

DEPARTMENT OF LABOR**Bureau of Labor Statistics****Data Users Advisory Committee;
Notice of Meeting and Agenda**

The Bureau of Labor Statistics Data Users Advisory Committee will meet on Thursday, May 12, 2016. The meeting will be held in the Postal Square Building, 2 Massachusetts Avenue NE., Washington, DC.

The Committee provides advice to the Bureau of Labor Statistics from the points of view of data users from various sectors of the U.S. economy, including the labor, business, research, academic, and government communities, on technical matters related to the collection, analysis, dissemination, and use of the Bureau's statistics, on its published reports, and on the broader aspects of its overall mission and function.

The meeting will be held in Meeting Rooms 1, 2, and 3 of the Janet Norwood Conference and Training Center. The schedule and agenda for the meeting are as follows:

- 8:30 a.m. Registration
- 9:00 a.m. Commissioner's welcome and review of agency developments
- 9:45 a.m. Decreasing the level of detail in certain occupations and industries in the OES Program
- 10:45 a.m. Redesigned news releases
- 1:00 p.m. New CPI estimation system capabilities and stakeholder survey results
- 2:00 p.m. Measuring quarterly labor productivity by industry
- 3:15 p.m. Research on wages and compensation benefits for non-profits
- 4:15 p.m. Meeting wrap-up

The meeting is open to the public. Any questions concerning the meeting should be directed to Kathy Mele, Data Users Advisory Committee, on 202.691.6102. Individuals who require special accommodations should contact Ms. Mele at least two days prior to the meeting date.

Signed at Washington, DC, this 5th day of April 2016.

Kimberly D. Hill,

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

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DEPARTMENT OF LABOR**Occupational Safety and Health
Administration**

[Docket No. OSHA-2015-0017]

Rollins College; AmerenUE (Formerly Union Electric Company); and Outfront Media, LLC (Formerly Gannett Outdoor Companies, Operating as Outdoor Systems, Inc., Subsequently CBS Outdoor Systems, Inc.): Technical Amendment to, and Revocation of, Permanent Variances

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

ACTION: Notice.

SUMMARY: With this notice, the Occupational Safety and Health Administration ("OSHA" or "the Agency") is making a technical amendment to an existing permanent variance, and revoking two others. The technical amendment involves updating the name of one employer granted a variance whose name has changed. The technical amendment and revocations result from an OSHA review to identify variances that are outdated, unnecessary, or otherwise defective.

DATES: The effective date of the technical correction and revocation of the permanent variances is April 8, 2016.

FOR FURTHER INFORMATION CONTACT:

General information and press inquiries. Contact Frank Meilinger, Director, OSHA Office of Communications, Room N-3647, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210; telephone: (202) 693-1999. Email: meilinger.francis2@dol.gov

Technical information. Contact Kevin Robinson, Director, Office of Technical Programs and Coordination Activities, Room N-3655, OSHA, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210; telephone: (202) 693-2110; fax: (202) 693-1644. Email: robinson.kevin@dol.gov

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

SUPPLEMENTARY INFORMATION:

I. Background

OSHA recently reviewed variances currently in effect to identify those that are outdated, unnecessary, or otherwise defective. As part of this review, OSHA

contacted by telephone, every employer with an active OSHA variance to determine if they still needed the variance. As a result of this review, OSHA found that one employer identified in a variance had a new name, and two additional employers no longer needed the variances because conditions at their worksite addressed by the variance no longer exist.

With this notice, the Agency is correcting these technical deficiencies and is announcing the following: (1) Revocation of a permanent variance granted to Rollins College in 1974 from 29 CFR 1910.37(i) [39 FR 11481]; (2) revocation of a permanent variance granted to AmerenUE (formerly Union Electric Company) in 1974 from 29 CFR 1910.28(g)(1) [39 FR 37278]; and (3) renaming CBS Outdoor Systems, Inc. (formerly Gannett Outdoor Companies, operating as Outdoor Systems, Inc.) granted a permanent variance in 1991 from 29 CFR 1910.27(d)(1)(ii), (d)(2), and (d)(5) [56 FR 8801] to Outfront Media, LLC.

