§ 389.101 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

This part concerns Office of Management and Budget (OMB) control numbers assigned to information collection requirements. Current OMB control numbers are available at https://www.ferc.gov. For the most current information, interested persons should consult the Commission’s website under “Enforcement Legal” and then “Legal” and then “Information Collections” or directly at https://www.ferc.gov/enforcement-legal/legal/information-collections.html.

For further information contact:
Press inquiries: Frank Meilinger, Director, OSHA Office of Communications; telephone: (202) 693–1999; email: meilinger.francis2@dol.gov.
General and technical information: Amy Wangdahl, Director, Office of Maritime and Agriculture, OSHA Directorate of Standards and Guidance; telephone: (202) 693–2066; email: wangdahl.amy@dol.gov.

SUPPLEMENTARY INFORMATION:
I. Summary and Explanation:
OSHA published three final rules containing inadvertent errors in the Incorporation by Reference section for Maritime, § 1915.5. The final rules were Updating OSHA Standards Based on National Consensus Standards, Personal Protective Equipment; Updating OSHA Standards Based on National Consensus Standards, Eye and Face Protection; and Standards Improvement Project-Phase IV. The notice also updates contact information for a government agency and consensus organizations in the Incorporation by Reference section and adjusts the codification to meet Office of the Federal Register requirements.

DATES: Effective October 4, 2021.

TABLE 1—SUMMARY OF REVISIONS

<table>
<thead>
<tr>
<th>Current language</th>
<th>Corrected language</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1915.5(b)(3)—Currently paragraph (c) Copies of standards listed in this section and issued by private standards organizations are available for purchase from the issuing organizations at the addresses or through the other contact information listed below for these private standards organizations. In addition, the standards are available for inspection at any Regional Office of the Occupational Safety and Health Administration (OSHA), or at the OSHA Docket Office, U.S. Department of Labor, 200 Constitution Avenue NW, Room N–3508, Washington, DC 20210; telephone: 202–693–2350 (TTY number: 877–889–5627). These standards are also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of these standards at NARA, telephone: 202–741–6030, or go to <a href="http://www.archives.gov/federal-register/cfr/ibr-locations.html">www.archives.gov/federal-register/cfr/ibr-locations.html</a>.</td>
<td>1915.5(b)(3) Copies of standards listed in this section and issued by private standards organizations are available for purchase from the issuing organizations at the addresses or through the other contact information listed elsewhere in this section for these private standards organizations. In addition, the standards are available for inspection at any Regional Office of the Occupational Safety and Health Administration (OSHA), or at the OSHA Docket Office, U.S. Department of Labor, 200 Constitution Avenue NW, Room N–3508, Washington, DC 20210; telephone: 202–693–2350 (TTY number: 877–889–5627). These standards are also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of these standards at NARA, email <a href="mailto:fr.inspection@nara.gov">fr.inspection@nara.gov</a>, or go to <a href="http://www.archives.gov/federal-register/cfr/ibr-locations.html">www.archives.gov/federal-register/cfr/ibr-locations.html</a>.</td>
<td>Paragraph (c), which contains availability and contact information for OSHA, is redesignated paragraph (b)(3), so that all required approval and availability language is in a single paragraph, following OFFR’s IBR requirements. Update contact information for the NARA IBR.</td>
</tr>
<tr>
<td>Current language</td>
<td>Corrected language</td>
<td>Explanation</td>
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</table>
II. Exemption From Notice-and-Comment Procedures

OSHA has determined that these corrections are not subject to the procedures for public notice and comment specified in the Administrative Procedures Act (5 U.S.C. 553), and Section 6(b) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655(b)). This rulemaking only corrects minor errors and makes non-substantive codification changes. No stakeholder is likely to object to these corrections. Therefore, the agency finds good cause that public notice and comment are unnecessary within the meaning of 5 U.S.C. 553(b)(3)(B), 29 U.S.C. 655(b), and 29 CFR 1911.5.

List of Subjects for 29 CFR Part 1915

Incorporation by reference.

Authority and Signature

James S. Frederick, Acting Assistant Secretary of Labor for Occupational Safety and Health.

Amendment to Standard [corrected]

For the reasons set forth above, 29 CFR part 1915 is amended as follows:

PART 1915—OCCUPATIONAL SAFETY AND HEALTH STANDARDS FOR SHIPYARD EMPLOYMENT

1. The authority citation for part 1915 continues to read as follows:


2. Revise and republish §1915.5 to read as follows:

§1915.5 Incorporation by reference.

