

(1) The debtor is unable to pay any significant sum toward the debt within a reasonable period of time;

(2) Collection of interest, penalties, and administrative costs will jeopardize collection of the principal of the debt;

(3) The NLRB is unable to enforce collection in full within a reasonable period of time by enforced collection proceedings; or

(4) Collection is not in the best interest of the United States, including when an administrative offset or installment agreement is in effect.

(e) The NLRB is authorized to impose interest and related charges on debts not subject to 31 U.S.C. 3717, in accordance with common law.

#### **§ 100.618 Bankruptcy claims.**

When the NLRB learns that a bankruptcy petition has been filed by a debtor, before proceeding with further collection action, the NLRB will immediately seek legal advice from the NLRB's Office of Special Counsel concerning the impact of the Bankruptcy Code on any pending or contemplated collection activities. After seeking legal advice from the NLRB's Office of Special Counsel, the NLRB will take any necessary action in accordance with the provisions of 31 CFR Chapter IX § 901.2(h).

#### **§ 100.619 When a debt may be compromised.**

The NLRB may compromise a debt not in excess of the monetary limitation in accordance with 31 CFR Chapter IX part 902 if it has not been referred to the Department of Justice for litigation.

#### **§ 100.620 Finality of a compromise.**

An offer of compromise must be in writing and signed by the debtor. An offer of compromise which is accepted by the NLRB is final and conclusive on the debtor and on all officials, agencies, and courts of the United States, unless obtained by fraud, misrepresentation, the presentation of a false claim, or mutual mistake of fact.

#### **§ 100.621 When collection action may be terminated or suspended.**

The NLRB may suspend or terminate collection action on a claim not in excess of the monetary limitation of \$100,000 or such other amount as the Attorney General may direct, exclusive of interest, penalties, and administrative costs, after deducting the amount of partial payments or collections, if any, in accordance with the standards and reasons set forth in 31 CFR Chapter IX part 903.

#### **§ 100.622 Termination of collection action.**

Before terminating collection activity, the NLRB will have pursued all appropriate means of collection and determined, based upon results of the collection activity, that the debt is uncollectible. Termination of collection activity ceases active collection of the debt. The termination of collection activity does not preclude the NLRB from retaining a record of the account for the purposes stated in 31 CFR Chapter IX § 903.3(b) and (c).

#### **§ 100.623 Exception to termination.**

If a debt meets the exceptions described in 31 CFR Chapter IX § 903.4, the NLRB may refer it for litigation even though termination of collection activity may otherwise be appropriate.

#### **§ 100.624 Discharge of indebtedness; reporting requirements.**

(a) Before discharging a delinquent debt (also referred to as close-out of a debt), the NLRB shall take all appropriate steps to collect the debt in accordance with 31 U.S.C. 3711(g), including, as applicable, administrative offset, tax refund offset, Federal salary offset, referral to Treasury or Treasury-designated collection centers or private collection contractors, credit bureau reporting, wage garnishment, litigation, and foreclosure. Discharge of indebtedness is distinct from termination or suspension of collection activity and is governed by the Internal Revenue Code. When the NLRB determines that it will discharge a debt, it will do so in accordance with the provisions of 31 CFR Chapter IX § 903.5.

#### **§ 100.625 Referral of a claim to the Department of Justice.**

The NLRB shall promptly refer debts that are subject to aggressive collection activity and that cannot be compromised, or debts on which collection activity cannot be suspended or terminated, to the Department of Justice for litigation. Debts shall be referred as early as possible, consistent with the standards contained in 31 CFR Chapter IX parts 900–904 and, in any event, well within the period for initiating timely lawsuits against the debtors. The NLRB will make every effort to refer delinquent debts to the Department of Justice within one year of the date such debts became delinquent.

By Direction of the Board.

Dated in Washington, DC July 12, 2007.

**Lester A. Heltzer,**

*Executive Secretary.*

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BILLING CODE 7545–01–P

## **DEPARTMENT OF LABOR**

### **Occupational Safety and Health Administration**

#### **29 CFR Part 1910**

[Docket No. S–108C]

RIN 1218–AB95

#### **Electrical Standard; Approval of Information Collection Requirements**

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

**ACTION:** Final rule; notice of Office of Management and Budget (OMB) approval of collection of information requirements.

