

Sherrill at the same office address above, telephone (202) 219-7601. (The telephone numbers are not toll-free; FAX 202-219-6592.)

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Copeland Act (40 U.S.C. 276c) requires contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly, statement with respect to the wages paid each employee during the preceding week." Section 5.5(a)(3)(ii) of Regulations, 29 CFR Part 5, provides that contractors submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project. Form WH-347, Optional Use Payroll Form, was developed for contractor use in meeting these payroll requirements. It is a report form requiring basic payroll information to be furnished by all covered employers each week that any work covered by the Davis-Bacon and Related Acts is performed. The completed form is submitted weekly to the contracting agency or copies of the contractor's payroll containing all the required information may be submitted instead.

##### II. Current Actions

The Department of Labor seeks extension of approval to collect this information in order to enable contractors and subcontractors (using optional form, WH-347) to certify their payrolls, attesting that proper wage rates and fringe benefits have been paid to their employees performing work on contracts covered by Davis-Bacon and Related Acts. If this information was not collected, contracting officials and Wage and Hour investigative staff would be

unable to verify that legal rates have been paid and whether employees have been properly classified for the work they perform.

*Type of Review:* Extension

*Agency:* Employment Standards Administration

*Title:* Optional Use Payroll Form

Under the Davis-Bacon Act

*OMB Number:* 1215-0149

*Affected Public:* Business or other for-profit; individuals or households; Federal government; State, Local or Tribal government

*Total Respondents:* 113,022

*Frequency:* Weekly

*Total Responses:* 10,398,024

*Average Time Per Response for Reporting:* 56 minutes

*Estimated Total Burden Hours:*

9,700,000

*Total Burden Cost (capital/startup):*

\$0

*Total Burden Cost (operating/maintenance):* \$363,931

##### I. Background

The Longshore and Harbor Workers' Compensation Act, as amended provides benefits to workers injured in maritime employment. In addition, several Acts extend Longshore Act coverage to certain other employees. The Secretary of labor is authorized, under the Act, to make rules and regulations to administer the Act and its extensions. Section 7(b) of the Act (20 CFR 702.408) requires supervision of the medical care rendered to injured employees, require periodic reports as to the medical care being rendered, and provides authority to determine the necessity, character, and sufficiency of any medical aid furnished or to be furnished to an injured worker.

Forms LS-158, LS-415, and LS-525 are used to request impartial medical

examinations pursuant to the provisions of Section 7(a) and 7(e) of the Act. The LS-158 and LS-415 are used to request an impartial physical examination of the employee (LS-158), and for the repair of artificial limbs issued to beneficiaries (LS-415). The form LS-525 is used for examinations involving audiometric testing otologic evaluation, and is forwarded to the physician by the program. Completed forms are used to assist in evaluating workers' claims for benefits.

##### II. Current Actions

The Department of Labor seeks extension of approval to collect this information in order to provide the Office of Workers' Compensation Program with detailed medical evaluation to make decisions to award or continue compensation payments or benefits to Longshore workers. If the information was not collected, claimants would not be able to file for and receive Longshore benefits stipulated in the Act and amendments.

*Type of Review:* Extension

*Agency:* Employment Standards Administration

*Titles:* Request for Medical Examination and Report; Request for Artificial Limb or Repairs; and, Request for an Examination of Employee's Hearing Ability (form letter).

*OMB Number:* 1215-0106

*Affected Public:* Business or other for-profit; individuals or households

*Total Respondents:* 2,520

*Frequency:* On occasion

*Total Responses:* 2,520

*Average Time per Response:* 30 minutes

*Estimated Burden Hours:* 1,260

Form	Respondents	Responses	Burden hours
LS-158 .....	1,000	1,000	500
LS-415 .....	20	20	10
LS-525 .....	1,500	1,500	750
Total .....	2,520	2,520	1,260

*Total Burden Cost (capital/startup):*  
\$0

*Total Burden Cost (operating/maintenance):* \$882.00

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection requests; they will also become a matter of public record.

Dated: January 17, 1997.

Cecily A. Rayburn,

Director, Division of Financial Management,  
Office of Management, Administration and  
Planning, Employment Standards  
Administration.