(a) Specifications, standards, and codes of agencies of the U.S. Government, to the extent specified in the text, form a part of the regulations of this part. In addition, under the authority vested in the Secretary under the Act, the specifications, standards, and codes of organizations which are not agencies of the U.S. Government, in effect on the date of the promulgation of the regulations of this part as listed below, to the extent specified in the text, form a part of the regulations of this part.

(b)(1) The standards listed in this section are incorporated by reference into this part with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, OSHA must publish a document in the Federal Register and the material must be available to the public.

(2) Any changes in the standards incorporated by reference in this part and an official historic file of such changes are available for inspection in the Docket Office at the national office of the Occupational Safety and Health Administration, U.S. Department of Labor, Washington, DC 20210; telephone: 202–693–2350 (TTY number: 877–889–5627).

(3) Copies of standards listed in this section and issued by private standards organizations are available for purchase from the issuing organizations at the addresses or through the other contact information listed elsewhere in this section for these private standards organizations. In addition, the standards are available for inspection at any Regional Office of the Occupational Safety and Health Administration (OSHA), or at the OSHA Docket Office, U.S. Department of Labor, 200 Constitution Avenue NW, Room N–3508, Washington, DC 20210; telephone: 202–693–2350 (TTY number: 877–889–5627). These standards are also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of these standards at NARA,
email fr.inspection@nara.gov, or go to www.archives.gov/federal-register/cfr/ibr-locations.html.

[c] [Reserved]


(1) ANSI A14.1–1975 Safety Requirements for Portable Wood Ladders, IBR approved for § 1915.72(a).

(2) ANSI A14.2–1972 Safety Requirements for Portable Metal Ladders, IBR approved for § 1915.72(a).


(6) ANSI/ISEA Z87.1–2010, Occupational and Educational Personal Eye and Face Protection Devices, approved April 13, 2010; IBR approved for § 1915.153(b). Copies are available for purchase from:

(i) ANSI Webstore, 25 W 43rd Street, 4th Floor, New York, NY 10036; telephone: (212) 642–4980; website: https://webstore.ansi.org; telephone: (800) 447–2273; website: https://global.ils.com; or

(ii) TechStreet Store, 3025 Boardwalk Drive, Suite 220, Ann Arbor, MI 48108; telephone: (855) 999–9870; website: www.techstreet.com.

(8) ANSI Z87.1–1989 (R–1998), Practice for Occupational and Educational Eye and Face Protection. Reaffirmation approved January 4, 1999; IBR approved for § 1915.153(b). Copies are available for purchase from:

(i) ANSI Webstore, 25 W 43rd Street, 4th Floor, New York, NY 10036; telephone: (212) 642–4980; website: https://webstore.ansi.org;

(ii) IHS Standards Store, 15 Inverness Way East, Englewood, CO 80112; telephone: (800) 447–2273; website: https://global.ils.com; or

(iii) TechStreet Store, 3025 Boardwalk Drive, Suite 220, Ann Arbor, MI 48108; telephone: (855) 999–9870; website: www.techstreet.com.


(13) ANSI/ISEA Z308.1–2009, Revision of ANSI Z308.1–2003, Minimum Requirements for Workplace First Aid Kits and Supplies, ANSI approved May 8, 2009, IBR approved for § 1915.87 Appendix A.

Note 1 to paragraph (d): Unless otherwise indicated, all standards in this paragraph (d) are available from ANSI.

(e) American Society of Mechanical Engineers (ASME), Two Park Avenue, New York, New York 10016; telephone: (800) 843–2763; email: CustomerCare@asme.org; website: https:// www.asme.org/codes-standards:


(2) [Reserved]

(f) American Conference of Governmental Industrial Hygienists (ACGIH), 3640 Park 42 Drive, Cincinnati, OH 45241; telephone: (513) 742–2020; website: https:// www.acgih.org/publications/:

(1) Threshold limit values, 1970, IBR approved for §§ 1915.12(b) and 1915.1000, table Z.