Rollins College and AmerenUE representatives confirmed by letter that they no longer needed the variances because conditions which prompted them to seek the variances no longer exist; and they now can comply with the standard from which OSHA granted the variances. Company representatives requested that OSHA revoke their respective variances. Additionally, an Outfront Media, LLC management representative requested the corporate name change and provided documentation supporting the request.

Further, OSHA believes that with this notice it will be able to: (1) Accurately and expeditiously determine the employers covered by a variance; (2) enhance enforcement of the variance; (3) ensure that a variance identifies and covers the appropriate worksites; (4) inform employers and employees that the revoked variances no longer cover the employers, and therefore, the employers must comply with the applicable OSHA standards; and (5) inform employees that the applicable OSHA standards replacing the revoked variances will provide them with the necessary protection.

The corporate name change implemented by this notice maintains the employer's regulatory obligations and does not alter the substantive requirements specified in the original variance. The variance continues to remain in effect and to provide employees with the safety and health protection afforded to them by the original variance.

A list of variances that remain in effect by this notice is available on

OSHA's Variance Program Web site at http://www.osha.gov/dts/otpcal/vars/variances_ineffect.html.

As previously indicated, with this notice, the Agency is making only a technical correction to an existing variance, and revoking variances that

employers no longer need for employee protection. Accordingly, this notice will not have a substantive effect on employers or employees; OSHA, therefore, finds that public notice-and-comment procedures specified under Section 6(d) of the Occupational Safety

and Health Act of 1970 (29 U.S.C. 655), and by 29 CFR 1905.11 or 1905.13, are unnecessary.

The following table provides details about the variances addressed by this notice:

Name of employer (company) affected	Variance No.	Date granted	Federal Register cite	OSHA Standards
Rollins College	V-74-16	03/28/1974	39 FR 11481	1910.37(i).
	OSHA-2012-0024	07/06/2012	77 FR 40088	1910.36(g)(1).
AmerenUE (formerly Union Electric Company)	V-74-5	10/18/1974	39 FR 37278	1910.28(g)(1).
	OSHA-V05-2-2006-0785	12/09/2008	73 FR 74754	
Outfront Media, LLC (formerly Gannett Outdoor Companies, operating as Outdoor Systems, Inc., subsequently CBS Outdoor Systems, Inc.).	V-90-1	03/01/1991	56 FR 8801	1910.27(d)(1)(ii),
	OSHA-V05-2-2006-0785	12/09/2008	73 FR 74754	1910.27(d)(2), and 1910.27(d)(5).

II. Technical Amendment to, and Revocation of, Permanent Variances

A. Renaming a Company

OSHA initially granted a permanent variance to the Gannett Outdoor Companies operating as Outdoor Systems, Inc. on March 1, 1991, (56 FR 8801). Subsequently, on December 9, 2008, OSHA granted Gannett Outdoor Companies operating as Outdoor Systems, Inc. a name change to CBS Outdoor Systems, Inc. (73 FR 74754). Further, on November 11, 2015, a management representative of CBS Outdoor Systems, Inc. sent a letter and supporting documentation to OSHA stating that the former company and associated variance names were no longer valid, and requested the Agency to correct the variance using the new successor company's name (Exhibit OSHA-2015-0017-0004).

CBS Outdoor Systems, Inc. notified the Agency (via letter dated November 11, 2014) that the company changed its name from CBS Outdoor, Inc. (formerly Gannett Outdoor Companies, operating as Outdoor Systems, Inc. for whom the initial variance was granted) to the successor company, Outfront Media, LLC. As was the case with the December 9, 2008 name change (73 FR 74754), Outfront Media, LLC will continue to follow the conditions specified by the variance.

Additionally, CBS Outdoor Systems, Inc. provided supporting documentation including: (1) A series of documents from the State of Delaware (having jurisdiction where the corporation first formed), each acknowledging a sequential name change for the entity beginning in 1997 as Outdoor Systems, Inc. to November of 2014, when Outdoor Systems, Inc. became Outfront Media, LLC (Exhibit OSHA-2015-0017-0004, attachment 1); and (2) an updated listing of locations (places of

employment) potentially affected by the Outfront Media, LLC variance (*i.e.*, regional centers of operation from which climbing activities take place in support of Outfront Media's outdoor advertising business (Exhibit OSHA-2015-0017-0004, attachment #2)).

