DEPARTMENT OF LABOR

Occupational Safety and Health Administration
[Docket No. ICR 1218–0180(2004)]

Bloodborne Pathogens Standard; 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 comment.

SUMMARY: OSHA solicits comments concerning its request for an extension of the information-collection requirements contained in the Bloodborne Pathogens Standard (29 CFR 1910.130). Included in this request are information-collection requirements that are currently approved under OMB control number 1218–0246, Bloodborne Pathogens Standard (Needlestick Safety and Prevention Act).

DATES: Comments must be submitted by the following dates:

Hard copy: Your comments must be submitted (postmarked or received) by July 6, 2004.

Facsimile and electronic transmission: Your comments must be received by July 6, 2004.

ADDRESSES:

I. Submission of Comments

Regular mail, express delivery, hand-delivery, and messenger service: Submit your comments and attachments to the OSHA Docket Office, Docket No. ICR 1218–0180 (2004), Room N–2625, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210. OSHA Docket Office and Department of Labor hours of operation are 8:15 a.m. to 4:45 p.m., e.s.t.

Facsimile: If your comments, including any attachments, are 10 pages or fewer, you may fax them to the OSHA Docket Office at (202) 693–1648. You must include the docket number, ICR 1218–0180 (2004), in your comments.

Electronic: You may submit comments, but not attachments, through the Internet at http://ecommerts.osha.gov.

II. Obtaining Copies of the Supporting Statement for the Information Collection Request

The Supporting Statement for the Information Collection Request is available for downloading from OSHA's Web site at www.osha.gov. The supporting statement is available for inspection and copying in the OSHA Docket Office, at the address listed...
above. A printed copy of the supporting statement can be obtained by contacting Todd Owen at (202) 693–2222.


SUPPLEMENTARY INFORMATION:

I. Submission of Comments on This Notice and Internet Access to Comments and Submissions

You may submit comments in response to this document by (1) hard copy, (2) FAX transmission (facsimile), or (3) electronically through the OSHA Web page. Please note you cannot attach materials such as studies or journal articles to electronic comments. If you have additional materials, you must submit three copies of them to the OSHA Docket Office at the address above. The additional materials must clearly identify your electronic comments by name, date, subject and docket number so that we can attach them to your comments. Because of security-related problems, there may be a significant delay in the receipt of comments by regular mail. Please contact the OSHA Docket Office at (202) 693–2350 for information about security procedures concerning the delivery of material by express delivery, hand delivery and messenger service.

II. Background

The Department of Labor, as part of its continuing effort to reduce paperwork and respondent (i.e., employer) burden, conducts a pre clearance program to provide the public and Federal agencies with an opportunity to comment on proposed and continuing information-collection requirements in accordance with the Paperwork Reduction Act of 1995 (PRA–95) (44 U.S.C. 3506(c)(2)(A)).

This program ensures that information is in the desired format, reporting burden (time and costs) is minimal, collection instruments are clearly understood, and OSHA’s estimate of the information-collection burden is correct. The Occupational Safety and Health Act of 1970 (the “Act”) authorizes information collection by employers as necessary or appropriate for enforcement of the Act or for developing information regarding the causes and prevention of occupational injuries, illnesses, and accidents (29 U.S.C. 657).

Currently the information-collection requirements contained in the Bloodborne Pathogens Standard (29 CFR 1910.1030) are approved by OMB under two separate OMB control numbers. Initially, there was one Information Collection Request (ICR) for the Bloodborne Pathogens Standard titled “Bloodborne Pathogens Standard (29 CFR 1910.1030),” approved under OMB control number 1218–0180. On January 18, 2001, the Agency revised the Bloodborne Pathogens Standard (66 FR 5318) in conformance with the requirements of the Needlestick Safety and Prevention Act (NSPA) (Pub. L. 106–430, Nov. 6, 2000). This revision contained new information-collection requirements including requiring employers who have exposure control plans in accordance with §1910.1030(c)(1)(iv) to: (a) Review and update such plans to reflect changes in technology that eliminate or reduce exposure to bloodborne pathogens; (b) Document consideration and implementation of appropriate commercially available and effective safe medical devices designed to eliminate or minimize occupational exposure; and (c) Solicit input from non-managerial employees responsible for direct patient care who are potentially exposed to injuries from contaminated sharps in the identification, evaluation, and selection of effective engineering and work practice controls, and to document the solicitation in the Exposure Control Plans.

