

The petitioner states that the use of canopies on the equipment would be detrimental to the safety of the miners.

18. Headache Coal Company, Inc.

[Docket No. M-97-57-C]

Headache Coal Company, Inc., P.O. Box 188, Barbourville, Kentucky 40906 has filed a petition to modify the application of 30 CFR 75.380(f)(4)(I) (escapeways; bituminous and lignite mines) to its Mine No. 7 (I.D. No. 15-17708) located in Knox County, Kentucky. The petitioner proposes to install two 5-pound or one 10-pound portable chemical fire extinguisher in the operator's deck of each Mescher tractor and to have the fire extinguisher readily accessible to the operator; to have the fire extinguisher inspected daily by the equipment operator prior to entering the escapeway; to have the operator make daily inspections of the fire extinguisher and keep the records at the mine site; and to have a sufficient number of spare fire extinguishers maintained at the mine in case an extinguisher becomes defective. The petitioner asserts that this petition is based on the safety of the miners.

19. Newmont Gold Company

[Docket No. M-97-03-M]

Newmont Gold Company, P.O. Box 669, Carlin, Nevada 89822 has filed a petition to modify the application of 30 CFR 56.14107(a) (moving machine parts) to its Genesis Mine (I.D. No. 26-00062) located in Eureka County, Nevada. The petitioner proposes to place a sign on its Dresser Haulpack 510 Haultrucks to provide additional protection from moving parts at the front of the motor in addition to that provided by the location of the cited pinch point (Citations Nos. 7704270 and 7704274) issued April 21, 1997; and to reinforce training of the truck drivers to avoid the cited area. The petitioner asserts that placing guards on the trucks' undersides would interfere with the trucks' fire suppression systems. In addition, the petitioner asserts that application of the standard would result in a diminution of safety to the miners.

Request for Comments

Persons interested in these petitions may furnish written comments. These comments must be filed with the Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before June 30, 1997. Copies of these petitions are available for inspection at that address.

Dated: May 23, 1997.

Patricia W. Silvey,

Director, Office of Standards, Regulations, and Variances.

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DEPARTMENT OF LABOR

Occupational Safety and Health Administration

Directorate of Construction

AGENCY: Occupational Safety and Health Administration, Labor.

ACTION: Notice of availability of funds and Solicitation for Grant Applications (SGA).

SUMMARY: All information required to submit a grant application by eligible applicants is contained in this announcement. The U. S. Department of Labor (DOL), Occupational Safety and Health Administration (OSHA), announces the availability of \$2.0 million in funds for a three-pronged training effort on the standards applicable to the residential construction industry.

DATES: The closing date for receipt of proposals is August 1, 1997, at 4:30 p.m. (Eastern Daylight Time).

ADDRESSES: Applications shall be mailed to: Directorate of Construction, Attention: H. Berrien Zettler, Deputy Director, Occupational Safety and Health Administration, U. S. Department of Labor, Room N-3603, 200 Constitution Avenue, N. W., Washington, DC 20210.

FOR FURTHER INFORMATION CONTACT: H. Berrien Zettler, Directorate of Construction, Telephone: (202) 219-8071, Extension 122. (This is not a toll free number).

SUPPLEMENTARY INFORMATION: U. S. Department of Labor, Occupational Safety and Health Administration, is soliciting proposals on a competitive basis to conduct a series of training seminars directed to three separate target groups; viz., (1) non-union residential contractors/subcontractors, including their supervisors and their workers; (2) union residential contractors/subcontractors, their supervisors and their workers; and (3) OSHA (Federal and State Plan) compliance safety and health officers. Conduct of the training series will include developing a course syllabus, recruiting employers and workers for the training, delivering the training, and performing appropriate follow-up. Multiple training sessions, lasting from eight (8) to ten (10) hours each for target

groups (1) and (2) above and ten (10) to sixteen (16) hours each for target group (3) above, will be held in different locations around the country. This does not prohibit a bidder from designing and submitting a program for a specific portion of the training, or for a specific geographical location or for a subgroup of trainees. Indeed, OSHA anticipates awarding multiple grants under this **Federal Register** notice. Such grants might address all or any of the different training series or even subordinate parts of one training series (such as training of non-union contractors in a particular Federal or State plan State or a particular region of the country). Selection of multiple grantees will not compromise the Agency's desire for nationwide coverage. Applicants for training of target groups (1) or (2) are expected to specify the approximate number of students they plan to train, e.g., 500-1000 organized contractor/subcontractor employees in the Southwest, or 400-800 non-union residential contractors in the six (6) Midwestern states listed herewith.

