

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Part 1904

Recording and Reporting Occupational Injuries and Illnesses; Office of Management and Budget Control Numbers Under the Paperwork Reduction Act

AGENCY: Occupational Safety and Health Administration, Department of Labor.
ACTION: Final rule.

SUMMARY: The Occupational Safety and Health Administration (OSHA) is adding a new section to its regulation for recording and reporting of occupational injuries and illnesses (29 CFR part 1904). The new section will be used to consolidate and display all of the control numbers assigned by the Office of Management and Budget (OMB) for "approved" information collection requirements in Part 1904. None of the requirements are new; they have been promulgated by OSHA at various times over the past 25 years. The display of OMB control numbers is required under the implementing rules and regulations of OMB and under the Paperwork Reduction Act of 1995

DATE: Effective August 22, 1997.

FOR FURTHER INFORMATION CONTACT: Mr. Stephen A. Newell, Office of Statistics, U.S. Department of Labor, Occupational Safety and Health Administration, Room N3507; 200 Constitution Avenue, NW, Washington, DC 20210 (202-219-6463, FAX 202-219-5161).

SUPPLEMENTARY INFORMATION:

I. Background

OSHA has a number of provisions within its regulation for recording and reporting occupational injuries, illnesses and deaths that require employers to collect or prepare information. These types of provisions are broadly classified as "information collection requirements." All information collection requirements are subject to review and approval by OMB on not more than a three-year cycle. It should be noted that OSHA cannot impose a penalty on employers for violating collection of information (recordkeeping, reporting, etc.) requirements if the agency has failed to obtain OMB approval of the requirement. When OMB approves collection of information requirements, it issues a "control number" for the collection of information provision. All agencies are required to display [show

to the public] the OMB control numbers so the public will know that OMB has given the agency approval to require the information [report, record, documentation, form, etc.] to be collected. In the past, OSHA has displayed the relevant OMB control numbers of the injury and illness recordkeeping requirements by printing them at the end of each section in part 1904 to which they were pertained. However, to enable the public to easily and readily identify all of the collection of information requirements, OSHA is dedicating one section in part 1904 (1904.30) to list the sections with information collection requirements and show the appropriate OMB control numbers. As a result of this new format, the parenthetical notes and approval/control numbers now printed at the end of the individual sections of Part 1904 can be removed.

None of the specific requirements to collect and provide information is new. The control numbers listed in this document were assigned previously by OMB; but not necessarily published in the regulations. This document makes no substantive change to the current OMB information collection budget or to any regulatory provision.

II. Exemption From Notice and Comment Procedures

This action is a rule of agency procedure and practice and is not subject to the rulemaking requirements of the Administrative Procedures Act, 5 U.S.C. § 553(b)(A). It does not affect the substantive requirements or coverage of the regulations themselves. Furthermore, this document does not modify or revoke existing rights or obligations, nor does it establish new ones. With this action, the Agency is only providing information. OSHA, therefore, finds that notice and public procedure are impracticable and unnecessary within the meaning of 5 U.S.C. 553(b)(3)(B).

III. Exemption From Delayed Effective Date Requirement

Under 5 U.S.C. 553, OSHA finds that there is good cause for making this Document effective upon publication in the **Federal Register**. This display of control numbers simply provides additional information on the existing regulatory burden without increasing that burden.

List of Subjects in 29 CFR Part 1904

Reporting and recordkeeping requirements.

Accordingly, pursuant to sections 8 and 24 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 657, 673),

Secretary of Labor's Order No. 1-90 (55 FR 9033), and 5 U.S.C. 553, 29 CFR Part 1904 is hereby amended as set forth below.

Signed in Washington, D.C., this 5th day of August, 1997.

Gregory R. Watchman,
Acting Assistant Secretary of Labor.

PART 1904—[AMENDED]

1. The authority citation for Part 1904 continues to read as follows:

Authority: Secs. 8, 24, Occupational Safety and Health Act of 1970 (29 U.S.C. 657, 673), Secretary of Labor's Order No. 12-71 (36 FR 8754), 8-76 (41 FR 25059), 9-83 (48 FR 35736), 1-90 (55 FR 9033) or 6-96 (62 FR 111), as applicable.

Section 1904.7, 1904.8 and 1904.17 are also issued under 5 U.S.C. 553.

2. Section 1904.30 is added to read as follows:

§ 1904.30 OMB control numbers under the Paperwork Reduction Act

The following sections each contain a collection of information requirement which has been approved by the Office of Management and Budget under the control number listed.

29 CFR citation	OMB control No.
1904.2	1218-0176
1904.4-7	1218-0176
1904.8	1218-0007
1904.17	1218-0214
1904.21	1220-0045

3. Remove the parenthetical note relating to the OMB control number that appears at the end of each of the following sections: 1904.2; 1904.4; 1904.5; 1904.6; 1904.15; 1904.21.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[OPP-300527; FRL-5736-9]

RIN 2070-AB78

Pyridate; Pesticide Tolerances for Emergency Exemptions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes a time-limited tolerance for combined residues of pyridate in or on chickpeas. This action is in response to EPA's granting of an emergency exemption