

rules do not authorize filing of submissions with the Secretary by facsimile or electronic means, except to the extent permitted by section 201.8 of the Commission's rules, as amended, 67 FR 68036 (November 8, 2002).

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigation must be served on all other parties to the investigation (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Parties are also advised to consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subpart A (19 CFR part 207) for provisions of general applicability concerning written submissions to the Commission.

By order of the Commission.

Issued: December 15, 2006.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E6-21747 Filed 12-19-06; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review: Comment Request

December 14, 2006.

The Department of Labor (DOL) has submitted the following public information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35). A copy of this ICR, with applicable supporting documentation, may be obtained at <http://www.reginfo.gov/public/do/PRAMain>, or contact Ira Mills on 202-693-4122 (this is not a toll-free number) or e-mail: [Mills.Ira@dol.gov](mailto:Mills.Ira@dol.gov).

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for U.S. Department of Labor/Employment and Training Administration (ETA), Office of Management and Budget, Room 10235, Washington, DC 20503, 202-395-7316 (this is not a toll free number), within 30 days from the date of this publication in the **Federal Register**.

The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary

for the proper performance of the functions of the agency, including whether the information will have practical utility;

- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

*Agency:* Employment and Training Administration.

*Type of Review:* Extension without change of a currently approved collection.

*Title:* Preliminary Estimate of Average Employer Tax Rates.

*OMB Number:* 1205-0228.

*Frequency:* Annually.

*Affected Public:* State, Local, or Tribal government.

*Type of Response:* Reporting.

*Number of Respondents:* 53.

*Annual Responses:* 53.

*Average Response time:* 15 minutes.

*Total Annual Burden Hours:* 14.

*Total Annualized Capital/Startup Costs:* 0.

*Total Annual Costs (operating/maintaining systems or purchasing services):* 0.

*Description:* The Secretary has interpreted applicable sections of Federal law to require States to address the prevention, detection, and recovery of benefit overpayments caused by willful misrepresentation or errors by claimants or others. This report provides an accounting of the types and amounts of such overpayments and serves as a useful management tool for monitoring overall integrity in the Unemployment Insurance system.

**Ira L. Mills,**

*Departmental Clearance Officer/ Team Leader.*

[FR Doc. E6-21630 Filed 12-19-06; 8:45 am]

**BILLING CODE 4510-30-P**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review: Comment Request

December 14, 2006.

The Department of Labor (DOL) has submitted the following public information collection requests (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35). A copy of each ICR, with applicable supporting documentation, may be obtained from RegInfo.gov at <http://www.reginfo.gov/public/do/PRAMain> or by contacting Darrin King on 202-693-4129 (this is not a toll-free number)/e-mail: [king.darrin@dol.gov](mailto:king.darrin@dol.gov).

Comments should be sent to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Occupational Safety and Health Administration (OSHA), Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: 202-395-7316/Fax: 202-395-6974 (these are not a toll-free numbers), within 30 days from the date of this publication in the **Federal Register**.

The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

*Agency:* Occupational Safety and Health Administration.

*Type of Review:* Extension without change of currently approved collection.

*Title:* 4,4'-Methylenedianiline

Construction 29 CFR 1926.60.

*OMB Number:* 1218-0183.

*Type of Response:* Recordkeeping and third-party disclosure.

*Affected Public:* Business or other for-profits.

*Number of Respondents:* 60.  
*Number of Annual Responses:* 3,960.  
*Estimated Time per Response:* Varies by task.

*Total Burden Hours:* 1,607.  
*Total Annualized capital/startup costs:* \$0.

*Total Annual Costs (operating/maintaining systems or purchasing services):* \$80,412.

*Description:* The purpose of this Standard and its information collection requirements is to provide protection for employees from adverse health effects associated with occupational exposure to 4,4'-Methylenedianiline. Employers must monitor exposure, keep employee exposures within the permissible exposure limits, provide employees with medical examinations and training, and establish and maintain employee exposure-monitoring and medical records.

*Agency:* Occupational Safety and Health Administration.

*Type of Review:* Extension without change of currently approved collection.

*Title:* 4,4'-Methylenedianiline General Industry 29 CFR 1910.1050.

*OMB Number:* 1218-0184.

*Type of Response:* Recordkeeping and third-party disclosure.

*Affected Public:* Business or other for-profits.

*Number of Respondents:* 13.

*Number of Annual Responses:* 583.

*Estimated Time per Response:* Varies by task.

*Total Burden Hours:* 293.

*Total Annualized capital/startup costs:* \$0.