(2) [Reserved]

(g) ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428–2959; telephone: 610–832–9500; fax: 610–832–9555; email: service@astm.org; website: www.astm.org:


(h) International Labour Organization (ILO), 4 route des Morillons, CH–1211 Genève 22, Switzerland; telephone: +41 (0) 22 799 6111; fax: +41 (0) 22 798 8685; website: www.ilo.org/.


(2) [Reserved]

(i) National Fire Protection Association (NFPA), 1 Batterymarch Park, P.O. Box 9101, Quincy, MA 02269–9101; telephone: (800) 344–3555; email: orders@nfpa.org; website: https:// www.nfpa.org/Codes-and-Standards:


(3) NFPA 1976–2000, Standard on Protective Ensemble for Proximity Fire
Manufacture, Sale, Wear, and Quality Control of Heraldic Items

AGENCY: Department of the Army, Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: The Department of the Army is finalizing its regulation describing the Army Heraldic Quality Control Program and the certification process for manufacturers in order to make Military Insignia. The rule establishes procedures governing the manufacture, commercial sale, reproduction, possession, and wear of military decorations, medals, badges, insignia and their components and appurtenances; discusses the five-year renewal period for manufacturer certification and insignia authorizations; and the procedures for authorizing the use of insignia on commercial items.

DATES: This rule is effective on November 3, 2021.

FOR FURTHER INFORMATION CONTACT: Charles V. Mugno, Office of the Administrative Assistant to the Secretary of the Army, Director of the Institute of Heraldry, (571) 515–0320.

SUPPLEMENTARY INFORMATION:

I. Background

a. This final rule revises the Department of the Army’s (DA) regulation, 32 Code of Federal Regulations (CFR) part 507, for implementing the Army Heraldic Quality Control Program which was last published on May 18, 1998 (63 FR 27208). The revisions being finalized include a procedural change to manufacturer certification and insignia authorizations which add a five-year renewal period for manufacturer certification and insignia authorizations. This change insures the manufacturing base is current and insignia is periodically examined for quality. The second change is to the approving authority for the use of insignia images in commercial items. Pursuant to Title 10 U.S.C. 2260, Licensing of intellectual property: Retention of fees, the Secretary of the Army established the Army Trademark Licensing Program in 2006, formalizing the process for the licensing of marks owned by the Department of the Army, including heraldic insignia and other collective marks. The authorities for this rule are 10 U.S.C. 7594; 15 U.S.C. 1051 et seq.; 10 U.S.C. 2260; 18 U.S.C. 701, 704; 36 U.S.C. 901. Title 10 U.S.C. 2260 grants the Secretary of the Army the authority to license trademarks, service marks, certification marks, and collective marks. Title 10 U.S.C. 2260 grants the Secretary of the Army the authority to license trademarks, service marks, certification marks, and collective marks owned or controlled by the Secretary of the Army. Title 18 U.S.C. 701 states manufacturing, selling, and possession of any badge, identification card or insignia prescribed by the head of any department or agency of the United States is unlawful unless authorized by regulations made pursuant to law. Title 18 U.S.C. 704, also known as the “Stolen Valor Act” makes it illegal for a person to fraudulently claim having received a valor award specified in the Act, with the intention of obtaining money, property, or other tangible benefit by convincing another that he or she received the award. Title 36 U.S.C. 901 grants authority to the Secretary of Defense to approve a service flag and lapel button for display by members of the immediate family of an individual serving in the Armed Forces of the United States during any period of war or hostilities in which the armed forces are engaged. Persons must apply to the Secretary of Defense for a license to manufacture and sell the approved service flag. That authority was delegated in DoD Manual 1348.33 to the Secretary of the Army. (Available at https://www.esd.whs.mil/Directives/issuances/dodm/)

II. Summary of Major Provisions

Subpart A—Introduction. Includes discussion on purpose and applicability; references; provides a list of definitions, terms, and abbreviations; responsibly outlines the responsibilities for the implementation of the program; statutory authority; identifies and defines the applicable statutes.

Subpart B—Manufacture and Sale of Decorations, Badges, and Insignia includes discussion on the process to become a certified manufacturer; provides requirements for the certification of insignia; discusses process to incorporate designs in commercial articles; discusses the possession and wear of decoration, service medal, badge, service ribbon, lapel button, or insignia.

Subpart C—Heraldic Quality Control Program discusses the program and the controlled heraldic items that fall under the jurisdiction and identified insignia that are not authorized for commercial sale. This subpart also discusses penalties for...