**SUMMARY:** OSHA is announcing that the collection of information requirements contained in the Design Safety Standards for Electrical Systems of 29 CFR Part 1910.302 through 1910.308 and 1910.399, Subpart S, have been approved by OMB under the Paperwork Reduction Act of 1995. The OMB approval number is 1218–0256.

**DATES:** This final rule is effective August 13, 2007.

**FOR FURTHER INFORMATION CONTACT:** Todd Owen, OSHA, Directorate of Standards and Guidance, Room N–3609, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693–2222.

#### **SUPPLEMENTARY INFORMATION:**

OSHA published a final rule for the Design Safety Standards for Electrical Systems (Electrical Standard) on February 14, 2007, after determining that electrical hazards pose a significant risk of injury or death to employees in the workplace. In addition, this revision of these requirements is reasonably necessary to provide protection from these hazards. The final rule becomes effective on August 13, 2007. As required by the Paperwork Reduction Act of 1995, the **Federal Register** notice for the Electrical Standard final rule stated that compliance with the collection of information requirements was not required until those collection of information requirements have been approved by OMB, and the Department of Labor publishes a notice in the **Federal Register** announcing that OMB approved and assigned a control number to the Electrical Standard collection of information requirements. Under 5 CFR 1320.5(b), an agency may not conduct or sponsor a collection of information unless: (1) The collection of information displays a current valid OMB control number; and (2) the agency informs members of the public who must respond to the collection of

information that they are not required to respond to the collection of information unless the agency displays a currently valid OMB control number.

On February 14, 2007, OSHA submitted the Electrical Standard information collection request for the final rule to OMB for approval in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). On May 22, 2007, OMB approved the collections of information contained in the final rule and assigned these collections OMB Control Number 1218–0256 titled “Design Safety Standards for Electrical Systems (29 CFR 1910.302–308 and 1910.399.)” The approval for these collections expires on May 31, 2010. The approved collections of information are:

#### **A. Disconnecting Means and Circuits (§ 1910.303(f))**

##### *Section 1910.303(f)(5)(i)*

Where circuit breakers or fuses are applied in compliance with the series combination ratings marked on the equipment by the manufacturer, the equipment enclosures shall be legibly marked in the field to indicate that the equipment has been applied with a series combination rating.

##### *Section 1910.303(f)(5)(ii)*

The marking required by paragraph (f)(5)(i) of this section shall be readily visible and shall state “Caution—Series Combination System Rated \_\_\_\_\_ Amperes. Identified Replacement Component Required.”

#### **B. Branch Circuits (§ 1910.304(b))**

##### *Section 1910.304(b)(1)*

Where more than one nominal voltage system exists in a building containing multiwire branch circuits, each ungrounded conductor of a multiwire branch circuit, where accessible, shall be identified by phase and system. The means of identification shall be permanently posted at each branch-circuit panelboard.

##### *Section 1910.304(b)(3)(ii)(C)(1)*

(C) Where the ground-fault circuit-interrupter protection required by paragraph (b)(3)(ii)(B) of this section is not available for receptacles other than 125-volt, single-phase, 15-, 20-, and 30-ampere, the employer shall establish and implement an assured equipment grounding conductor program covering cord sets, receptacles that are not a part of the building or structure, and equipment connected by cord and plug that are available for use or used by employees on those receptacles. This

program shall comply with the following requirements:

(1) A written description of the [assured equipment grounding conductor (AEGC)] program, including the specific procedures adopted by the employer, shall be available at the jobsite for inspection and copying by the Assistant Secretary of Labor and any affected employee[.]

##### *Section 1910.304(b)(3)(ii)(C)(6)*

Tests performed as required in paragraph (b)(3)(ii)(C) of this section shall be recorded. This test record shall identify each receptacle, cord set, and cord- and plug-connected equipment that passed the test and shall indicate the last date it was tested or the interval for which it was tested. This record shall be kept by means of logs, color coding, or other effective means and shall be maintained until replaced by a more current record. The record shall be made available on the jobsite for inspection by the Assistant Secretary and any affected employee.<sup>1</sup>

#### **C. Identification and Signs (§ 1910.306(c))**

##### *Section 1910.306(c)(6)(i)*

Where there is more than one driving machine in a machine room, the disconnecting means shall be numbered to correspond to the identifying number of the driving machine that they control.

