

ity delegated to a position by title may be exercised by a person officially designated to serve in such position in an acting capacity or on a temporary basis, unless prohibited by a restriction written into the document designating him or her as "acting," or unless not legally permissible.

Therefore, under the Federal Food, Drug, and Cosmetic Act (Sec. 701(a), 52 Stat. 1055 (21 U.S.C. 371(a))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1), § 5.23 is amended by adding new paragraph (e) to read as follows:

§ 5.23 Disclosure of official records.

(e) The Chief of the Management and Data Systems staff in the Office of the Director of the Bureau of Biologics is authorized to sign affidavits regarding the presence or absence of records of registration of blood product establishments.

Effective date: This regulation shall be effective November 7, 1978.

(Sec. 701(a), 52 Stat. 1055 (21 U.S.C. 371(a))).

Dated: October 30, 1978.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner
for Regulatory Affairs.

[FR Doc. 78-31223 Filed 11-6-78; 8:45 am]

[4510-26-M]

Title 29—Labor

CHAPTER XVII—OCCUPATIONAL
SAFETY AND HEALTH ADMINIS-
TRATION, DEPARTMENT OF LABOR

PART 1910—OCCUPATIONAL SAFETY
AND HEALTH STANDARDS

Revocation of Selected General In-
dustry Safety and Health Stand-
ards; Corrections

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

ACTION: Final Rule; Corrections.

SUMMARY: This notice announces corrections to the final Revocation of Selected General Industry Safety and Health Standards which appeared in the FEDERAL REGISTER on October 24, 1978 (43 FR 49726).

EFFECTIVE DATE: November 7, 1978.

FOR FURTHER INFORMATION CONTACT:

Dr. Jerry Purswell, Directorate of Safety Standards Programs, Occupational Safety and Health Adminis-

tration, Department of Labor, Third Street and Constitution Avenue, NW., Room N3510, Washington, D.C. 20210, Telephone: 202-523-7198.

SUPPLEMENTARY INFORMATION: On October 24, 1978, a document was published in the FEDERAL REGISTER (43 FR 49726) which, with an accompanying explanation, revoked selected general industry safety and health standards. The effective date of the revocations is November 24, 1978. There were a number of inadvertent errors and omissions in the October 24, 1978, document. This document corrects those errors.

Accordingly, FR Doc. 78-30164, appearing at 43 FR 49726, is corrected as follows:

1. Page 49728, column 1, line 22, "607" is corrected to read "606."

2. Page 49729, column 2, line 7, "Table D-4" is corrected to read Table D-2."

3. Page 49731, column 3, line 16, "manufacture" is corrected to read "installation."

4. Page 49732, column 1, last paragraph, line 2, "1910.96(1)(2)(iii)" is corrected to read "1910.96(1)(2)(ii)."

5. Page 49732, column 2, last line, "subparts" is corrected to read "supports."

6. Page 49732, column 3, next to last line, add the words "the second sentence of" before "1910.106(h)(2)(i)."

7. Page 49733, column 1, second paragraph, delete the comma at the end of line 1 and, beginning with the words "For example" in line 7, delete the remainder of the paragraph.

8. Page 49733, column 3, second paragraph, line 6, add after "1910.106(b)(2)(vi)(b)" the phrase "the words 'or public ways'."

9. Page 49733, column 3, second paragraph, line 16, "1910.106(b)(2)(vii)(d)" is corrected to read "1910.106(b)(2)(viii)(d)."

10. Page 49733, column 3, second paragraph, line 17, "1910.106(b)(2)(vii)(e)" is corrected to read "1910.106(b)(2)(viii)(e)."

11. Page 49733, column 3, second paragraph, line 18, "1910.106(b)(2)(vii)(f)" is corrected to read "1910.106(b)(2)(viii)(f)."

12. Page 49733, column 3, second paragraph, line 20, "1910.106(d)(5)(ii)(a)" is corrected to read "1910.106(d)(5)(vi)(a)."