[FR Doc. 97-1668 Filed 1-22-97; 8:45 am]

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#### Occupational Safety and Health Administration

#### Minnesota State Standards; Notice of Approval

##### Background

Part 1953 of Title 29, Code of Federal Regulations, prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter called the Act) by which the Regional Administrator for

the Occupational Safety and Health (hereinafter called the Regional Administrator), under delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) (29 CFR 1953.4), will review and approve standards promulgated pursuant to a State plan, which has been approved in accordance with section 18(c) of the Act and 29 CFR Part 1902. On June 8, 1973, notice was published in the Federal Register (38 FR 15076) of the approval of the Minnesota plan and the adoption of Subpart N of Part 1952 containing the decision. The Minnesota plan provides for the adoption of Federal standards as State standards by reference after an opportunity for public comment and/or requests for public hearings. OSHA regulations (29 CFR 1953.22 and 23) require that States respond to the adoption of new or revised permanent Federal standards by State promulgation of comparable standards within six months of publication in the Federal Register, and within 30 days for emergency temporary standards. Although adopted Federal standards or revisions to standards must be submitted for OSHA review and approval under procedures set forth in Part 1953, they are enforceable by the state prior to federal review and approval. By a letter dated December 13, 1993, the State submitted State Standards which are comparable to Occupational Exposure to 4,4'-Methylenedianiline (MDA); Approval of Information Collection Requirements, as published in the Federal Register (57 FR 49649) on November 3, 1992; Control of Hazardous Energy Sources (Lockout/Tagout); Supplemental Statement of Reasons, as published in the Federal Register (58 FR 16612) on March 30, 1993; Occupational Exposure to Cadmium; Corrections and Amendments to Final Rule, as published in the Federal Register (58 FR 21778) on April 23, 1993; and Lead Exposure in Construction; Interim Final Rule, as published in the Federal Register (58 FR 26590) on May 4, 1993. The order of adoption was published in the State Register (18 S.R. 1065) on October 11, 1993, pursuant to Minnesota Statute 182.655 (1992), and went into effect on October 16, 1993. By a letter dated August 4, 1994, the State submitted State Standards which are comparable to Safety Standards for General Industry and Construction; Technical Amendments, as published in the Federal Register (58 FR 35306) on June 30, 1993; Electric Power Generation, Transmission and Distribution; Electrical Protective

Equipment, as published in the Federal Register (59 FR 4320) on January 31, 1994; Occupational Safety and Health Standards for Cadmium in Shipyard Employment and Construction; Final Rule—Miscellaneous Corrections and Technical Amendments, as published in the Federal Register (59 FR 146) on January 3, 1994; and Occupational Exposure to Lead in Construction; Interim Final Rule—Approval of Information Collection Requirements, as published in the Federal Register (58 FR 34218) on June 24, 1993. The letter also served to incorporate into Minnesota Rules the redesignation of the regulatory text of the general industry standards that have been identified as applicable to construction work as published in the Federal Register (58 FR 35076) and corrected in the Federal Register (58 FR 40468) on July 28, 1993. The order of adoption was published in the State Register (19 S.R. 187) on July 25, 1994, pursuant to Minnesota Statute 182.655 (1992), and went into effect on July 30, 1994, with the exception of 1910.269(a)(2) which was effective January 31, 1995. By a letter dated November 17, 1994, the State submitted State Standards which are comparable to Grain Handling Facilities; Final Decision Statement, as published in the Federal Register (59 FR 15339) on April 1, 1994; Personal Protective Equipment for General Industry; Final Rule, as published in the Federal Register (59 FR 16334) on April 6, 1994; and Electric Power Generation, Transmission, and Distribution; Electrical Protective Equipment; Final Rule—Stay of Enforcement of Certain Provision and Correction, as published in the Federal Register (59 FR 33658) on June 30, 1994. The order of adoption was published in the State Register (19 S.R. 887) on October 24, 1994, pursuant to Minnesota Statute 182.655 (1992), and went into effect on October 29, 1994.