##### *Section 1910.306(c)(6)(ii)*

The disconnecting means shall be provided with a sign to identify the location of the supply-side overcurrent protective device.

#### **D. Carnivals, Circuses, Fairs, and Similar Events (§ 1910.306(k))**

##### *Section 1910.306(k)(4)(iv)(B)*

Single-pole separable connectors used in portable professional motion picture and television equipment may be

<sup>1</sup> Paragraph (b)(3)(ii)(C)(4) of the section specifies the testing requirements as follows: “The following tests shall be performed on all cord sets and receptacles which are not a part of the permanent wiring of the building or structure, and cord- and plug-connected equipment required to be grounded: (i) All equipment grounding conductors shall be tested for continuity and shall be electrically continuous; (ii) [e]ach receptacle and attachment cap or plug shall be tested for correct attachment of the equipment grounding conductor. The equipment grounding conductor shall be connected to its proper terminal; and (iii) [a]ll required tests shall be performed before first use; before equipment is returned to service following any repairs; before equipment is used after any incident which can be reasonably suspected to have caused damage (for example, when a cord set is run over); and at intervals not to exceed 3 months, except that cord sets and receptacles which are fixed and not exposed to damage shall be tested at intervals not exceeding 6 months[.]”

interchangeable for ac or dc use or for different current ratings on the same premises only if they are listed for ac/dc use and marked to identify the system to which they are connected[.]

#### **E. Documentation (§ 1910.307(b))**

All areas designated as hazardous (classified) locations under the Class and Zone system and areas designated under the Class and Division system established after August 13, 2007 shall be properly documented. This documentation shall be available to those authorized to design, install, inspect, maintain, or operate electric equipment at the location.

#### **F. Emergency Power Systems (§ 1910.308(b))**

##### *Section 1910.308(b)(3)(i)*

A sign shall be placed at the service entrance equipment indicating the type and location of on-site emergency power sources. However, a sign is not required for individual unit equipment.

##### *Section 1910.308(b)(3)(ii)*

Where the grounded circuit conductor connected to the emergency source is connected to a grounding electrode conductor at a location remote from the emergency source, there shall be a sign at the grounding location that shall identify all emergency and normal sources connected at that location.

#### **List of Subjects in 29 CFR Part 1910**

Electric power, Fire prevention, Hazardous substances, Occupational safety and health, Safety.

#### **Authority and Signature**

Edwin G. Foulke, Jr., 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 July 16, 2007.

**Edwin G. Foulke, Jr.,**

*Assistant Secretary of Labor for Occupational Safety and Health.*

#### **Amendments to Standards**

■ For the reasons stated in the preamble to this final rule, the Occupational Safety and Health Administration amends 29 CFR Part 1910, subpart A to read as follows:

#### **PART 1910—[AMENDED]**

##### **Subpart A—[AMENDED]**

■ 1. Revise the authority citation for subpart A to read as follows:

**Authority:** Sections 4, 6, and 8 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 653, 655, and 657); Secretary of Labor's Order No. 12-71 (36 FR 8754), 8-76 (41 FR 25059), 9-83 (48 FR 35736), 1-90 (55 FR 9033), 6-96 (62 FR 111), 3-2000 (65 FR 50017), 5-2002 (67 FR 65008), and S-2007 (72 FR 31159), as applicable.

Sections 1910.7 and 1910.8 also issued under 29 CFR Part 1911. Section 1910.7(f) also issued under 31 U.S.C. 9701, 29 U.S.C. 9a, 5 U.S.C. 553; Pub. L. 106-113 (113 Stat. 1501A-222); and OMB Circular A-25 (dated July 8, 1993) (58 FR 38142, July 15, 1993).

