

NORTH CAROLINA DEPARTMENT OF LABOR  
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH

Chapter 7  
Subchapter 7F

CFR Revision 122A  
CFR II

Field Information System

General industry Health and Safety Standards Applicable to Construction Work

Subpart K, 29 CFR 1926--Electrical

**Final Rule: Corrections**

**DISCUSSION:**

On June 30, 1993, (58 FR 35076), OSHA promulgated a final rule to incorporate the text of the Safety and Health Standards for General Industry (29 CFR 1910) which had been identified as applicable to construction work into the Safety and Health Standards for Construction (29 CFR 1926). On August 12, 1996, (61 FR 41738), OSHA issued an amendment to delete the text that was incorporated from §§1910.333 and 1910.334 (Subpart S-Electrical) into paragraphs (a)(4), (f) and (g) of §§1926.416 and paragraph (d) of §§1926.417 (Subpart K-Electrical). This action was taken because the preamble to the final rule on Electrical Safety-Related Work Practices (55 FR 31984, August 6, 1990) clearly states that the provisions in question do not apply to construction employment.

**ACTION:**

The June 30, 1993, (58 FR 35076) final rule was adopted verbatim in North Carolina with an effective date of December 1, 1993. It was subsequently distributed for inclusion in the Field Information System (FIS) as CFR Revision 122. The August 12, 1996, (61 FR 41738) amendment was adopted verbatim in North Carolina by the Commissioner of Labor with an effective date of February 11, 1997. The applicable portion of the August 12, 1996, *Federal Register* (61 FR 41738), which includes the regulatory text of the amended standards, is attached. Copies of the associated amendments to the *NC Administrative Code* are available upon request.

**Please file this NC CFR Revision 122A in CFR I of your Field Information System.**

**Date:** March 11, 1997

**Charles N. Jeffress, Director**  
Division of Occupational Safety and Health  
(Signed on Original)

Filing Date: February 11, 1997  
NC Effective Date: February 11, 1997  
Numbers: 13 NCAC 7F.0201

U.S. Munitions List will be reviewed on a case-by-case basis.

**EFFECTIVE DATE:** August 2, 1996.

**FOR FURTHER INFORMATION CONTACT:**

Gordon J. Stirling, Office of Arms Transfer and Export Control Policy, Bureau of Political-Military Affairs, Department of State (202/647-0397).

**SUPPLEMENTARY INFORMATION:** In connection with the President's policy that U.S. laws and regulations be updated to reflect the end of the Cold War, the Department of State is amending the ITAR to reflect that it is no longer the policy of the United States, pursuant to 22 CFR § 126.1, to deny licenses, other approvals, exports and imports of defense articles and defense services, destined for or originating in Ukraine. Requests for licenses or other approvals for Ukraine involving items covered by the U.S. Munitions List (22 CFR part 121) will no longer be presumed to be disapproved.

This amendment to the ITAR involves a foreign affairs function of the United States and thus is excluded from the major rule procedures of Executive Order 12291 (46 FR 13193) and the procedures of 5 U.S.C. 553 and 554. This final rule does not contain a new or amended information requirement subject to the Paperwork Reduction Act (44 U.S.C. 3501, *et seq.*).

**List of Subjects in 22 CFR Part 126**

Arms and Munitions, Exports.

Accordingly, under the authority of section 38 of the Arms Export Control Act (22 U.S.C. 2778) and Executive Order 11958, as amended, 22 CFR subchapter M is amended as follows:

1. The authority citation for part 126 continues to read as follows:

Authority: Secs. 2, 38, 40, 42, and 71, Arms Export Control Act, Pub. L. 90-629, 90 Stat. 744 (22 U.S.C. 2752, 2778, 2780, 2791, and 2797); E.O. 11958, 41 FR 4311; E.O. 11322, 32 FR 119; 22 U.S.C. 2658; 22 U.S.C. 287c; E.O. 12918, 59 FR 28206.

**§ 126.1 [Amended]**

2. Section 126.1 is amended by removing "Ukraine" from paragraph (a).

Dated: July 26, 1996.

Lynn E. Davis,

*Under Secretary of State for Arms Control and International Security Affairs.*

[FR Doc. 96-20498 Filed 8-9-96; 8:45 am]

**BILLING CODE 4710-25-M**

**DEPARTMENT OF LABOR**

**Occupational Safety and Health Administration**

**29 CFR Part 1926**

**Incorporation of General Industry Health and Safety Standards Applicable to Construction Work**

**AGENCY:** Occupational Safety and Health Administration, Department of Labor.

**ACTION:** Final Rule; correcting amendment.

**SUMMARY:** This document corrects errors in the Incorporation of General Industry Health and Safety Standards Applicable to Construction Work that was published on June 30, 1993 (58 FR 35076). OSHA is deleting the regulatory text which incorporated from §§ 1910.333 and 1910.334 (subpart S—Electrical) into paragraphs (a)(4), (f), and (g) of 1926.416 and paragraph (d) of 1926.417 (subpart K—Electrical), because the Agency clearly stated in the preamble to the final rule for Electrical Safety-Related Work Practices that the provisions in question did not apply to construction employment.