B. Revoking the Permanent Variance Granted to Rollins College

On March 28, 1974, OSHA granted Rollins College a variance from 29 CFR 1910.37(i), which governed ceiling height for means of egress (39 FR 11481). The Agency renumbered this provision (to 29 CFR 1910.36(g)(1)) in a subsequent rulemaking that revised its means-of-egress standards to improve the clarity and comprehensibility of these standards (67 FR 67962; November 7, 2002). While this rulemaking renumbered 29 CFR 1910.37(i) as 29 CFR 1910.36(g)(1), it did not revise the substantive requirements of the provision. On July 6, 2012, OSHA published a **Federal Register** notice that amended the permanent variance granted to Rollins College to account for this renumbering of the standard (77 FR 40088).

Subsequently, in a letter dated July 7, 2015, Rollins College, indicated that the college no longer requires or uses the variance. Further, the college's letter indicated that the ceiling height of the buildings where the variance was used in the past has been renovated and the means of egress are now in compliance with the applicable OSHA standards. As a result, the variance is no longer needed or used and should be revoked (Exhibit OSHA-2015-0017-0002).

C. Revoking the Permanent Variance Granted to AmerenUE

On October 18, 1974, OSHA granted Union Electric Company a variance from 29 CFR 1910.28(g)(1), which required that two-point suspension

scaffolds be a minimum of 20 inches in width (39 FR 37278). On December 9, 2008, the Agency found that Union Electric Company had a new name and operated as AmerenUE. On that same date, the Agency responded to a request from a company officer to correct Union Electric Company's variance by using the company's new name. OSHA published a **Federal Register** notice announcing a technical amendment updating the variance grantee's name from Union Electric Company to AmerenUE (73 FR 74754).

Subsequently, in a letter dated September 18, 2015, Ameren Missouri [(formerly Union Electric Company, then AmerenUE) (Exhibit OSHA-2015-0017-0003)], indicated that the company no longer requires or uses the variance and requested OSHA to revoke it.

III. Decision

Based on the information described herein, the Agency is taking the following actions:

A. Revising the name of CBS Outdoor, Inc. (formerly Gannett Outdoor Companies, operating as Outdoor Systems, Inc. for whom the initial variance was granted) to the successor company, Outfront Media, LLC.

B. Revoking the variances granted to Rollins College and AmerenUE (formerly Union Electric Company).

Authority and Signature

David Michaels, Ph.D., MPH, Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Ave. NW., Washington, DC, authorized the preparation of this notice. OSHA is issuing this notice under the authority specified by Section 6(d) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655), Secretary of Labor's Order No. 1-2012 (76 FR 3912), and 29 CFR part 1905.

Signed at Washington, DC, on March 4, 2016.

David Michaels,

Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2016-08005 Filed 4-7-16; 8:45 am]

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DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA-2014-0022]

Nucor Steel Connecticut Incorporated; Grant of a Permanent Variance

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

ACTION: Notice.

SUMMARY: In this notice, OSHA grants a permanent variance to Nucor Steel Connecticut Incorporated from the provisions of OSHA standards that regulate the control of hazardous energy (lockout/tagout).

DATES: The permanent variance specified by this notice, becomes effective on April 8, 2016 and shall remain in effect until it is modified or revoked.

FOR FURTHER INFORMATION CONTACT: Information regarding this notice is available from the following sources:

Press inquiries: Contact Mr. Frank Meilinger, Director, OSHA Office of Communications, U.S. Department of Labor, 200 Constitution Avenue NW., Room N-3647, Washington, DC 20210; telephone: (202) 693-1999; email: meilinger.francis2@dol.gov.

General and technical information: Contact Mr. Kevin Robinson, Director, Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue NW., Room N-3655, Washington, DC 20210; phone: (202) 693-2110 or email: robinson.kevin@dol.gov.

SUPPLEMENTARY INFORMATION:

Copies of this Federal Register notice.