Part I. Application Process

A. Eligibility

Applicants eligible to apply for grants under this announcement are non-profit organizations which are currently administering or who have had experience in administering training programs involving a wide variety of OSHA's construction standards. Institutions of higher education which are supported by State or local governments are eligible to apply. Applicants other than State or local government-supported institutions of higher education will be required to submit evidence of their non-profit status, preferably from the Internal Revenue Service. (Applicants shall indicate their IRS status on the Standard Form 424) which is included in the application package. A consortium of two or more eligible applicants is also eligible to apply. Each consortium must have a written agreement spelling out the roles and responsibilities for each consortium member and naming one member as the lead agency. The lead agency will receive the grant and will be responsible for grant administration and primary contact with the Department of Labor Representative.

B. Period of Performance

The performance period for these grants will be twenty-four (24) months from the date of execution.

C. Submission of Proposal

Applicants may apply for all aspects of this solicitation or for any subpart. They may design a program that is nationwide or that limits consideration to one geographical region. Grant application packages may be obtained from the OSHA Office of Program Budgeting and Financial Management, Division of Grants Management, 200 Constitution Avenue, Room N-3419, Washington, D.C. 20210. All of the forms necessary for a complete application are included with the grant application package. A proposal shall consist of two (2) separate and distinct parts: Part I, the Financial Proposal and Part II, the Technical Proposal. Part I, the Financial Proposal, shall contain the Application for Financial Assistance (SF-424); the Budget Information Sheet (SF-424b); and the OSHA Grant Agreement (OSHA Form 110). The budget shall include (on separate pages) detailed breakouts of each proposed budget line item, including detailed administrative costs and program costs. Grant funds cannot be used to (1) support lobbying activities, (2) provide training that would be provided in the absence of the requested grant, (3) provide salaries for program participants or (4) acquire production equipment. Part II shall contain the Technical Proposal that demonstrates the applicant's capabilities in accordance with the Statement of Work in Part II of this solicitation. No cost data or reference to costs shall be included in the Technical Proposal.

D. Hand Delivered Proposals

Proposals may be mailed or delivered by hand. A mailed proposal should be mailed no later than five (5) calendar days prior to the closing date for the receipt of applications. Hand-delivered grant applications must be received at the designated place by 4:30 p.m. (Eastern Time) by August 1, 1997. Overnight mail shall be considered to be hand-delivered and must be received at the designated place by the specified time on the closing date. Grant applications transmitted by electronic mail, telegraph, or fax will not be considered.

E. Late Proposals

A proposal received at the office designated in the solicitation after the exact time specified for receipt will not be considered.

F. Withdrawal of Proposals

A grant application may be withdrawn by written notice or telegram (including mailgram) received at any time before the awarding of a grant

based on that application. An application may be withdrawn in person by the grant applicant or by an authorized representative of the grant applicant if the representative's identity is documented and the representative signs a receipt acknowledging withdrawal of the proposal.

Part II. Government Requirement/ Statement of Work

A. Purpose

The purpose of this solicitation is to announce that funds are available for grants. Grant applications must address one or more of the target groups:

1. Training of non-union residential construction contractors and subcontractors, their supervisors and their workers;
2. Training of union residential contractors and subcontractors, their supervisors and their workers;
3. Training for OSHA (Federal and State Plan) compliance officers (CSHO) who conduct or may conduct residential inspections.

The subject of all phases of the training will be effective safety and health practices in construction with particular reference to the OSHA construction standards applicable to home building. OSHA will develop and provide to grantees a publication containing those construction safety and health standards most commonly applicable to residential construction. Appendices may be developed, as appropriate, for State Plan State standards when different from Federal standards. This publication will serve as the basis for development of the training seminars. Training that is directed toward contractors, subcontractors, supervisors, and workers in States that operate OSHA-approved State plans must be coordinated with and have the concurrence of the responsible State plan official. The training must also include appropriate reference to State plan standards and requirements where they differ from the Federal standards. Separate training will be designed for each target group and will be carried out in a series of seminars conducted at multiple locations throughout the country to ensure nationwide availability. A minimum of forty (40) seminars for employers and employees will be conducted. Each seminar will last from eight (8) to ten (10) hours and will be provided at no cost to the participants. Training for Federal and State CSHOs may be given to as many as seven hundred (700) persons and may be located in Regional Office cities, other centrally located cities or at the OSHA Training Institute in Des Plaines,