**EFFECTIVE DATE:** August 12, 1996.

**FOR FURTHER INFORMATION CONTACT:** Ms. Anne C. Cyr, Acting Director, Office of Information, Division of Consumer Affairs, Room N-3647, Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, Telephone: (202) 219-8151.

**SUPPLEMENTARY INFORMATION:** This document contains corrections to the Incorporation of General Industry Health and Safety Standards Applicable to Construction Work which was published on June 30, 1993 (58 FR 35076). OSHA is deleting the regulatory text incorporated from §§ 1910.333 and 1910.334 into §§ 1926.416 (paragraphs (a)(4), (f), and (g)) and 1926.417 (paragraph (d)), because the Agency clearly stated in the preamble to the final rule on Electrical Safety-Related Work Practices (55 FR 31984, August 6, 1990) that the provisions in question did not apply to construction employment. Any application of §§ 1910.333-334 to construction work would require further rulemaking.

The Background section of the General Industry final rule (55 FR at 31986) stated as follows:

The Agency is limiting this rulemaking to the prevention of accidents in general industry and maritime (which has even fewer electrical safety requirements than general industry) because to include other industrial sectors (such as construction) would seriously impede the rulemaking process.

Inclusion of other industries in the scope of the standard would require the Agency to consider many diverse situations that are likely to be germane only to these industries. The construction industry, for example, is an extensive user of temporary wiring, which is frequently moved and is often used under a wide range of safety-related work practices recommended for use.

Also, the Regulatory Impact Analysis stated (55 FR at 32011) "The standard will apply to every major standard industrial code (SIC) with the exception of Agriculture, Construction and parts of Mining, Transportation, Communication and Public Utilities."

**Exemption From Delayed Effective Date Requirement**

Under 5 U.S.C. 553(d)(3), OSHA finds that there is good cause for making this document effective upon publication in the Federal Register. This notice simply deletes improperly incorporated requirements from the text of 29 CFR 1926 subpart K and, accordingly, does not increase the existing regulatory burden.

**Authority:** This document was prepared under the direction of Joseph A. Dear, Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

**List of Subjects in 29 CFR Part 1926**

Construction industry, Occupational safety and health.

Signed at Washington, D.C., this 5th day of August, 1996.

Joseph A. Dear,

*Assistant Secretary of Labor.*

Accordingly, pursuant to sections 6 and 8 of the Occupational Safety and Health Act (29 U.S.C. 655 and 657), section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 333), 5 U.S.C. 553, Secretary of Labor's Order No. 1-90 (55 FR 9033), and 29 CFR part 1911, subpart K of 29 CFR part 1926 is amended as set forth below:

**PART 1926—[AMENDED]**

**Subpart K—Electrical**

1. The authority citation for subpart K of part 1926 continues to read as follows:

Authority: Secs. 6, and 8, Occupational Safety and Health Act (29 U.S.C. 655 and 657); sec. 107, Contract Work Hours and Safety Standards Act (40 U.S.C. 333); Secretary of Labor's Order No. 9-83 (48 FR 35736) or 1-90 (55 FR 9033), as applicable; 29 CFR part 1911.

**§ 1926.416 [Corrected]**

2. Paragraphs (a)(4), (f) and (g) of § 1926.416 are removed.

**§ 1926.417 [Corrected]**

3. Paragraph (d) of § 1926.417 is removed.

[FR Doc. 96-20425 Filed 8-9-96; 8:45 am]

BILLING CODE 4510-26-P

**DEPARTMENT OF THE TREASURY****Fiscal Service****31 CFR Part 211****RIN 1510-AA55****Delivery of Checks and Warrants to Addresses Outside the United States, Its Territories and Possessions**

**AGENCY:** Financial Management Service, Fiscal Service, Treasury.

**ACTION:** Final Rule.

**SUMMARY:** This final rule revises the regulations governing the delivery of Treasury checks outside the United States by removing the reference to Vietnam. With the resumption of diplomatic relations, there is reasonable assurance that payees residing in Vietnam will receive and be able to negotiate Treasury checks for full value. An additional revision contained in this rule updates a reference to the Department of Veterans Affairs.