13. Page 49735, column 2, fourth paragraph, line 11, "1910.110(b)(6)(i)(b)" is corrected to read "1910.110(f)(6)(i)(b)," and a comma is added at the end of line 11.

14. Page 49738, column 1, line 1, "Figure J-7" is corrected to read "Figure J-8."

15. Page 49738, column 2, lines 38 and 39, "Paragraph 1910.145(d)(11)—Symbols" is corrected to read "Para-

graph 1910.145(d)(10)—Slow Moving Vehicle Emblem."

16. Page 49738, column 2, line 44, "Figure J-8—Poison/Electricity" is corrected to read "Figure J-7—Slow Moving Vehicle Emblem."

17. Page 49740, column 1, second paragraph, the phrase "the second sentence of" is added before "1910.213(m)(2)" in the second line.

18. Page 49740, column 3, sixth paragraph, "Paragraph 1910.219(m)(2)" is corrected to read "Paragraph 1910.219(m)(2)(i)."

19. Page 49741, column 1, line 11, "Paragraph 1910.219(o)" is corrected to read "Paragraph 1910.219(o)(1)."

20. Page 49741, column 3, add the following at the end of the column: "1910.244 Other Portable Tools and Equipment."

"Paragraph 1910.244(a)(2) prescribes regulations for the operation and maintenance of jacks. Upon reexamination of the evidence, OSHA has determined that, in the best interest of worker protection, the following provision in paragraph 1910.244(a)(2) should not be revoked:

"1910.244(a)(2)(v)—Second sentence dealing with manufacturer's lubrication instructions."

21. Page 49742, column 3, second paragraph, line 1, "There was no public comment" is corrected to read "There were several comments."

22. Page 49743, column 2, fifth paragraph under "Subpart R—Special Industries," lines 6 and 7, "two requirements" is corrected to read "following requirement."

23. Page 49743, column 2, seventh paragraph under "Subpart R—Special Industries," after line 7 (ending in "kiln tender room") add the following title line: "1910.266 Pulpwood Logging."

§ 1910.96 [Corrected]

24. Page 49746, column 2, item 180, "Paragraph (r)(4)(iii)" is corrected to read "Paragraph (r)(4)(ii)."

§ 1910.106 [Corrected]

25. Page 49746, column 3, item 210, "Paragraph (b)(2)(vii)(a)" is corrected to read "Paragraph (b)(2)(viii)(a)."

26. Page 49746, column 3, item 211, "Paragraph (b)(2)(vii)(b)" is corrected to read "Paragraph (b)(2)(viii)(b)."

27. Page 49747, column 1, item 227, line 2, "revoked" is corrected to read "amended by deleting the second sentence thereof."

§ 1910.145 [Corrected]

28. Page 49749, column 1, item 417, "Figure J-7" is corrected to read "Figure J-8."

§ 1910.219 [Corrected]

29. Page 49750, column 2, item 502, "Paragraph (m)(2)" is corrected to read "Paragraph (m)(2)(i)."

30. Page 49750, column 2, item 514, "Paragraph (o)" is corrected to read "Paragraph (o)(1)."

§ 1910.265 [Corrected]

31. Page 49751, column 2, item 584. Item 584 is deleted. Paragraph (c)(7) of § 1910.265 is not revoked.

§ 1910.1008 [Corrected]

32. Page 49751, column 2, item 597, "Paragraph (d)(10)" is corrected to read "Paragraph (d)(1)."

(Section 6, 84 Stat. 1593 (29 U.S.C. 655); Secretary of Labor's Order 8-76 (41 FR 25059); 29 CFR Part 1911.)

Signed at Washington, D.C., this 2nd day of November 1978.

EULA BINGHAM,
Assistant Secretary of Labor.

[FR Doc. 78-31524 Filed 11-6-78; 8:45 am]

[4510-26-M]

PART 1910—OCCUPATIONAL SAFETY AND HEALTH STANDARDS

Revocation of Selected Special Industry Safety and Health Standards; Corrections

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

ACTION: Final Rule; Corrections.

SUMMARY: This notice announces corrections to the final Revocation of Selected Special Industry Safety and Health Standards which appeared in the FEDERAL REGISTER on October 24, 1978 (43 FR 49751).

EFFECTIVE DATE: November 7, 1978.

FOR FURTHER INFORMATION CONTACT:

Dr. Jerry Purswell, Directorate of Safety Standards Programs, Occupational Safety and Health Administration, Department of Labor, Third Street and Constitution Avenue NW., Room N3510, Washington, D.C. 20210, telephone: 202-523-7198.

SUPPLEMENTARY INFORMATION: On October 24, 1978, a document was published in the FEDERAL REGISTER (43 FR 49751) which, with an accompanying explanation, revoked selected special industry safety and health standards. The effective date of the revocations is November 24, 1978. There were a number of inadvertent errors and omissions in the October 24, 1978 document. This document corrects those errors.

Accordingly, FR Doc. 78-30165 appearing at 43 FR 49751 is corrected as follows:

1. Page 49752, column 1, second paragraph, line 4, "concerning" is corrected to read "concerning."

2. Page 49752, column 2, second paragraph, line 9, "brevised" is corrected to read "revised."

3. Page 49753, column 2, third paragraph, line 16, "Two Hundred twenty-three" is corrected to read "Two Hundred nineteen."

4. Page 49753, column 3, first paragraph, line 15, "Sixty-four" is corrected to read "Sixty-five."

5. Page 49756, column 1, second paragraph, lines 1 and 2, delete the words "Also, paragraph 1910.212(a)(3). This provision is therefore revoked."

6. Page 49756, column 3, first paragraph, add the following lines after line 25: "1910.263(d)(7)(iii)—Screw conveyor covers. 1910.263(d)(8)(i)—Flour sifter enclosures."

7. Page 49757, column 2, first paragraph, add the following lines after line 2: "1910.263(e)(1)(viii)—Access doors and covers."

8. Page 49757, column 3, third paragraph, line 4, "reviewed" is corrected to read "reviewed."

9. Page 49757, column 3, third paragraph, line 6, "23" is corrected to read "22."

10. Page 49757, column 3, third paragraph, line 7, "Twelve" is corrected to read "Eleven."

11. Page 49758, column 1, first paragraph, line 28, "Pagagraph" is corrected to read "Paragraph."

12. Page 49758, column 1, second paragraph, line 6 & 7, "Paragraph 1910.212(i)(19)(ii)" is corrected to read "Paragraph 1910.263(i)(19)(ii)."

13. Page 49758, column 1, second paragraph, line 11, "Paragraph 1910.212(i)(20)(i)" is corrected to read "Paragraph 1910.263(i)(20)(i)."

14. Page 49758, column 2, line 5, "fire extinguisher for a Class B" is corrected to read "fire extinguishing devices suitable for a Class B."

15. Page 49758, column 2, first paragraph, lines 29 and 30, delete the words "Paragraph 1910.263(i)(8)(i)—Handles for overhead trolley switches."

16. Page 49759, column 1, first paragraph, line 5, "provisions" is corrected to read "provision."

17. Page 49762, column 2, eighth paragraph, add the following lines after line 9: "Paragraph 1910.263(i)(3)(ii)—Oven piping."

18. Page 49763, column 3, seventh paragraph, line 4, "other paragraphs" is corrected to read "following provisions."

19. Page 49763, column 3, seventh paragraph, line 5, the period after the word "revoked" is changed to a colon.

20. Page 49763, column 3, seventh paragraph, add the following lines after line 5: "Paragraph 1910.264(c)(1)(ii)(b)—Holding door open on washing machine."