IL. OSHA's Office of Training and Education will: (a) supervise the development of training materials by grantees selected for training of CSHOs, (b) provide guidance on policy and procedural matters applicable to the identified standards, (c) coordinate the program planning for that target group and (d) participate in the delivery of training. These latter training sessions (for CSHOs) may last as long as sixteen (16) hours.

B. Project Summary

Each grant application shall follow the format outlined below:

1. Target Population

As indicated in the purpose section there are three target groups for training: non-union contractors/sub contractors and their employees; union contractors/subcontractors and their employees; and OSHA compliance personnel.

2. Project Design

(a) Outreach and recruitment. The grantee(s) will develop and deliver a series of training courses addressing hazards regularly found on residential construction sites, based on the OSHA construction standards identified as commonly applicable to residential construction sites in a publication to be provided to the grantee(s) by OSHA at the time the grant is awarded or as soon thereafter as it is available. Each session for the first two training target groups will last a minimum of eight and a maximum of ten hours to be given in one to one and one-half days and will focus on effective safety and health practices to ensure employee safety. Separate training seminars will be set up for each of the target groups at multiple locations throughout the country to ensure nationwide availability. OSHA anticipates that a minimum of forty (40) such sessions will be conducted. The training sessions for CSHOs will also focus on hazards regularly found on residential construction sites and will be based on the OSHA construction standards identified as commonly applicable to residential construction sites in a publication to be provided to the grantee(s) by OSHA as soon as it is available but not later than prior to the start of the training. CSHO training will also address compliance-related policies and procedures applicable to these standards. The sessions for target group (3) may last as long as sixteen hours, may include as many as seven hundred (700) trainees and may be located in Regional Office cities, other centrally located cities or at the OSHA Training Institute in Des Plaines, IL. Grant

applications may target training courses for one or all of the identified target groups or any subpart(s) thereof. The grantee(s) will be expected to: (a) develop and conduct training outreach or publicity programs; (b) arrange for and obtain an adequate meeting site for each seminar; (c) determine the number of attendees; (d) develop course content appropriate to the audience, including printed handouts and audio-visual materials; and with appropriate reference to the applicable OSHA-approved State plan requirements; (e) deliver the training; (f) obtain feedback from participants on the success of the seminar; (g) cycle improvements into the training course content as appropriate; and (h) develop a report at the end of the series of seminars evaluating its effectiveness.

Training directed at audiences from any target group in States that operate OSHA-approved State plans must be coordinated with and have the concurrence of the responsible State plan official. The training must also include appropriate reference to State plan standards and requirements where they differ from the Federal standards. Course evaluations by students will be collected at the end of each session and forwarded to OSHA's Directorate of Construction, Attention: H. Berrien Zettler, Deputy Director.

(b) Eligibility and selection criteria. The grantee(s) must:

(1) Demonstrate a working knowledge of the residential construction industry;

(2) Demonstrate a working knowledge of OSHA's construction standards (29 CFR 1926) and interpretations and, where appropriate, of State plan State construction standards;

(3) Demonstrate expertise in developing safety and health training programs and outreach materials, both computer-based and audio-visual, as well as familiarity with OSHA's Computerized Information System (OCIS).

(4) Demonstrate expertise in the development and evaluation of the effectiveness of safety and health programs and plans for employers, especially small business construction employers, and employees engaged in residential construction.

(c) Program experience. The grantee(s) will demonstrate experience with occupational safety and health programs in construction; with setting up training seminars and recruiting appropriate attendees, with training adults in work-related subjects; with developing computer-based, audio-visual and written materials to be used in training and with evaluating the success and effectiveness of training sessions.

3. Evaluation

Applicants may apply for any or all aspects of this solicitation or for any subpart. In either case the contents of the technical proposal must address each of the categories outlined in Part III in the order presented there. Each technical proposal will be scored on the basis of possible points. The parenthetical points shown below beside each of the evaluation factors indicate the relative importance of those factors. Applicants for the entire project will be evaluated against all factors. Those submitting proposals only for parts of the project will be evaluated against only those factors applying to the part(s) applied for. The parenthetical points shown below beside each evaluation subfactor indicate the relative importance of the subfactors.