**EFFECTIVE DATE:** August 12, 1996.

**FOR FURTHER INFORMATION CONTACT:** William S. Mehr, Manager, Administrative Services Branch, Financial Management Service, Department of the Treasury, Washington, D.C. 20227, (202) 874-6932; or Paul M. Curran (Principal Attorney) (202) 874-6680.

**SUPPLEMENTARY INFORMATION:** In response to inquiries from payment certifying agencies regarding the possible resumption of the delivery of Treasury checks to Vietnam, the Department of the Treasury requested information from the Department of State (State) regarding banking and postal conditions in that country. State has advised that, within the past year, banking facilities in Vietnam have improved greatly and should continue to do so.

With respect to postal facilities, State has proposed a system whereby Treasury checks will be sent by diplomatic pouch to the American Embassy in Hanoi. Further delivery, by hand, to the American Consulate in Ho Chi Minh City also will be arranged by Embassy personnel. Because of the small number of payees residing in Vietnam, this arrangement is feasible for both Treasury and State. Additionally, it

is acceptable to payment certifying agencies.

Accordingly, there is reasonable assurance that payees living in Vietnam will receive checks drawn against funds of the United States and will be able to negotiate the same for full value. For this reason, 31 CFR 211.1(a) is being revised to delete the reference to Vietnam.

The regulation also contains outdated references to the Veterans Administration. This amendment will correctly refer to the Department of Veterans Affairs and the Secretary of Veterans Affairs.

**Rulemaking Analysis**

Because no notice of proposed rulemaking is required for this rule, the provisions of the Regulatory Flexibility Act do not apply.

It has been determined that, because this regulation involves a foreign affairs function of the United States, it is not subject to Executive Order 12866. Therefore, a Regulatory Assessment is not required.

**Notice and Comment**

Because this rule removes a restriction on the delivery of Treasury checks to a foreign country, the Department of the Treasury has determined that notice of proposed rulemaking, public procedure and a delayed effective date are not required pursuant to 5 U.S.C. 553(a)(1), 5 U.S.C. 553(b)(B) and 5 U.S.C. 553(d)(1).

**List of Subjects in 31 CFR Part 211**

Foreign banking, Foreign claims, Checks.

For the reasons set out in the preamble, 31 CFR Part 211 is amended as set forth below.

**PART 211—DELIVERY OF CHECKS AND WARRANTS TO ADDRESSES OUTSIDE THE UNITED STATES, ITS TERRITORIES AND POSSESSIONS**

1. The authority citation for part 211 is revised to read as follows:

Authority: 5 U.S.C. 301; 31 U.S.C. 321 and 3329.

2. Section 211.1(a) is revised to read as follows:

**§ 211.1 Withholding delivery of checks.**

(a) It is hereby determined that postal, transportation or banking facilities in general or local conditions in the Republic of Cuba, Democratic Kampuchea, and the Democratic People's Republic of Korea (North Korea) are such that there is not a reasonable assurance that a payee in those areas will actually receive checks

or warrants drawn against funds of the United States, or agencies or instrumentalities thereof, and be able to negotiate the same for full value.

\* \* \* \* \*

3. Section 211.2 is revised to read as follows:

**§ 211.2 Claims for the release of withheld checks or for the proceeds thereof.**

Claims for the release of checks or warrants withheld from delivery or for the proceeds thereof, shall be filed with the administrative agency which would have originally authorized such issuance, e.g., claims arising out of checks or warrants representing payments under laws administered by the Department of Veterans Affairs shall be filed with the Secretary of Veterans Affairs, Department of Veterans Affairs, Washington, DC 20420.

Dated: July 23, 1996.

Russell D. Morris,  
*Commissioner.*

[FR Doc. 96-20499 Filed 8-9-96; 8:45 am]

BILLING CODE 4810-35-P

**DEPARTMENT OF TRANSPORTATION****National Highway Traffic Safety Administration****49 CFR Part 571**

[Docket No. 95-13, Notice 02]

**RIN 2127-AF28****Federal Motor Vehicle Safety Standards; Glazing Materials**

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Final rule.

**SUMMARY:** In this final rule, NHTSA permits the installation of a new item of motor vehicle glazing, Item 4A—*Rigid Plastic for Use in Side Windows*, in motor vehicles. In issuing the final rule, the agency seeks to provide greater flexibility for manufacturers to develop and use more aerodynamic, lighter weight glazing designs, resulting in lower fuel consumption.

**DATES:** *Effective date:* This final rule is effective September 11, 1996.

**Petitions for reconsideration:** Any petitions for reconsideration of this final rule must be received by NHTSA no later than September 30, 1996.

**ADDRESSES:** Any petition for reconsideration of this final rule should refer to the docket and notice number set forth in the heading of this document and be submitted to: