

traveled entries require the weekly examiner to crawl on his hands and knees, preventing quick egress if necessary.

(2) All air entering and leaving the affected area can be measured and evaluated safely from the proposed inlet and outlet evaluation points shown on the drawing attached to this petition. Access to the proposed inlet and outlet evaluation points is not hindered by roof falls or excessive floor heave, allowing quick egress if necessary.

(3) There are no seals or electrical installations within the proposed evaluation area that must be examined.

(4) In lieu of traveling one of the return entries in the proposed evaluation area, at least every 7 days, a certified person will:

(a) Measure the air quantity at each inlet and outlet evaluation point. If the combined air quantity at the outlet evaluation points differs by more than 20 percent from the combined air quantity at the inlet evaluation points, ventilation controls surrounding the affected area will be examined from the outby side and corrective measures will be implemented to repair the affected ventilation controls to restore the differential air quantities to within 20 percent.

(b) Measure the air quality at each inlet and outlet evaluation point. Both the methane and oxygen concentrations will be measured. Methane concentrations at the inlet and outlet evaluation points will be a minimum of 19.5 percent.

(c) Verify the proper air direction as indicated on the drawing at each inlet and outlet evaluation point.

(d) Record the air quantity, air quality, and a notation of proper air direction at each inlet and outlet evaluation point in the weekly examination book.

The petitioner asserts that the proposed alternative method will at all times guarantee no less than the same measure of protection as that afforded by the existing standard and that traveling one of the affected entries results in a diminution of safety.

**Sheila McConnell,**

*Director, Office of Standards, Regulations, and Variances.*

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**BILLING CODE 4520-43-P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA-2011-0066]

#### Vertical Tandem Lifts (VTLs) for Marine Terminals; 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 specified in the Vertical Tandem Lifts (VTLs) for Marine Terminals.

**DATES:** Comments must be submitted (postmarked, sent, or received) by March 23, 2018.

#### 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 No. OSHA-2011-0066, Occupational Safety and Health Administration, U.S. Department of Labor, Room N-3653, 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, 10:00 a.m. to 3:00 p.m., E.T.

*Instructions:* All submissions must include the Agency name and OSHA docket number (OSHA-2011-0066) for the 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 above address. 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 through the website. 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:

Charles McCormick or Theda Kenney, Directorate of Standards and Guidance, OSHA, U.S. Department of Labor, 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) (44 U.S.C. 3506(c)(2)(A)). This program ensures that information is in the desired format, reporting burden (time and cost) 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 minimum burden upon employers, especially those operating small businesses, and to reduce to the maximum extent feasible unnecessary duplication of effort in obtaining information (29 U.S.C. 657).

The VTL Standard for Marine Terminals (29 CFR part 1917) specifies the following collection of information requirements. The purpose of each of these requirements is to provide workers with safe work practices when conducting VTLs.

Paragraph (i)(8)(iv) of § 1917.71 requires employers to ensure that the interbox connectors used in VTLs have been certified by a competent authority authorized under § 1918.11 (for interbox connectors that are part of a vessel's

gear) or § 1917.50 (for other interbox connectors). Paragraph (i)(8)(v) requires employers to have a certificate available for inspection that attests that the interbox connector meets the strength criteria specified in paragraph (i)(8)(iv) of the standard. Also, paragraph (i)(8)(vi) requires that each interbox connector be clearly and durably marked with its safe working load for lifting, including an identifying number or mark that will enable it to be associated with its test certificate.

The certification is necessary to ensure that interbox connector-corner casting assemblies have adequate strength to safely perform the lift. Marking of interbox connectors informs employers, workers, and OSHA that the interbox connectors have been certified.

Paragraph (j)(2) of § 1917.71 requires the employer to develop, implement, and maintain a written plan for transporting vertically connected containers in the terminal. The transport plan helps ensure the safety of terminal workers and thereby enhances productivity. Paragraph (k)(2) of § 1917.71 requires the written transport plan to identify a safe work zone within which workers are not permitted to be present when a VTL is in motion.

Written plans give employers, workers, and OSHA compliance officers assurance that VTLs are safe to use and provide the compliance officers with an efficient means to assess employer compliance with the Standard.

## 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 to protect workers, including whether the information is useful;
- The accuracy of OSHA'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

OSHA is proposing an adjustment decrease of the existing burden hour estimate for the collection of information requirement specified by the Standard from 560 hours to 512 hours—a total decrease of 48 hours. Based on staff expertise with marine

terminals, the Agency reduced the estimated number of marine terminals that use VTLs with updated establishment data from the North American Classification Information System (NACIS) retrieved from the Bureau of Labor Statistics <http://www.regulations.gov>.

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

*Title:* Vertical tandem Lifts (VTLs) for Marine Terminals (29 CFR part 1917).

*OMB Control Number:* 1218-0260.

*Affected Public:* Business or other for-profits; not-for-profit organizations; Federal Government; State, Local, or Tribal Government.

*Number of Respondents:* 128.

*Number of Responses:* 128.

*Frequency of Responses:* On occasion.

*Average Time per Response:* The average time is 4 hours for employers to generate, develop, and maintain a written plan for transporting vertically coupled containers in a terminal.

*Estimated Total Burden Hours:* 512.

*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; or (3) by hard copy. All comments, attachments, and other material must identify the Agency name and the OSHA docket number for the ICR (Docket No. OSHA-2011-0066). 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 that 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>. Therefore, OSHA cautions commenters about submitting

personal information such as social security numbers and date 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 through this website. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Information on using the <http://www.regulations.gov> website to submit comments and access the docket is available at the website's "User Tips" link. Contact the OSHA Docket Office for information about materials not available from the website, and for assistance in using the internet to locate docket submissions.

## V. Authority and Signature

Loren Sweatt, Deputy 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 January 12, 2018.

**Loren Sweatt,**

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

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**BILLING CODE 4510-26-P**

## LIBRARY OF CONGRESS

### Copyright Royalty Board

[Docket Nos. 18-CRB-0001-AU (Music Choice), 18-CRB-0002-AU (Google Inc.), 18-CRB-0003-AU (Alpha Media LLC)]

### Notice of Intent To Audit

**AGENCY:** Copyright Royalty Board (CRB), Library of Congress.

**ACTION:** Public notice.

**SUMMARY:** The Copyright Royalty Judges announce receipt of three notices of intent to audit the 2013, 2014, and 2015 statements of account submitted by commercial webcaster and broadcaster Alpha Media LLC and by commercial webcasters Google Inc. and Music Choice<sup>1</sup> concerning royalty payments each made pursuant to two statutory licenses.

**ADDRESSES:** *Docket:* For access to the docket to read background documents,

<sup>1</sup> The Judges' receipt and publication of SoundExchange's notice of intent to audit Music Choice in these circumstances does not imply an opinion regarding the applicability of the section 112 and 114 licenses to Music Choice's webcast transmissions.