Paragraph 1910.264(c)(2)(iii)(b)—Holding door open on drying tumblers.

Paragraph 1910.264(c)(2)(iv)(b)(2)—Holding door open on shakers.

Paragraph 1910.264(c)(2)(v)—Exception of holding door open for automatic machines.

Paragraph 1910.264(c)(4)(iii)(a)—Insulating steam pipes to prevent burns.

Paragraph 1910.264(c)(4)(iii)(b)—Safety valves on steam lines."

21. Page 49764, column 1, seventh paragraph, line 4, "other paragraphs" is corrected to read "following provisions."

22. Page 49764, column 1, seventh paragraph, line 5, the period after the word revoked is corrected to a colon.

23. Page 49764, column 1, seventh paragraph, add the following lines after line 5: "Paragraph 1910.264(d)(1)(iii)—Precautions for handling soiled clothes."

Paragraph 1910.264(d)(1)(v)—Employee instruction.

Paragraph 1910.264(d)(2)(i)(a)—Prohibition against removing safety guards."

24. Page 49764, column 1, delete last four lines.

25. Page 49764, column 2, delete first eight lines.

26. Page 49764, column 2, delete fifth paragraph, starting with the first word "Upon" to the last word "guards."

§ 1910.263 [Corrected]

27. Page 49765, column 2, item 82, "(d)(6)(iii)" is corrected to read "(d)(6)(iv)."

28. Page 49767, column 1, item 237, "(l)(9)(ix)(a)" is corrected to read "(l)(9)(xi)(a)."

§ 1910.264 [Corrected]

29. Page 49767, column 2, item 290 "(c)(2)(iv)(a)(a2)" is corrected to read "(c)(2)(iv)(a)(2)."

30. Page 49767, column 3, item 298 "(c)(4)(i)" is corrected to read "(c)(3)(ii)(d)."

31. Page 49767, column 3, add the following lines after item 321: "322. Paragraph (a)(3) of § 1910.264 is revoked."

(Section 6, 84 Stat. 1593 (29 U.S.C. 655); Secretary of Labor's Order 8-76 (41 FR 25059); 29 CFR Part 1911.)

Signed at Washington, D.C. this 2nd day of November 1978.

EULA BINGHAM,
Assistant Secretary of Labor.

[FR Doc. 78-31525 Filed 11-6-78; 8:45 am]

[4510-26-M]

PART 1953—STATE PLANS FOR THE DEVELOPMENT AND ENFORCEMENT OF STATE STANDARDS

Changes to State Plans for the Development and Enforcement of State Standards

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

ACTION: Final rule.

SUMMARY: State occupational safety and health plans must meet certain criteria for initial approval under the Occupational Safety and Health Act of 1970. State plans are subject to change as a result of Federal program changes and Federal evaluation of State operations. This document amends the regulation to specify a six-month period for the States to complete Federal program and evaluation changes in their State plans in order to adequately protect the safety and health of the State's workers.

EFFECTIVE DATE: November 7, 1978.

FOR FURTHER INFORMATION CONTACT:

Charles Boyd, Project Officer, Office of State Programs, Occupational Safety and Health Administration, 3rd and Constitution Avenue NW., Washington, D.C. 20210, 202-653-5377.

SUPPLEMENTARY INFORMATION:

BACKGROUND

29 CFR Part 1953 sets forth the process for decisions by the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) on changes in State occupational safety and health plans approved under section 18 of the Occupational Safety and Health Act of 1970 (hereinafter called the Act) (29 U.S.C. 651). Section 18 requires States to meet or give adequate assurances of meeting certain criteria for initial approval. Once these criteria are met, the actual operations of the plan are evaluated to determine whether the plan adequately protects the safety and health of the State's workers.

