

**North Carolina Department of Labor
Occupational Safety & Health Division**

Raleigh, NC

Chapter 7
Subchapter 7A

CFR Revision 127I

Field Information System
Improve Tracking of Workplace Injuries and Illnesses

Final Rule; Correction

A. Discussion:

When OSHA issued a final rule to improve tracking of workplace injuries and illnesses under 29 CFR Part 1904, § 1904.35(b)(2) was inadvertently removed and designated as reserved. A correction published on May 20, 2016 reinserts that paragraph regarding providing employees and employee representatives with access to the OSHA injury and illness records.

B. Action:

In accordance with 13 NCAC 7A.0301(a), the N.C. Commissioner of Labor automatically adopted the correction to the federal Recording and Reporting Occupational Injuries and Illnesses Standard with an effective date of August 10, 2016. Reference the *Federal Register* (Volume 81, No. 98) for the details related to these requirements.

Signed on original
Allen McNeely
Director

5/24/2016
Date of Signature

N.C. Effective Date: August 10, 2016

NCAC Number: 13 NCAC 7A.0301(a)

implications.” The rule will not “have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.”

Executive Order 12988 (Civil Justice Reform)

This rule meets the applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform (61 FR 4729), to minimize litigation, eliminate ambiguity, and reduce burden.

List of Subjects in 20 CFR Part 725

Administrative practice and procedure, Black lung benefits, Claims, Coal miners' entitlement to benefits, Health care, Reporting and recordkeeping requirements, Survivors' entitlement to benefits, Total disability due to pneumoconiosis, Workers' compensation.

For the reasons set forth in the preamble, the Department of Labor amends 20 CFR part 725 as follows:

PART 725—CLAIMS FOR BENEFITS UNDER PART C OF TITLE IV OF THE FEDERAL MINE SAFETY AND HEALTH ACT, AS AMENDED

■ 1. The authority citation for part 725 continues to read as follows:

Authority: 5 U.S.C. 301; Reorganization Plan No. 6 of 1950, 15 FR 3174; 30 U.S.C. 901 *et seq.*, 902(f), 934, 936; 33 U.S.C. 901 *et seq.*; 42 U.S.C. 405; Secretary's Order 10–2009, 74 FR 58834.

■ 2. Add a parenthetical statement to § 725.413 to read as follows:

§ 725.413 Disclosure of medical information.

* * * * *

(The Office of Management and Budget has approved the information collection contained in this section and assigned control number 1240–0054 with an expiration date of May 31, 2019.)

Signed at Washington, DC, this 12th day of May, 2016.

Leonard J. Howie, III,

Director, Office of Workers' Compensation Programs.

[FR Doc. 2016–11840 Filed 5–19–16; 8:45 am]

BILLING CODE 4510–CR–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Parts 1904 and 1902

[Docket No. OSHA–2013–0023]

RIN 1218–AC49

Improve Tracking of Workplace Injuries and Illnesses; Correction

AGENCY: Occupational Safety and Health Administration (OSHA), DOL.
ACTION: Final rule; correction.

SUMMARY: OSHA published in the **Federal Register** of May 12, 2016, a final rule revising its Recording and Reporting Occupational Injuries and Illnesses Regulation. In the rule, a paragraph was inadvertently removed. This document reinserts that paragraph.

DATES: *Effective:* August 10, 2016.

FOR FURTHER INFORMATION CONTACT: For press inquiries: Frank Meilinger, Office of Communications, Room N–3647, OSHA, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210; telephone (202) 693–1999; email: meilinger.francis2@dol.gov.

For general and technical information: Miriam Schoenbaum, Office of Statistical Analysis, Room N–3507, OSHA, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210; telephone (202) 693–1841; email: schoenbaum.miriam@dol.gov.
SUPPLEMENTARY INFORMATION: OSHA published in the **Federal Register** of May 12, 2016, a final rule revising its Recording and Reporting Occupational Injuries and Illnesses regulation (92 FR 29624).

This document was prepared under the direction of David Michaels, Ph.D., MPH, Assistant Secretary of Labor for Occupational Safety and Health. It is issued under Sections 8 and 24 of the Occupational Safety and Health Act (29 U.S.C. 657, 673), Section 553 of the Administrative Procedure Act (5 U.S.C. 553), and Secretary of Labor's Order No. 41–2012 (77 FR 3912 (Jan. 25, 2012)).

Need for Correction

Inadvertently § 1904.35(b)(2) was designated as reserved. This document reinserts that paragraph.

In FR Rule Doc. No. 2016–10443 beginning on page 29624 in the issue of May 12, 2016, make the following correction:

On page 29692, in the first column, after the second paragraph, remove “(2) [Reserved].” and add the following in its place:

“(2) *Do I have to give my employees and their representatives access to the*

OSHA injury and illness records? Yes, your employees, former employees, their personal representatives, and their authorized employee representatives have the right to access the OSHA injury and illness records, with some limitations, as discussed below.

(i) *Who is an authorized employee representative?* An authorized employee representative is an authorized collective bargaining agent of employees.

(ii) *Who is a “personal representative” of an employee or former employee?* A personal representative is:

(A) Any person that the employee or former employee designates as such, in writing; or

(B) The legal representative of a deceased or legally incapacitated employee or former employee.

(iii) *If an employee or representative asks for access to the OSHA 300 Log, when do I have to provide it?* When an employee, former employee, personal representative, or authorized employee representative asks for copies of your current or stored OSHA 300 Log(s) for an establishment the employee or former employee has worked in, you must give the requester a copy of the relevant OSHA 300 Log(s) by the end of the next business day.