In addition, the NSPA required employers who currently maintain a log of occupational injuries and illnesses under 29 CFR 1904 to: (a) Review and maintain a sharps injury log for the recording of percutaneous injuries from contaminated sharps. The information in the sharps injury log must be recorded and maintained so that the confidentiality of the injured worker is protected. The log must contain at least the following information: “(A) The type and brand of device involved in the incident; (B) The department or work area where the exposure incident occurred; and (C) An explanation of how the incident occurred.”

These NSPA information-collection requirements were approved in the ICR titled “Bloodborne Pathogens Standard (Needlestick Safety and Prevention Act),” OMB control number 1218–0246. These information-collection requirements are now being incorporated into the existing Bloodborne Pathogens Standard (29 CFR 1910.1030), OMB control number 1218–0180.

These major information-collection provisions currently approved under 1218–0180 require employers to: Develop and maintain exposure control plans; develop a housekeeping schedule; provide employees with HBV vaccinations, as well as post-exposure medical evaluations and follow-ups; provide employees with information and training; maintain medical and training records for specified periods; and provide OSHA, the National Institute for Occupational Safety and Health, employees and their authorized representatives with access to these records. In addition, HIV and HBV research laboratories and production facilities must also adopt or develop, and review at least once a year, a biosafety manual.

III. 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, including whether the information is useful;
— The accuracy of the Agency’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.

IV. Proposed Actions

OSHA is incorporating the “Bloodborne Pathogens Standard (Needlestick Safety and Prevention Act)” information-collection requirements into the Bloodborne Pathogens Standard (29 CFR 1910.1030), OMB control number 1218–0180. The total burden for the Bloodborne Pathogens Standard is 14,071,556 hours. This is an increase of 115,730 hours from the existing total of 13,955,826 hours for the two separate ICRs of 13,955,826 hours. The Bloodborne Pathogens Standard (29 CFR 1910.1030) totals 12,719,062 hours and Bloodborne Pathogens Standard (Needlestick Safety and Prevention Act) totals 1,236,764 hours. The increase is primarily the result of increasing the number of establishments contained in the ICR.

OSHA will summarize the comments submitted in response to this notice, and will include this summary in the request to OMB to extend the approval of the information-collection requirements.

Type of Review: Extension of currently approved information-collection requirements.
OMB Number: 1218–0180.
Affected Public: Business or other for-profit organizations; Not-for-profit institutions; Federal, State, local, or tribal governments.
Number of Respondents: 630,021.
Frequency: On occasion.
Average Time per Response: Varies from 5 minutes (.08 hour) to maintain records to 1.5 hours for employees to receive training or medical evaluations.
Responses: 7,362,173.
Estimated Total Burden Hours: 14,071,556.
Estimated Cost (Operation and Maintenance): $27,373,738.

V. Authority and Signature
John L. Henshaw, 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) and Secretary of Labor’s Order No. 5–2002 (67 FR 65008).
John L. Henshaw,
Assistant Secretary of Labor.

[FR Doc. 04–0468 Filed 5–6–04; 8:45 am]
BILLING CODE 4510–26–M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (04–060)]

Privacy Act of 1974; Proposed Revisions to a Privacy Act System of Records

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Notice of proposed revisions to an existing Privacy Act system of records.