4. Innovation

Describe any innovation in proposed training methods.

5. Project Management

(a) Structure. Describe the management structure proposed for the project, including a staffing plan that describes each position and the percentage of its time to be assigned to this project. Provide an organizational chart showing the relationship among project management and operational components, including those at multiple sites of the project.

(b) Program integrity. Describe the mechanisms to ensure financial accountability for grant funds and performance accountability relative to training. Explain the basis for the applicant's administrative authority over the management and operational components.

(c) Previous project management experience. Provide an objective demonstration of the grant applicant's ability to manage the project based on the applicant's past experience in the design and delivery of training.

C. Financial Reporting Requirements

Grantees will be required to submit quarterly and final financial and program reports. Detailed requirements for submitting these reports will be included in the grant award package. There are restrictions on the use of grant funds. OSHA will not provide funding for the following activities:

- Any activity inconsistent with the goals and objectives of the Occupational Safety and Health Act of 1970.
- Training of employers or employees not covered by the Occupational Safety and Health Act. Examples include State and local government workers in non-State Plan States and workers excluded

from coverage under Section 4(b)(1) of the Act.

- Production, publication, reproduction or use of training and educational materials, including newsletters and instructional programs, that have not been reviewed by OSHA for technical accuracy.

- Activities that address issues other than recognition, avoidance, and prevention of unsafe or unhealthful working conditions. Examples include workers' compensation and materials prejudicial to labor or management.

- Activities that provide assistance to workers in arbitration cases or other actions against employers or that provide assistance to employers and/or workers in the prosecution of claims against Federal, State or local governments.

- Activities that directly duplicate services offered by OSHA, a State under a State Plan or Consultation programs provided by State-designated agencies under Section 7(c)(1) of the Occupational Safety and Health Act.

- Activities intended to generate membership in the grantee's organization, including activities to acquaint nonmembers with the benefits of membership, inclusion of membership appeals in materials produced with grant funds and membership drives.

D. Additional Grant Requirements

Educational materials produced by the grantee will be reviewed by OSHA for technical accuracy during development and before delivery or final publication. OSHA will also review curriculums and purchased training materials for accuracy before they are used. When grant recipients produce training materials, they shall provide copies of completed materials to OSHA before the end of the grant period. OSHA has a lending library program that circulates grant-produced audiovisual and written materials. Grant recipients' audiovisual and written materials will be included in this program.

E. Office of Management and Budget (OMB) Regulatory Requirements

Grantees will be required to comply with the following regulatory requirements:

- 29 CFR Part 95, which covers grant requirements for non-profit organizations, including universities and hospitals. These are the Department of Labor regulations implementing OMB Circular A-110.
- OMB Circular A-21, which describes allowable and unallowable costs for educational institutions.

- OMB Circular A-122, which describes allowable and unallowable costs for other non-profit organizations.
- 29 CFR Part 96 and OMB Circular A-133, which provide information about audit requirements.

- All applicants will be required to certify to a drug-free workplace in accordance with 29 CFR Part 98, to comply with the New Restrictions on Lobbying published at 29 CFR Part 93.

Part III. Selection/Evaluation Criteria

Selection of the grantee(s) for award will be made after careful evaluation of grant applicants by a panel selected for that purpose by DOL. Panel results shall be advisory in nature and not binding on the Assistant Secretary. Panelists shall evaluate applications for acceptability based upon overall responsiveness to the Statement of Work, with emphasis on the factors enumerated below.