*Total Annual Costs (operating/maintaining systems or purchasing services):* \$19,312.

*Description:* The purpose of this Standard and its information collection requirements is to provide protection for employees from adverse health effects associated with occupational exposure to 4,4-Methylenedianiline. Employers must monitor exposure, keep employee exposures within the permissible exposure limits, provide employees with medical examinations and training, and establish and maintain employee exposure-monitoring and medical records.

*Agency:* Occupational Safety and Health Administration.

*Type of Review:* Extension without change of currently approved collection.

*Title:* Electrical Protective Equipment (29 CFR 1910.137), and Electric Power Generation, Transmission, and Distribution (29 CFR 1910.269).

*OMB Number:* 1218-0190.

*Type of Response:* Recordkeeping and third-party disclosure.

*Affected Public:* Business or other for-profits.

*Number of Respondents:* 20,765.

*Number of Annual Responses:* 437,884.

*Estimated Time per Response:* Varies by task.

*Total Burden Hours:* 30,533.

*Total Annualized capital/startup costs:* \$0.

*Total Annual Costs (operating/maintaining systems or purchasing services):* \$0.

*Description:* The information collection requirements are needed to help provide protection to employees who use electrical protective equipment and who are involved in industries engaged in electric power generation, transmission, and distribution work.

*Agency:* Occupational Safety and Health Administration.

*Type of Review:* Extension without change of currently approved collection.

*Title:* Standard on Walking-Working Surfaces (29 CFR part 1910, subpart D).

*OMB Number:* 1218-0199.

*Type of Response:* Third-party disclosure.

*Affected Public:* Business or other for-profits.

*Number of Respondents:* 12,100.

*Number of Annual Responses:* 12,100.

*Estimated Time per Response:* Varies by task.

*Total Burden Hours:* 1,193.

*Total Annualized capital/startup costs:* \$0.

*Total Annual Costs (operating/maintaining systems or purchasing services):* \$0.

*Description:* The information collection requirements in the Walking-Working Surfaces standard is designed to protect employees by making them aware of load limits of the floors of buildings, defective portable metal ladders, and the specifications of outrigger scaffolds used.

*Agency:* Occupational Safety and Health Administration.

*Type of Review:* Extension without change of currently approved collection.

*Title:* OSHA Data Initiative (ODI).

*OMB Number:* 1218-0209.

*Type of Response:* Reporting.

*Affected Public:* Business or other for-profits.

*Number of Respondents:* 100,000.

*Number of Annual Responses:* 100,000.

*Estimated Time per Response:* 10 minutes.

*Total Burden Hours:* 16,666.

*Total Annualized capital/startup costs:* \$0.

*Total Annual Costs (operating/maintaining systems or purchasing services):* \$0.

*Description:* The agency will collect occupational injury and illness data from selected employers. These employers will also be required to provide the average employment, hours worked, and the name and phone number of the person submitting the data. The data collection will include mail and telephone follow-up to ask clarifying questions concerning data submitted, and to attempt to obtain responses from non-responders. The purpose of the data collection is to compile occupational injury and illness data from employers within specific industries and size categories. OSHA then will be able to calculate occupational injury and illness rates by employer and specific industry. The agency will require this information from up to 100,000 employers required to create and maintain records pursuant to 29 CFR part 1904.

In each of the previous OSHA Data Initiative (ODI) information collections, beginning with the collection of CY 1995 data, the Agency collected data from approximately 80,000 establishments each year. OSHA used the 1996 data from the 1997 collection as a baseline for both its Cooperative Compliance Program initiative and its Interim Plan for Inspection Targeting. The 1997 through 2004 injury and illness data have been used for OSHA's Site Specific Targeting (SST) plans. Each year the SST plan is updated with the most current data. The SST-06 plan is currently using CY 2004 establishment specific data.

Since 1998, OSHA has used the information from each data collection to identify approximately 14,000 establishments in Federal jurisdiction with high lost workday injury and illness case rates. OSHA sends letters to these establishments indicating its concern about the high injury and illness rate at the establishment and informing the employer of available services, such as the OSHA on-site consultation program, that can be used to identify hazards and address occupational safety and health issues.

OSHA is also using the information collected for measurement purposes to comply with the Government Performance and Results Act (GPRA). It must be noted that limiting this data collection to establishments with 40 or more employees also limits OSHA's ability to fully utilize this data collection to meet the Agency's requirements under the GPRA. A significant portion of OSHA inspections as well as consultation visits are performed at establishments with less than 40 employees. OSHA cannot

conduct follow-up data collection to measure the impact of these interventions without authorization to collect from this group of smaller employers. OSHA is seeking approval to collect data from these employers only for performance measurement purposes. Data collected from this group would not be used for OSHA's enforcement activities. Some states operating state plans pursuant to Section 18 of the OSH Act also use the information collected for the same purposes as does Federal OSHA.

