compensated employees (i.e., top hat plans). In order to satisfy the alternative method of compliance, the plan administrator must: (1) File a statement with the Secretary of Labor that includes the name and address of the employer, the employer EIN, a declaration that the employer maintains a plan or plans primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees, and a statement of the number of such plans and the employees covered by each; and (2) make plan documents available to

the Secretary upon request. Only one statement needs to be filed for each employer maintaining one or more of the plans. The statements may be filed with the Secretary by mail or personal delivery. The ICR was approved by OMB under OMB Control Number 1210-0153 and is scheduled to expire on December 31, 2017.

#### 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 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 submissions of responses.

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

**Joseph S. Piacentini,**

*Director, Office of Policy and Research, Employee Benefits Security Administration.*

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**BILLING CODE 4510-29-P**

## DEPARTMENT OF LABOR

### Bureau of Labor Statistics

#### Technical Advisory Committee; Notice of Meeting and Agenda

The Bureau of Labor Statistics Technical Advisory Committee will meet on Friday, June 16, 2017. The meeting will be held from 8:30 a.m. to 4:00 p.m. in the Postal Square Building, 2 Massachusetts Avenue, NE., Washington, DC.

The Committee provides advice and makes recommendations to the Bureau of Labor Statistics (BLS) on technical aspects of the collection and formulation of economic measures. The BLS presents issues and then draws on the expertise of Committee members representing specialized fields within

the academic disciplines of economics, statistics, and survey design.

The meeting will be held in rooms 1–3 of the Postal Square Building Janet Norwood Conference Center. The schedule and agenda for the meeting are as follows:

8:30 a.m. Acting commissioner's welcome and review of agency developments  
 9:00 a.m. Disease-Based Price Indexes  
 10:45 a.m. The impact of alternative output concepts on productivity growth  
 2:00 p.m. Incorporating OSHA-collected data with the survey of occupational illness and injury  
 4:00 p.m. Approximate conclusion

The meeting is open to the public. Any questions concerning the meeting should be directed to Sarah Dale, Bureau of Labor Statistics Technical Advisory Committee, at 202–691–5643 or [dale.sarah@bls.gov](mailto:dale.sarah@bls.gov). Individuals who require special accommodations should contact Ms. Dale at least two days prior to the meeting date.

Signed at Washington, DC, this 10 day of May 2017.

**Kimberley D. Hill,**

*Chief, Division of Management Systems,  
 Bureau of Labor Statistics.*

[FR Doc. 2017–10400 Filed 5–19–17; 8:45 am]

**BILLING CODE 4510–24–P**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Petitions for Modification of Application of Existing Mandatory Safety Standards

**AGENCY:** Mine Safety and Health Administration, Labor.

**ACTION:** Notice.

**SUMMARY:** This notice is a summary of petitions for modification submitted to the Mine Safety and Health Administration (MSHA) by the parties listed below.

**DATES:** All comments on the petitions must be received by MSHA's Office of Standards, Regulations, and Variances on or before June 21, 2017.

**ADDRESSES:** You may submit your comments, identified by "docket number" on the subject line, by any of the following methods:

1. *Electronic Mail:* [zzMSHA-comments@dol.gov](mailto:zzMSHA-comments@dol.gov). Include the docket number of the petition in the subject line of the message.

2. *Facsimile:* 202–693–9441.

3. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Suite 4E401, Arlington, Virginia 22202–5452, Attention: Sheila

McConnell, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk in Suite 4E401. Individuals may inspect copies of the petitions and comments during normal business hours at the address listed above.

MSHA will consider only comments postmarked by the U.S. Postal Service or proof of delivery from another delivery service such as UPS or Federal Express on or before the deadline for comments.

**FOR FURTHER INFORMATION CONTACT:** Barbara Barron, Office of Standards, Regulations, and Variances at 202–693–9447 (Voice), [barron.barbara@dol.gov](mailto:barron.barbara@dol.gov) (Email), or 202–693–9441 (Facsimile). [These are not toll-free numbers.]

**SUPPLEMENTARY INFORMATION:** Section 101(c) of the Federal Mine Safety and Health Act of 1977 and Title 30 of the Code of Federal Regulations Part 44 govern the application, processing, and disposition of petitions for modification.

#### I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. That the application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, the regulations at 30 CFR 44.10 and 44.11 establish the requirements and procedures for filing petitions for modification.

#### II. Petitions for Modification

*Docket Number:* M–2017–001–M.

*Petitioner:* Solvay Chemicals, Inc., P.O. Box 1167, 400 County Road 85, Green River, Wyoming 82935.

*Mine:* Solvay Chemicals, Inc. Mine, MSHA I.D. No. 48–01295, located in Sweetwater County, Wyoming.

*Regulation Affected:* 30 CFR 57.22305 (Approved equipment (III mines)).

*Modification Request:* The petitioner requests a modification of the existing standard to permit the use of certain nonpermissible equipment for the purpose of mine surveying in or beyond the last open crosscut. The equipment would include the Leica MS60 surveying instrument for the purpose of

mine engineering activities, namely daily sights, and entry measurements. The petitioner states that:

(1) Accurate surveys are a critical part of mine entry development to ensure mine entry locations are known in relation to any natural or man-made underground intrusions. Today's safety standards have vastly increased, in part from a cooperative effort of regulatory agencies and industry, and from best practices and improvements in mining methods and technology. Modern surveying instruments allow vastly improved accuracy when compared to older antiquated instruments.

(2) Determination of accurate mine working locations is vital operation of a mine and to Solvay Chemicals, Inc., and therefore is requesting relief from 30 CFR 57.22305 for the following reasons:

(a) The current Leica T–1 Theodolite is an antiquated instrument, with original manufactured date unknown, but thought to have been manufactured sometime between 1970 and 1994. The original vintage of this instrument was originally manufactured in 1933 as informed by the maintenance company that has been servicing this unit for Solvay Chemicals. The vendor has stated that this unit was discontinued in 1994, with parts becoming difficult to obtain while the original equipment manufacturer no longer supports this instrument.

(b) Solvay Chemicals proposes to implement new technology, a modern Leica MS60 survey instrument that will not affect miner safety through implementation of procedures prior to and during use of this instrument. The MS60 is housed in state-of-the-art sealed and dust-proof housing and is impervious to water, mine gas, and dust, with a rating of IP65, which includes a 1-hour water test. Immediately prior to the use of the nonpermissible equipment, the mine atmosphere will be tested for methane and will be continuously monitored with an approved instrument capable of providing both visual and audible alarms as defined in 30 CFR 57.22227. This additional methane monitoring further enhances the protection of employees in the area. Mine engineering qualified personnel will attend to the surveying equipment when used in or beyond the last open crosscut or in areas where methane may enter the air current. If 1.0 percent or more methane is detected, the procedures defined in 30 CFR 57.22234 will be followed.

(c) Increased accuracy and immediate error determination during use, immediately checks coordinates of fore-sight and back-sight and alerts operator. The instrument contains built in logic