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

I. Notice of Application

On September 22, 2014, Nucor Steel Connecticut Incorporated (hereafter, "NSCI" or "the applicant") 35 Toelles

Road, Wallingford, CT 06492, submitted under Section 6(d) of the Occupational Safety and Health Act of 1970 ("OSH Act"; 29 U.S.C. 655) and 29 CFR 1905.11 ("Variances and other relief under section 6(d)") an application for a permanent variance from several provisions of the OSHA standard that regulates the control of hazardous energy ("lockout/tagout" or "LOTO"), as well as a request for an interim order pending OSHA's decision on the application for variance (Ex. OSHA-2014-0022-0003) at its Wallingford, CT facility. Specifically, NSCI was seeking a variance from the provisions of the standard that require: (1) Lockout or tagout devices be affixed to each energy isolating device by authorized employees (29 CFR 1910.147(d)(4)(i)); and (2) lockout devices, where used, be affixed in a manner that holds the energy isolating devices in a "safe" or "off" position (29 CFR 1910.147(d)(4)(ii)). Also, NSCI requested an interim order pending OSHA's decision on the application for variance.

According to its application, NSCI manufactures steel wire rod and coiled rebar from billets of steel by using rolling and forming processes. Further, NSCI's description of its operation indicated that the hot steel billets are shaped and formed into steel wire rod and coiled rebar by running them through a series of rolls. The rolls shape and form the steel as it moves from one stand to the next. Each roll has several passes (or grooves), only one of which is used at a time. The pass is designed to shape the bar to a certain size as it goes through the mill by compressing, squeezing, and stretching the bar. Rolls are designed with passes to bring a bar down through roughing, intermediate and finish mills to a finished size.

As with any shaping tool, the passes wear during use and from time to time need to be changed. As the pass wears, the shape of the bar and the appearance of the bar are affected. When new rolls are brought into production, every pass is prepared with a spray that provides friction which allows the rolls to bite the bar between the rolls. Once rolls are in operation, roll grinding is regularly required, because during the operation of the mill stands water is used to cool the rolls to prevent fracturing and damage to the rolls. The water protects the pass while in use, but it also creates rust in the other passes. The rust can affect the final quality of the bar being processed, so steps are taken to remove the rust prior to restarting the operations. Rust is removed from the passes using a common 4-inch hand grinder. Since January 2012, the rolls

have been ground with the rolls stopped and locked out.

NSCI asserted that grinding the rolls requires access to the Motor Control Room (MCR), in order to operate the energy isolation disconnects for the roll mills. Employees who perform the particular task of grinding the passes are exposed to potentially serious arc flash hazards if they accessed the MCR in order to perform energy isolation functions. To control exposure to the arc flash hazards, NSCI instituted safe work rules that: (1) Designate the MCR as a restricted entry work area; (2) restrict MCR access to qualified electricians only; and (3) prohibit employees who perform pass grinding from entering the MCR because they are not qualified electrical employees trained in recognition and mitigation of electrical hazards. Further, NSCI asserted that as a consequence of following these safe work rules the employees performing pass grinding cannot lockout the energy isolation disconnects located in the MCR or personally verify that a lockout has been performed.

OSHA initiated a technical review of NSCI's variance application and developed a set of follow-up questions regarding the assertions of equivalent worker protection included in the application. On November 26, 2014, OSHA sent NSCI a letter containing a set of follow-up questions (Ex. OSHA-2014-0022-0006). On December 19, 2014, NSCI provided its responses to the follow-up questions (Ex. OSHA-2014-0022-0007). Based on these responses to the follow-up questions and the alternate safety measures proposed in NSCI's application, on May 22, 2015, the Agency sent NSCI a letter (Ex. OSHA-2014-0022-0009) describing its findings on the technical merits of the application. OSHA's letter also included a set of proposed conditions for the grant of an interim order and permanent variance and a request for NSCI's comments on these proposed conditions. On July 10, 2015, NSCI provided its response (Ex. OSHA-2014-0022-0010) indicating acceptance of the proposed conditions and including a few recommended changes. OSHA carefully reviewed NSCI's recommended changes and incorporated the majority of the changes into the conditions of the variance.

Following this review, OSHA determined that the applicant proposed an alternative that provides a workplace as safe and healthful as that provided by the standard. On December 2, 2015, OSHA published a preliminary **Federal Register** announcing NSCI's application for a permanent variance and interim