SUMMARY: The National Aeronautics and Space Administration proposes to revise an existing system of records titled “Inspector General Investigations Case Files” (NASA 10IGIC), last published on December 13, 1999 (64 FR 69561). This system of records is being revised to comply with requirements established by the Homeland Security Act of 2002 (Pub. L. 107–296, Nov. 25, 2002) and to update routine uses. The new routine uses allow the disclosure of information to authorized officials within the President’s Council on Integrity and Efficiency (PCIE), who are charged with the responsibility for conducting qualitative assessment reviews of OIG operations for the purpose of reporting to the President and Congress on the activities of the OIG; disclosure of information to the public under certain enumerated circumstances; and disclosure of information to the news media and the public when there is a genuine public interest or when necessary for protection from imminent threat to life or property. Minor changes are the addition of grantee employees to the categories of individuals covered by the system, addition of research misconduct and whistle blower protection investigations to the categories of records in the system, elimination of inapplicable authorities for maintenance of the system, a revision to routine use 1 to add the Office of Management and Budget and other organizations in the Executive Office of the President; removal of one subsystem manager because the position is no longer part of the Office of Inspector General as well as addition of new subsystem managers; and correcting the address for Location 16 in Appendix A.

DATES: This proposed action will be effective without further notice on July 6, 2004, unless comments are received which result in a contrary determination.

ADDRESSES: Elizabeth Richardson, Associate Counsel to the Inspector General, Office of Inspector General, National Aeronautics and Space Administration Headquarters, Washington, DC 20456–0001.


SUPPLEMENTARY INFORMATION: This publication is in accordance with the Privacy Act requirement that agencies publish their amended systems of records in the Federal Register when there is a revision, change, or addition. NASA’s Office of Inspector General (OIG) has reviewed its systems of records notices and has determined that its record system, Inspector General Investigations Case Files (NASA 10IGIC), must be revised to add a routine use in order to comply with the Homeland Security Act of 2002. Specifically, section 812, subsection (7) of that Act reads as follows: “To ensure the proper exercise of the law enforcement powers authorized by this subsection, the Offices of Inspector General described under paragraph (3) shall, not later than 180 days after the date of enactment of this subsection, collectively enter into a memorandum of understanding to establish an external review process for ensuring that adequate internal safeguards and management procedures continue to exist within each Office and within any Office that later receives an authorization under paragraph (2). The review process shall be established in consultation with the Attorney General, who shall be provided with a copy of the memorandum of understanding that establishes the review process. Under the review process, the exercise of the law enforcement powers by each Office of Inspector General shall be reviewed periodically by another Office of Inspector General or by a committee of Inspectors General. The results of each review shall be communicated in writing to the applicable Inspector General and to the Attorney General.” The additional routine use would allow the disclosure of information to authorized officials within the PCIE, the Department of Justice, and the Federal Bureau of Investigation, as necessary, for the purpose of conducting qualitative assessment reviews of the OIG’s investigative operations to ensure that adequate internal safeguards and management procedures are maintained.

Patti F. Stockman,
NASA Privacy Act Officer.

NASA 10IGIC

SYSTEM NAME: Inspector General Investigations Case Files.

SECURITY CLASSIFICATION: Some of the material contained in the system has been classified in the interests of national security pursuant to Executive Order 11652.

SYSTEM LOCATION: Locations 1 through 11, 14, 16 and 17 as set forth in Appendix A.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM: Current and former employees of NASA, contractors, and subcontractors, and others whose actions have affected NASA.

CATEGORIES OF RECORDS IN THE SYSTEM: Case files pertaining to matters including, but not limited to, the following classifications of cases: (1) Fraud against the Government, (2) theft of Government property, (3) bribery, (4) lost or stolen lunar samples, (5) mis-use of Government property, (6) conflict of interest, (7) waiver of claim for overpayment of pay, (8) leaks of Source Evaluation Board information; (9) improper personal conduct, (10) irregularities in awarding contracts; (11) computer crimes; (12) research