Section A: Technical Approach to Fulfilling the Statement of Work: Maximum (425 Points)

- Demonstrate expert working knowledge of the residential construction industry. (100 points)
- Demonstrate expert working knowledge of OSHA's construction standards and interpretations and, where appropriate, of State plan State construction standards. (100 points)
- Demonstrate expertise in developing training and outreach materials, both computer-based and audio-visual, as well as familiarity with OSHA's Computerized Information System (OCIS). (75 points)
- Demonstrate expertise in implementing training seminars or workshops to be attended by employers or employees of the residential construction industry or others as appropriate. (75 points)
- Demonstrate expertise in the development and evaluation of safety and health programs, including construction safety and health programs and plans, for employers, especially small business construction employers and employees engaged in residential construction. (75 points)

Section B: Offeror's Experience and Qualifications: Maximum (300 Points)

- Identification of clients for whom similar work has been performed, for example, EPA, DOE, NIOSH, etc. (75 points)
- Technical synopses of past, similar or related work experience. (75 points)
- Experience in the management of subcontractors and consultants. (75 points)
- Personnel qualifications. (75 points)

Section C: Project Management: Maximum (125 Points)

- Project plans. (50 points)
- Methods of operation. (30 points)
- Methods of control, including financial. (45 points)

Maximum Score: The maximum possible score is 850 points.

Applicants are advised that, if any inconsistencies are found in an application, OSHA will make every effort to resolve them without contacting the applicant. Applications should be carefully screened to ensure that the proposal is clear and all elements are consistent. The final decision on awards will be based on what is most advantageous to the Federal Government as determined by the Assistant Secretary. The Government may elect to award grant(s) without discussion with the applicant(s). Such awards would be based on the applicant's proposal without alteration. The applicant's signature on the Application for Financial Assistance constitutes a binding offer.

Award Announcements

Winners under this competition will be announced on or before September 15, 1997.

Signed at Washington, DC, this 27th day of May, 1997.

Gregory Watchman,

Acting Assistant Secretary, Occupational Safety and Health Administration.

[FR Doc. 97-14169 Filed 5-29-97; 8:45 am]

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DEPARTMENT OF LABOR

Occupational Safety and Health Administration

Maritime Advisory Committee for Occupational Safety and Health: Notice of Meeting

AGENCY: Occupational Safety and Health Administration (OSHA), U.S. Department of Labor.

ACTION: Maritime Advisory Committee for Occupational Safety and Health (MACOSH); Notice of meeting.

SUMMARY: Notice is hereby given that the Maritime Advisory Committee for Occupational Safety and Health will meet June 25 and 26, 1997, at the Francis Perkins Department of Labor Building, 200 Constitution Ave. NW, Washington DC 20210. MACOSH was established under section 7(a) of the Occupational Safety and Health Act of 1970 (29 U.S.C. § 656) to advise the Secretary of Labor on matters relating to

occupational safety and health programs, policies, and standards in the maritime industries of the United States.

ADDRESSES: Any written comments in response to this notice should be sent to the following address: OSHA, Office of Maritime Standards, Room N-3621, 200 Constitution Avenue, N.W., Washington, D.C. 20210. Phone (202) 219-7234, fax (202) 219-7477.

FOR FURTHER INFORMATION CONTACT: Mr. Larry Liberatore, Office of Maritime Standards, OSHA, (202) 219-7234, extension 141.

SUPPLEMENTARY INFORMATION: MACOSH will meet June 25 from 9:00 a.m. to 5:00 p.m. and June 26 from 9:00 a.m. to 5:00 p.m. in Conference Room S-5515 of the Francis Perkins Labor Building. At this meeting, MACOSH will continue its discussions on maritime enforcement, standards, and outreach initiatives related to the maritime industries. MACOSH plans an extensive discussion of longshoring outreach, mentoring (training), and safety and health programs.

OSHA invites all interested persons to attend public meetings of MACOSH, including the one at the time and place indicated above. Seating will be available to the public on a first-come, first-served basis. Individuals with disabilities requiring appropriate accommodations should contact Theda Kenney at 202-219-8061, no later than June 11, 1997.

MACOSH will meet as a whole and in small focus groups. Interested persons may submit, preferably with 20 copies, written data, views or comments for consideration by MACOSH to Larry Liberatore at the address provided above. Those submissions received by June 11 will be provided to MACOSH and included in the record of the meeting. Interested persons also may request an opportunity to make oral presentations by notifying Larry Liberatore before the meeting. (Oral presentations are limited to statements of fact and views; they do not include any questions unless these questions have been specifically approved by the chairperson.) The request must state the amount of time desired, the interest that the person represents, and a brief outline of the presentation. Persons who request an oral presentation may be allowed to speak, as time permits, at the discretion of the Chair of the Advisory Committee.

Signed at Washington, D.C. this 23rd day of May 1997.

Greg Watchman,

Acting Assistant Secretary of Labor.

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