

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

[Docket No. OSHA–2010–0009]

Presence Sensing Device Initiation (PSDI); 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 public comment concerning its proposal to extend the Office of Management and Budget's (OMB) approval of the information collection requirements specified in its Standard on Presence Sensing Device Initiation (29 CFR 1910.217(h)).

DATES: Comments must be submitted (postmarked, sent, or received) by May 17, 2010.

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 three copies of your comments and attachments to the OSHA Docket Office, OSHA Docket No. OSHA–2010–0009, U.S. Department of Labor, Occupational Safety and Health Administration, Room N–2625, 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, 8:15 a.m. to 4:45 p.m., e.t.

Instructions: All submissions must include the Agency name and OSHA docket number for the ICR (OSHA–2010–0009). 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 address above. 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 contact Theda Kenney at the address below to obtain a copy of the Information Collection Request (ICR).

FOR FURTHER INFORMATION CONTACT: Theda Kenney or Todd Owen, Directorate of Standards and Guidance, OSHA, U.S. Department of Labor, Room N–3609, 200 Constitution Avenue, NW., Washington, DC 20210; 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 accordance with the Paperwork Reduction Act of 1995 (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 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 Act or for developing information regarding the causes and prevention of occupational injuries, illnesses, and accidents (29 U.S.C. 657).

Paragraph 1910.217(h) regulates the use of presence sensing devices ("PSDs") used to initiate the operation of mechanical power presses; a PSD (e.g., a photoelectric field or curtain) automatically stops the stroke of a mechanical power press when the device detects an operator entering a danger zone near the press. A mechanical power press using Presence Sensing Device Initiation (PSDI) automatically starts (initiates) the stroke when the device detects no operator within the danger zone near the press. The certification/validation of safety systems for PSDI shall consider the press, controls, safeguards, operator, and environment as an integrated

system which shall comply with 29 CFR 1910.217(a) through (h). Accordingly, the Standard protects workers from serious crush injuries, amputations, and death.

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, 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 requesting that OMB extend its approval of the information collection requirements contained in the Standard on Presence Sensing Device Initiation (PSDI) (29 CFR 1910.217(h)). The Agency is requesting to retain its current burden hour estimate of 1 hour. The Agency will summarize the comments submitted in response to this notice, and will include this summary in the request to OMB.

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

Title: Presence Sensing Device Initiation (PSDI) (29 CFR 1910.217(h)).

OMB Number: 1218–0143.

Affected Public: Business or other for-profits.

Number of Respondents: 0.

Frequency of Responses: Initially, Annually; On occasion.

Average Time per Response: 0.

Estimated Total Burden Hours: 1.

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 (FAX); 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–2010–0009). You may supplement electronic

submissions by uploading document files electronically. If you wish to mail additional materials in reference to an electronic or 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 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 Web site's "User Tips" link. Contact the OSHA Docket Office for information about materials not available through the website, and for assistance in using the Internet to locate docket submissions.

V. Authority and Signature

David Michaels, PhD, MPH, 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. 5-2007 (72 FR 31159).

Signed at Washington, DC, on March 9, 2010.

David Michaels,

Assistant Secretary of Labor for Occupational Safety and Health.

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DEPARTMENT OF LABOR

Bureau of Labor Statistics

Comment Request

AGENCY: Bureau of Labor Statistics, DOL.

ACTION: Notice of solicitation of comments.

SUMMARY: The Bureau of Labor Statistics (BLS) is responsible for developing and implementing the collection of new data on green jobs. The resulting information will assist policymakers in planning policy initiatives and understanding their impact on the labor market, and will facilitate the monitoring of labor market developments related to protecting the environment and conserving natural resources. BLS activities also will be useful to State labor market information offices in their efforts to meet the need for information for State policymakers, businesses, and job seekers.

BLS is currently soliciting comments on the definition BLS will use in measuring green jobs, the industry list, or any other aspect of the information provided in this Notice.

DATES: Written comments must be submitted to the office listed in the **ADDRESSES** section of this notice on or before April 30, 2010.

ADDRESSES: Send comments to Richard Clayton, Office of Industry Employment Statistics, Bureau of Labor Statistics, Room 4840, 2 Massachusetts Avenue, NE., Washington, DC 20212 or by e-mail to: green@bls.gov.

FOR FURTHER INFORMATION CONTACT: Richard Clayton, Office of Industry Employment Statistics, Bureau of Labor Statistics, telephone number 202-691-5185 (this is not a toll-free number), or by e-mail to: green@bls.gov.

SUPPLEMENTARY INFORMATION:

I. Background

BLS is responsible for developing and implementing the collection of new data on green jobs. The goal is to develop information on: (1) The number of and trend over time in green jobs, (2) the industrial, occupational, and geographic distribution of the jobs, and (3) the wages of the workers in these jobs.

The resulting information will assist policymakers in planning policy initiatives and understanding their impact on the labor market, and will facilitate the monitoring of labor market developments related to protecting the environment and conserving natural resources. BLS activities also will be useful to State labor market information offices in their efforts to meet the need

for information for State policymakers, businesses, and job seekers.

There is no widely accepted standard definition of "green jobs." While this topic is of interest across government, academia, and the business community, various studies define the term differently. BLS reviewed a wide range of studies, including several surveys conducted by State Workforce Agencies and work conducted internationally. BLS also consulted with a variety of stakeholders, including Federal agencies, the State labor market information offices, and industry groups. The common thread through the studies and discussions is that green jobs are jobs related to preserving or restoring the environment. Several categories of green economic activity are nearly universally cited: renewable energy, energy efficiency, pollution prevention and clean-up, and natural resources conservation.

The studies reviewed showed that neither of the standard classification systems used in BLS data, the North American Industry Classification System (NAICS) and the Standard Occupational Classification (SOC), identifies a green or environmental grouping of industries or occupations.

In response to the challenge of defining green jobs, BLS has adopted the approach of identifying environmental economic activity and counting the associated jobs. These jobs will be found across a range of industries and occupations.

BLS plans to use two approaches in identifying environmental economic activity and measuring associated jobs: (1) The *output approach*, which identifies establishments that produce green goods and services and counts the associated jobs, and (2) the *process approach*, which identifies establishments that use environmentally-friendly production processes and practices and counts the associated jobs.

In the output approach, BLS is concerned with jobs related to producing a specific set of goods and services, and is not concerned with the environmental impact of the production process. The output approach alone, however, would not cover some activities and associated jobs that favorably impact the environment although the product or service produced is itself not "green." The process approach is intended to address this aspect of green jobs. In the process approach, BLS is concerned with whether the production process has a favorable impact on the environment, but not with what good or service is produced. The process approach is