By a letter dated January 18, 1995, the State submitted State Standards which are comparable to Occupational Exposure to Asbestos in Construction (1926.1101), General Industry (1910.1001), and Shipyard Employment (1915.1001), as published in the Federal Register (59 FR 40964) on August 10, 1994; Retention of DOT Markings, Placards, and Labels (1910.1201, 1915.100, 1917.29, 1918.100, and 1926.61), as published in the Federal Register (59 FR 36695) on July 19, 1994; Safety Standard for Fall Protection in Construction (1926, Subpart M), as published in the Federal Register (59 FR 40672) on August 9, 1994; Amendments to the Hazardous Waste

Operations and Emergency Response Standard (1910.120 and 1926.65), as published in the Federal Register (59 FR 43268) on August 22, 1994; and Confined and Enclosed Spaces and other Dangerous Atmospheres in Shipyard Employments, as published in the Federal Register (59 FR 37816) on July 25, 1994. The order of adoption was published in the State Register (19 S.R. 1459) on January 3, 1995, pursuant to Minnesota Statute 182.655 (1992), and went into effect on January 8, 1995, with the exception of the Fall Protection in Construction Standard which was effective February 6, 1995. By a letter dated March 27, 1995, the State submitted a State Standard which is comparable to Logging Operations, Final Rule, as published in the Federal Register (59 FR 51672) on October 12, 1994. The order of adoption was published in the State Register (19 S.R. 1900) on March 13, 1995, pursuant to Minnesota Statute 182.655 (1992), and went into effect on March 18, 1995. These standards, which are contained in the Minnesota Occupational Safety and Health Codes and Rules, were promulgated after notice was published offering an opportunity for public comments and/or requests for public hearings.

#### Decision

Having reviewed the State submission in comparison with the Federal standards, it has been determined that the State standards and amendments are identical to the Federal standards and accordingly are approved.

#### Location of Supplement for Inspection and Copying

A copy of the standards supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Regional Administrator, Occupational Safety and Health Administration, 230 S. Dearborn Street, Room 3244, Chicago, Illinois 60604; State of Minnesota, Department of Labor and Industry, 443 Lafayette Road, St. Paul, Minnesota 55155; and the Directorate of Federal-State Operations, Room N3700, 200 Constitution Avenue, NW., Washington, DC 20210. For electronic copies of this Federal Register notice, contact OSHA's Web Page at <http://www.osha.gov/>.

#### Public Participation

Under 29 CFR 1953.2(c), the Assistant Secretary may prescribe alternative procedures to expedite the review process, or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good

cause exists for not publishing the supplement to the Minnesota State Plan as a proposed change and makes the Regional Administrator's approval effective upon publication for the following reasons:

1. The standards are identical to the Federal standards which were promulgated in accordance with Federal law including meeting requirements for public participation.

2. The standards were adopted in accordance with the procedural requirements of State law and further participation would be unnecessary.

This decision is effective January 23, 1997.

(Sec. 18, Pub. L. 91-596, 84 Stat. 1608 [29 U.S.C. 667])

Signed at Chicago, Illinois this 4th day of November 1996.

Sandra J. Taylor,

*Acting Regional Administrator.*

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## Washington State Standards; Notice of Approval

### 1. Background

Part 1953 of Title 29, Code of Federal Regulations, prescribes procedures under Section 18 of the Occupational Safety and Health Act of 1970 (hereinafter called the Act) by which the Regional Administrator for Occupational Safety and Health (hereinafter called Regional Administrator) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State plan which has been approved in accordance with Section 18(c) of the Act and 29 CFR Part 1902. On January 26, 1973, notice was published in the Federal Register (38 FR 2421) of the approval of the Washington plan and the adoption of Subpart F to Part 1952 containing the decision.

The Washington plan provides for the adoption of State standards that are at least as effective as comparable Federal standards promulgated under Section 6 of the Act. Section 1953.20 provides that where any alteration in the Federal program could have an adverse impact on the at least as effective as status of the State program, a program change supplement to a State plan shall be required.

In response to a Federal standard change, the State submitted by letter dated March 6, 1995, from Mark O.

Brown, Director, to Richard S. Terrill, Acting Regional Administrator, a State standard identical to the Federal standards 29 CFR 1910.1201, 29 CFR 1915.100, 29 CFR 1917.29, 29 CFR 1918.100 and 29 CFR 1926.61, Retention of DOT Markings, Placards and Labels, published in the Federal Register (59 FR 36695) on July 19, 1994. The State standard was adopted on January 18, 1995, effective March 10, 1995, under Washington Administrative Order 94-19.