(iv) *May I remove the names of the employees or any other information from the OSHA 300 Log before I give copies to an employee, former employee, or employee representative?* No, you must leave the names on the 300 Log. However, to protect the privacy of injured and ill employees, you may not record the employee's name on the OSHA 300 Log for certain “privacy concern cases,” as specified in § 1904.29(b)(6) through (9).

(v) *If an employee or representative asks for access to the OSHA 301 Incident Report, when do I have to provide it?* (A) When an employee, former employee, or personal representative asks for a copy of the OSHA 301 Incident Report describing an injury or illness to that employee or former employee, you must give the requester a copy of the OSHA 301 Incident Report containing that information by the end of the next business day.

(B) When an authorized employee representative asks for copies of the OSHA 301 Incident Reports for an establishment where the agent represents employees under a collective bargaining agreement, you must give copies of those forms to the authorized employee representative within 7 calendar days. You are only required to give the authorized employee

representative information from the OSHA 301 Incident Report section titled “Tell us about the case.” You must remove all other information from the copy of the OSHA 301 Incident Report or the equivalent substitute form that you give to the authorized employee representative.

(vi) *May I charge for the copies?* No, you may not charge for these copies the first time they are provided. However, if one of the designated persons asks for additional copies, you may assess a reasonable charge for retrieving and copying the records.”

Signed at Washington, DC, on May 13, 2016.

David Michaels,

Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2016–11817 Filed 5–19–16; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket Number USCG–2015–0100]

RIN 1625–AA08

Special Local Regulations, Recurring Marine Events in Captain of the Port Long Island Sound Zone

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is adding, deleting, and modifying special local regulations for annual marine events in the Sector Long Island Sound Captain of the Port (COTP) Zone. When enforced, these regulated areas would restrict vessels from portions of water areas during certain annually recurring events. The special local regulations are intended to expedite public notification and ensure the protection of the maritime public and event participants from the hazards associated with certain maritime events.

DATES: This rule is effective June 20, 2016.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type USCG–2015–0100 in the “SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Chief Petty Officer Ian M. Fallon,

U.S. Coast Guard Waterways Management Division Sector Long Island Sound; telephone (203) 468–4565, or email Ian.M.Fallon@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
DHS Department of Homeland Security
NPRM Notice of proposed rulemaking
Pub. L. Public Law
§ Section
U.S.C. United States Code

II. Background Information and Regulatory History

On June 23, 2015, the Coast Guard published an NPRM titled “Special Local Regulations, Recurring Marine Events in Captain of the Port Long Island Sound Zone” (80 FR 35892). There we stated why we issued the NPRM, and invited comments on our proposed regulatory action related to making changes to 33 CFR 100.100 “Special Local Regulations; Regatta and Boat Races in the Coast Guard Sector Long Island Sound Captain of the Port Zone.” During the comment period that ended July 23, 2015, we received no comments.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 33 U.S.C. 1233. This regulation carries out two related actions: (1) Establishing necessary special local regulations; and (2) updating and reorganizing existing regulations for ease of use and reduction of administrative overhead.

IV. Discussion of Comments, Changes, and the Rule

The Coast Guard is to amend 33 CFR 100.100 “Special Local Regulations; Regattas and Boat Races in the Coast Guard Sector Long Island Sound Captain of the Port Zone” by establishing sixteen permanent marine events regulated areas, removing five previously regulated areas, and modifying three marine event special local regulations. This rulemaking limits the unnecessary burden of establishing temporary rules for events that occur on an annual basis.

(1) Establishing New Marine Event Regulated Areas

This rule establishes sixteen permanent marine event special local regulations under 33 CFR 100.100. These events include fireworks displays, swimming events, and regattas that take place throughout the Long Island Sound COTP Zone. Event locations and details are listed below in the text of the regulation. Because large

numbers of spectator vessels are expected to congregate around the location of these events, these regulated areas are needed to protect both spectators and participants from the safety hazards associated with marine events, including large numbers of swimmers, hard to see and unstable small boats, unexpected pyrotechnics detonation, and burning debris. This rule permanently establishes regulated areas that restrict vessel movement around the location of each marine event to reduce the associated hazards.

During the enforcement period of the regulated areas, persons and vessels would be prohibited from entering, transiting through, remaining, anchoring, or mooring within the regulated area unless specifically authorized by the COTP or the designated representative. Persons and vessels would be able to request authorization to enter, transit through, remain, anchor, or moor within the regulated areas by contacting the COTP Sector Long Island Sound, or designated representative, by telephone at (203) 468–4401 or via VHF radio on channel 16. If authorization to enter, transit through, remain, anchor, or moor within any of the regulated areas is granted, all persons and vessels receiving authorization would be required to comply with the instructions of the COTP or designated representative.

The Coast Guard COTP Sector Long Island Sound or designated representative will enforce the regulated areas. These designated representatives are comprised of commissioned, warrant, and petty officers of the Coast Guard. The Coast Guard may be assisted by other federal, state and local agencies in the enforcement of these regulated areas.

Certain special local regulations are listed without known dates or times. Coast Guard Sector Long Island Sound will cause notice of the enforcement of these regulated areas to be made by all appropriate means to affect the widest publicity among the effected segments of the public, including publication in the **Federal Register** as a Notice of Enforcement, Local Notice to Mariners, and Broadcast Notice to Mariners.

(2) Remove Old Special Local Regulations That Are no Longer Needed

This rule removes five special local regulations from the TABLE to § 100.100: (1) 1.3 Head of the Connecticut Regatta, Connecticut River, CT as the event has not been held since 2012 and the sponsoring organization, the City of Middletown, has confirmed that they do not intend to hold the event again in the foreseeable future; (2) 1.4