**Darrin A. King,**

*Acting Departmental Clearance Officer.*

[FR Doc. E6-21631 Filed 12-19-06; 8:45 am]

BILLING CODE 4510-26-P

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. NRTL95-F-1]

#### Nationally Recognized Testing Laboratories; Proposed Revised Fee Schedule

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

**ACTION:** Notice.

**SUMMARY:** This notice provides the proposed revised schedule of fees to be charged by the Occupational Safety and Health Administration (OSHA) to Nationally Recognized Testing Laboratories (NRTLs). OSHA charges fees for specific types of services it provides to NRTLs. The fees charged to NRTLs first went into effect on October 1, 2000.

**DATES:** The new fees shown in this notice will become effective on February 5, 2007. You must submit information or comments by the following dates:

- Hard copy: postmarked or sent by January 4, 2007.
- Electronic transmission or facsimile: sent by January 4, 2007.

**ADDRESSES:** You may submit comments by any of the following methods:

*Electronically:* You may submit comments and attachments electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the instructions on-line for making electronic submissions.

*Fax:* If your submissions, 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:* You must

submit three copies of your comments and attachments to the OSHA Docket Office, Docket No. NRTL95-F-1, U.S. Department of Labor, 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.-4:45 p.m., e.t.

*Instructions:* All submissions must include the Agency name and the OSHA docket number for this notice (OSHA Docket No. NRTL95-F-1). Submissions, 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>.

*Docket:* To read or download submissions 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 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 Web site. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office.

*Extension of Comment Period:* Submit requests for extensions concerning this notice to the Office of Technical Programs and Coordination Activities, NRTL Program, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-3655, Washington, DC 20210. Or fax to (202) 693-1644.

#### FOR FURTHER INFORMATION CONTACT:

MaryAnn Garrahan, Director, Office of Technical Programs and Coordination Activities, NRTL Program, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N3655, Washington, DC 20210, or phone (202) 693-2110. Our Web page includes information about the NRTL Program (see <http://www.osha.gov> and select "N" in the site index).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The Occupational Safety and Health Administration (OSHA) is proposing to adjust the fees that the Agency charges for the services it provides to Nationally Recognized Testing Laboratories (NRTLs). OSHA is taking this action as a result of its process for annually reviewing the fees, as provided under 29 CFR 1910.7(f). This review has shown that the costs of providing the services covered by the fees have changed

sufficiently to warrant adjustments to the current fee schedule, which has been in effect since January 2002. The fee adjustments described in this notice are based on the current approach for calculating fees, which is the same approach OSHA used in developing the first fee schedule (effective October 1, 2000).

OSHA is also in the process of developing a new approach to calculating fees that would more accurately recoup the total costs of the services OSHA provides to NRTLs. The Agency will be proposing this new approach, and seeking comments on it, in a **Federal Register** notice to be published at a later date.

##### II. Background

Many of OSHA's safety standards require that equipment or products used in the workplace be tested and certified to help ensure they can be used safely. See, e.g., 29 CFR part 1910, subpart S. In general, this testing and certification must be performed by a Nationally Recognized Testing Laboratory (NRTL). Products or equipment that have been tested and certified must have the NRTL's certification mark on them, or, if this is not feasible, then on its packaging. An employer may rely on the certification mark, which shows that the equipment or product has been tested and certified in accordance with OSHA requirements. In order to ensure that the testing and certification is done appropriately, OSHA implemented the NRTL Program. The NRTL Program establishes the criteria that an organization must meet in order to be and remain recognized as an NRTL.

The NRTL Program requirements are set forth under 29 CFR 1910.7, "Definition and requirements for a nationally recognized testing laboratory." To be recognized by OSHA, an organization must: (1) Have the appropriate capability to test, evaluate, and approve products to assure their safe use in the workplace; (2) be completely independent of the manufacturers, vendors, and major users of the products for which OSHA requires certification; (3) have internal programs that ensure proper control of the testing and certification process; and (4) have effective reporting and complaint handling procedures.

OSHA requires NRTL applicants (i.e., organizations seeking initial recognition as an NRTL) to provide detailed and comprehensive information about their programs, processes, and procedures in writing when they apply. OSHA reviews the written information and conducts an on-site assessment to determine whether the organization meets the requirements