In response to Federal and State initiated standard changes, the State submitted by a letter dated December 20, 1991, from Mark O. Brown, Director, to James W. Lake, Regional Administrator, State standard amendments comparable to 1910.1025, Lead, published in the Federal Register (56 FR 24686) on May 31, 1991. The minor State initiated amendments included the incorporation of the appendices and a summary of employer responsibility regarding the lead standard provisions. The change was adopted in Administrative Order 91-07 on November 22, 1991, effective December 24, 1991.

In response to a new Federal standard, the State submitted by letter dated November 17, 1993, from Mark O. Brown, Director, to James W. Lake, Regional Administrator, a State standard comparable to the Federal standard 29 CFR 1926.62, Lead Exposure in Construction; Interim Final Rule, published in the Federal Register (58 FR 26590) on May 4, 1993. The State standard was adopted on October 29, 1993, effective December 10, 1993, under Washington Administrative Order 93-07. The State requires each employer to protect his/her own employees rather than for contractors on multi-contractor worksites to make arrangements among themselves. Other minor differences include correction of errors and deletion of the word "interim".

On its own initiative, the State submitted by letter dated March 6, 1995, from Mark O. Brown, Director, to Richard S. Terrill, Acting Regional Administrator, a State standard amendment comparable to 29 CFR 1910.1025, Lead. The amendments add a new non-mandatory Appendix E to the previously approved WAC 296-62-07521, Lead standard. The State amendments were adopted on January 30, 1995, effective March 3, 1995, under Washington Administrative Order 94-15.

On its own initiative, the State has submitted by letter dated June 20, 1991, from Joseph A. Dear, Director, to James W. Lake, Regional Administrator, a State standard amendment which prohibits

the use of 4x29 inch wire rope in any maritime "running rigging". The State standard is comparable to 29 CFR 1917.43, Miscellaneous Auxiliary Gear. The change was adopted in Administrative Order 91-01 on May 20, 1991, effective June 20, 1991.

On its own initiative, the State has submitted by letter dated February 9, 1990, from Joseph A. Dear, Director, to James W. Lake, Regional Administrator, amendments to the previously approved General Safety and Health Standards, WAC 296-24, which incorporated some of the Washington Industrial Safety and Health Administration (WISHA) Regional Directives (WRD) into appropriate standards. The significant State standard amendments are: WAC 296-24-15001(7), guarding of food waste disposal equipment; WAC 296-24-16517 additional requirements for the guarding and labeling of radial saws; WAC 296-24-20503(5), specific conditions that are required to be followed when operating sewing machines; WAC 296-24-550, requires means of egress for all buildings to be in accordance with the 1985 National Fire Code, (NFPA); WAC 296-24-78007(6), specific construction requirements for Jacob's ladders; WAC 296-24-82503, additional requirements for swinging scaffolds, use of screw shackles, hooks on blocks and lifelines size. The State amendments were adopted on January 11, 1990, effective February 26, 1990, under Washington Administrative Order 89-20.

On its own initiative, the State submitted by letter dated February 8, 1991, from Joseph A. Dear, Director, to James W. Lake, Regional Administrator, amendments to the previously approved WAC 296-155-950, Rollover Protective Structures for Material Handling Equipment. The significant state standard amendment, which incorporated a Washington Industrial Safety and Health Administration (WISHA) Regional Directive (WRD), references the 1980 Society of Automotive Engineers (SAE) test criteria. The State amendments were adopted on January 10, 1991, effective February 12, 1991, under Washington Administrative Order 90-18.

On its own initiative, the State submitted by letter dated June 20, 1991, from Joseph A. Dear, Director, to James W. Lake, Regional Administrator, a State standard amendment comparable to 29 CFR 1910.243(d)(1)(i) and 29 CFR 1910.243(d)(3)(iv), Guarding of Portable Powered Tools. The State standard was amended to adopt the 1985 edition of ANSI A10.3, Safety Requirements for Power Actuated Fastening Systems. The State amendments were adopted May