■ 2. Amend § 1910.8 by adding to the table contained therein the entry "1910.302-.308" in the proper numerical sequence as follows:

**§ 1910.8 OMB Control numbers under the Paperwork Reduction Act.**

29 CFR citation	OMB control No.
* * *	*
1910.302-.308 .....	1218-0256
* * *	*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[COTP San Francisco Bay 07-031]

RIN 1625-AA00

#### Safety Zone; San Francisco Giants Fireworks Display, San Francisco Bay, CA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone in the navigable waters of San Francisco Bay for the loading, transport, and launching of fireworks used during a San Francisco Giants baseball game fireworks display to be held on July 27, 2007. This safety zone is established to ensure the safety of participants and spectators. Unauthorized persons or vessels are prohibited from entering into, transiting through, or remaining in the safety zone without permission of the Captain of the Port or his designated representative.

**DATES:** This rule is effective from 11 a.m. to 10:20 p.m. on July 27, 2007.

**ADDRESSES:** Documents indicated in this preamble as being available in the

docket, are part of the docket COTP San Francisco Bay 07-031 and are available for inspection or copying at Coast Guard Sector San Francisco, 1 Yerba Buena Island, San Francisco, California, 94130, between 9 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Ensign Sheral Richardson, U.S. Coast Guard Sector San Francisco, at (415) 556-2950 extension 136.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory Information

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing an NPRM. Logistical details surrounding the event were not finalized and presented to the Coast Guard in time to draft and publish an NPRM. As such, the event would occur before the rulemaking process was complete. Because of the dangers posed by the pyrotechnics used in this fireworks display, a safety zone is necessary to provide for the safety of event participants, spectator craft, and other vessels transiting the event area. For the safety concerns noted, it is in the public interest to have this regulation in effect during the event.

For the same reasons listed in the previous paragraph, under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Any delay in the effective date of this rule would expose mariners to the dangers posed by the pyrotechnics used in this fireworks display.

##### Background and Purpose

Giants Enterprises is sponsoring a brief fireworks display on July 27, 2007, in the waters of San Francisco Bay near AT&T Park. The Coast Guard has granted the event sponsor a marine event permit for the fireworks display. The fireworks display is meant for entertainment purposes as a finale to a San Francisco Giants baseball game. This rule is being issued to establish a temporary regulated area in San Francisco Bay around the fireworks launch barge during loading of the pyrotechnics, during the transit of the barge to the display location, and during the fireworks display. The safety zone is necessary to protect spectators, vessels, and other property from the hazards associated with the pyrotechnics on the fireworks barge.

##### Discussion of Rule

The Coast Guard is establishing a temporary safety zone on specified

waters of the San Francisco Bay. During the loading of the fireworks barge, while the barge is being towed to the display location, and until the start of the fireworks display, the safety zone will apply to the navigable waters around and under the fireworks barge within a radius of 100 feet. Fifteen minutes prior to and during the fifteen minute fireworks display, the area to which this safety zone applies to will increase in size to encompass the navigable waters around and under the fireworks barge within a radius of 1,000 feet. Loading of the pyrotechnics onto the fireworks barge is scheduled to commence at 11 a.m. on July 27, 2007, and will take place at Pier 50 in San Francisco. Towing of the barge from Pier 50 to the display location is scheduled to take place on July 27, 2007. During the fireworks display, scheduled to commence at approximately 10 p.m., the fireworks barge will be located approximately 500-1,000 feet off of Pier 48 in position 37°46'35" N, 122°23'00" W.

The effect of the temporary safety zone will be to restrict general navigation in the vicinity of the fireworks barge while the fireworks are loaded at Pier 50, during the transit of the fireworks barge, and until the conclusion of the scheduled display. Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the safety zone. This safety zone is needed to keep spectators and vessels a safe distance away from the fireworks barge to ensure the safety of participants, spectators, and transiting vessels.

##### Regulatory Evaluation

This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order.

Although this rule restricts access to the waters encompassed by the safety zone, the effect of this rule will not be significant because the local waterway users will be notified via public broadcast notice to mariners to ensure the safety zone will result in minimum impact. The entities most likely to be affected are pleasure craft engaged in recreational activities.

##### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have considered whether this rule would have a