

for an agency regardless of form or format" (44 U.S.C. 3502(3)(A)).

The title, description of the need for and proposed use of the information, summary of the collections of information, description of respondents, and frequency of response of the information collection are described below with an estimate of the annual cost and reporting burden as required by § 1320.5(a) (1)(iv) and § 1320.8(d)(2). The reporting burden includes the time for reviewing instructions, gathering and maintaining the data needed, and completing and reviewing the collection of information.

OSHA invites comments on whether each proposed collection of information:

- (1) Ensures that the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- (2) Estimates the projected burden accurately, including the validity of the methodology and assumptions used;
- (3) Enhances the quality, utility, and clarity of the information to be collected; and

- (4) Minimizes 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 submissions of responses.

*Title:* Vertical Tandem Lifts, 29 CFR Parts 1917 and 1918.

*Description:* The proposed standard is based on three primary sources: results of OSHA-sponsored research and comments from public meetings; the International Standards Organization's revised ISO 3874, Freight Containers, which permits VTLs with a total weight of up to 20 tons (20,000 kgs); and the VTL guidelines developed by the International Cargo Handling and Coordination Association (ICHCA). The standard's information collection requirements are essential components that will help employers and employees verify that containers and their contents in a VTL weigh 20 tons or less and assure that the vertically connected containers are handled safely in the terminal.

*Summary of the Collections of Information:* The proposed rule contains two collections of information (paperwork) requirements. Proposed section 1917.71, paragraph (b)(9) would require that the crane operator receive a copy of the ship's cargo stowage plan. Paragraph (j) of this section would require employers to create a written terminal plan. The plan must include

the following information for vehicles carrying vertically connected containers:

- (1) safe operating speeds;
- (2) safe turning speeds; and
- (3) any conditions unique to the terminal that could affect the safety of VTL operations.

*Respondents:* Marine terminal and longshoring employers that perform VTLs.

*Frequency of Response:* The development of the written terminal plan is a first-year burden for those establishments that will use VTLs. The frequency of providing a copy of the ship's cargo stowage plan to the crane operator is determined by the number of ships using VTLs to unload cargo.

*Average Time Per Response:* OSHA estimates that establishments will spend 10 minutes to provide a copy of the cargo stowage plan to the crane operator, and 4 hours for establishments to develop, implement, and maintain the written terminal plan for transporting VTLs. OSHA estimates establishments will spend 1 hour to review and update the written plan for transporting VTLs in subsequent years.

*Total Burden Hours:*

Total Estimated Burden Hours in First Year: 59.

Total Estimated Cost in First Year: \$3,594.

Total Estimated Burden Hours in Second and Subsequent Years: 39.

Total Estimated Costs in Second and Subsequent Years: \$2,376.

The Agency has submitted a copy of the information collection request to OMB for its review and approval. Interested parties are requested to send comments regarding this information collection to the Office of Information and Regulatory Affairs, Attn: OSHA Desk Officer, OMB, New Executive Office Building, 725 17th Street, NW., Room 10235, Washington, DC 20503.

*Costs (purchase of capital/start up costs):* 0.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of the final information collection request, and they will also become a matter of public record.

Copies of the referenced information collection request are available for inspection and copying in the OSHA Docket Office and will be provided to persons who request copies by telephoning Todd Owen at (202) 693-1941 or Theda Kenney at (202) 693-2444. For electronic copies of the Vertical Tandem Lifts in Longshoring and Marine Terminals information collection request, contact the OSHA Web page on the Internet at <http://www.osha.gov/>.

[www.osha.gov/](http://www.osha.gov/). Copies of the information collection request are also available at the OMB docket office.

## VII. Public Participation

Interested persons are requested to submit written data, views, and arguments concerning this proposal. These comments must be received by December 15, 2003. Comments may be submitted in hard copy or electronically. For more information and requirements on how to submit comments, see the **DATES** and **ADDRESSES** sections at the beginning of this notice.

All written comments received within the specified comment period will be made a part of the record and will be available for public inspection and copying at the above Docket Office address.

Additionally, under section 6(b)(3) of the OSH Act and 29 CFR 1911.11, interested persons may file objections to the proposal and request an informal hearing. Objections and hearing requests must be submitted in triplicate to the Docket Office (see **ADDRESSES** section) and must comply with the following conditions:

1. The objection must include the name and address of the objector;
2. The objections must be received by December 15, 2003;
3. The objections must specify with particularity grounds upon which the objection is based;
4. Each objection must be separately numbered; and
5. The objections must be accompanied by a detailed summary of the evidence proposed to be adduced at the requested hearing.

Interested persons who have objections to various provisions or have changes to recommend may, of course, make those objections and their recommendations in their written comments and OSHA will fully consider them. There is only a need to file formal "objections" separately if the interested person requests a public hearing.

OSHA recognizes that there may be interested persons who, through their knowledge of safety or their experience in the operations involved, would wish to endorse or support certain provisions in the standard. OSHA welcomes such supportive comments, including any pertinent accident data or cost information that may be available, in order that the record of this rulemaking may present a complete picture of the public response on the issues involved.

## VIII. State Plan Requirements

This **Federal Register** document issues a proposal for new and revised