There are four categories of State plan changes which require review: (1) developmental changes required to meet the plan's developmental schedule as approved under section 18(c); (2) Federal program changes, including, but not limited to, adoption or revision of occupational safety and health standards which require comparable State action; (3) evaluation changes required as a result of Federal

evaluation of the State operations, and (4) State-initiated changes.

Under 29 CFR 1953.23(a)(1) and 29 CFR 1953.31(a), the Regional Administrator is required to advise the States of Federal program changes and changes required as a result of State evaluations. Within 30 days after such notification, the States must submit a plan supplement indicating the adoption of the change or a schedule for completing the change. Although the regulation does not explicitly state a definite time limit for the State to complete all types of program changes, standards changes are specifically required to be completed within six months after the promulgation of the Federal Standard and this time frame has generally been applied to other changes. This regulation will formalize this practice, requiring the States to complete Federal program and evaluation changes within a six month time period.

In addition, since the adoption of Part 1953, the title of Assistant Regional Director for Occupational Safety and Health has been changed to Regional Administrator for Occupational Safety and Health. This change in title will be reflected whenever it appears in the regulation.

Accordingly, pursuant to sections 8(g)(2) and 18 of the Occupational Safety and Health Act of 1970 (84 Stat. 1600, 1608, 29 U.S.C. 657, 667) 29 CFR Part 1953 is amended as follows:

1. Sections 1953.2(e), 1953.4, 1953.10(b) 1953.11, 1953.22, 1953.23, 1953.31, 1953.41, 1953.50 and 1953.51 are amended by changing the words "Assistant Regional Director" wherever they appear to "Regional Administrator."

2. Section 1953.23(a)(1) is amended to read as follows:

§ 1953.23 Submission and consideration of Federal Program changes.

(a)(1) Within a reasonable time after the occurrence of a Federal program change, other than promulgation of emergency temporary standards, the Regional Administrator as directed by the Assistant Secretary, shall advise the States of a Federal program change which requires a State supplement. This notification shall also contain a date by which States must submit the supplement. This date will generally be thirty days from the date of notification, except where the Assistant Secretary determines that the complexity and scope of the change warrants a longer period for submission of the completed Federal program change supplement. This extended submission period may not exceed six months, unless the Assistant Secretary determines that a state has made a timely and specific showing that good

cause exists to extend the time limitation for that State.

3. Section 1953.31(a) is amended to read as follows:

§ 1953.31 Submission and consideration of evaluation changes.

(a) Within 30 days after an evaluation report has been made, the Regional Administrator shall advise the State of the evaluation findings that require a supplement and the reasons supporting this decision. This notification shall also contain a date by which State must submit the supplement. This date will generally be thirty days from the date of notification, except where the Assistant Secretary determines that the complexity and scope of the change warrants a longer period for submission of the completed change supplement. This extended submission period may not exceed six months, unless the Assistant Secretary determines that the State has made a timely and specific showing that good cause exists to extend the time limitation for that State.

Signed at Washington, D.C., this 1st day of November 1978.

EULIA BINGHAM,
Assistant Secretary of Labor.
[FR Doc. 78-31532 Filed 11-6-78; 8:45 am]

[4510-43-M]

Title 30—Mineral Resources

CHAPTER I—MINE SAFETY AND HEALTH ADMINISTRATION

SUBCHAPTER G—FILING AND OTHER ADMINISTRATIVE REQUIREMENTS

PART 41—NOTIFICATION OF LEGAL IDENTITY

Deferral of Effective Date of Rule

AGENCY: Mine Safety and Health Administration, Department of Labor.

ACTION: Final rule.

SUMMARY: The effective date of the rules for reporting the legal identity of mine operators, is deferred to November 30, 1978. Because of unanticipated delays in obtaining the form from the printer, the Mine Safety and Health Administration (MSHA) will be unable to supply form 2000-7 in time for operators to comply with the timetable set forth in the rule. The extension of the effective date will provide sufficient opportunity for MSHA to obtain the form from the printer and to supply the forms to all operators and MSHA field offices.