

personnel cage for transportation on how to operate the emergency-escape device:

- (i) Before the worker uses a personnel cage for transportation; and
- (ii) Periodically, and as necessary, thereafter.

14. Personnel Platforms

(a) *Personnel platforms.* When the employer elects to replace the personnel cage with a personnel platform in accordance with Condition 2(a) of this variance, it must:

- (i) Ensure that an enclosure surrounds the platform, and that this enclosure is at least 42 inches (106.7 cm) above the platform's floor;
- (ii) Provide overhead protection when an overhead hazard is, or could be, present; and
- (iii) Comply with the applicable scaffolding strength requirements specified by 29 CFR 1926.451(a)(1).

15. Protecting Workers From Fall and Shearing Hazards

(a) *Fall hazards.* The employer must:

- (i) Before workers use personnel cages, personnel platforms, or boatswain's chairs, equip the workers with, and ensure that they use, personal fall arrest systems that meet the requirements of 29 CFR 1926.502(d);
- (ii) Ensure that workers using personnel cages secure their fall arrest systems to attachment points located inside the cage;
- (iii) Ensure that workers using personnel platforms and boatswain's chairs secure their personal fall arrest systems to a vertical lifeline; and
- (iv) When using vertical lifelines:
 - (A) Secure the lifelines to the top of the chimney;
 - (B) Weight the lifelines properly, or suitably affix the lifelines to the bottom of the chimney; and
 - (C) Ensure that workers remain attached to their lifeline during the entire period of vertical transit.

(b) *Shearing hazards.* The employer must:

- (i) Provide workers who use personnel platforms or boatswain's chairs with instruction on the shearing hazards posed by the hoist system (*e.g.*, work platforms, scaffolds), and the need to keep their limbs or other body parts clear of these hazards during hoisting operations;
- (ii) Provide the instruction on shearing and struck-by hazards:
 - (A) Before a worker uses a personnel platform or boatswain's chair at the worksite; and
 - (B) Periodically, and as necessary, thereafter, including whenever a worker demonstrates a lack of knowledge about

the hazards or how to avoid the hazards, a modification occurs to an existing shearing or struck-by hazard, or a new shearing or struck-by hazard develops at the worksite; and

- (iii) Attach a readily visible warning to each personnel platform and boatswain's chair notifying workers in a language they understand of potential shearing hazards they may encounter during hoisting operations, and that uses the following (or equivalent) wording:

(A) For personnel platforms:

“Warning—To avoid serious injury, keep your hands, arms, feet, legs, and other parts of your body inside this platform while it is in motion”; and

(B) For boatswain's chairs:

“Warning—To avoid serious injury, do not extend your hands, arms, feet, legs, or other parts your body from the side or to the front of this chair while it is in motion.”

16. Exclusion Zone

The employer must:

- (a) Establish a clearly designated exclusion zone around the bottom landing of the hoist system; and
- (b) Prohibit any worker from entering the exclusion zone except to access a personnel- or material-transport device, and then only when the device is at the bottom landing and not in operation (*i.e.*, when the drive components of the hoist machine are disengaged and the braking mechanism is properly applied).

17. Inspections, Tests, and Accident Prevention

(a) The employer must:

- (i) Conduct inspections of the hoist system as required by 29 CFR 1926.20(b)(2);
 - (ii) Ensure that a competent person conducts daily visual inspections of the hoist system; and
 - (iii) Inspect and test the hoist system as specified by 29 CFR 1926.552(c)(15).
- (b) The employer must comply with the accident-prevention requirements of 29 CFR 1926.20(b)(3).

18. Welding

- (a) The employer must use only qualified welders to weld components of the hoisting system.
- (b) The employer must ensure that the qualified welders:
 - (i) Are familiar with the weld grades, types, and materials specified in the design of the system; and
 - (ii) Perform the welding tasks in accordance with 29 CFR 1926, subpart J (“Welding and Cutting”).

19. OSHA Notification

- (a) At least 15 calendar days prior to commencing any chimney construction

operation using the conditions specified herein, the employer must notify the OSHA Area Office nearest to the worksite, or the appropriate State Plan Office, of the operation, including the location of the operation and the date that the operation will commence.

(b) The employer must inform OSHA national headquarters as soon as it has knowledge that it will:

- (i) Cease to do business; or
- (ii) Transfer the activities covered by this permanent variance to a successor company.

VIII. Authority and Signature

David Michaels, PhD, MPH, Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Ave., NW., Washington, DC, directed the preparation of this notice. OSHA is issuing this notice under the authority specified by Section 6(d) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655), Secretary of Labor's Order No. 5-2007 (72 FR 31160), and 29 CFR part 1905.

Signed at Washington, DC, on April 22, 2010.

David Michaels,

Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2010-9785 Filed 4-27-10; 8:45 am]

BILLING CODE 4510-26-P

THE NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Federal Council on the Arts and the Humanities; Arts and Artifacts Indemnity Panel Advisory Committee

AGENCY: The National Endowment for the Humanities.

ACTION: Notice of Meeting.

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463 as amended) notice is hereby given that a meeting of the Arts and Artifacts Indemnity Panel of the Federal Council on the Arts and the Humanities will be held at 1100 Pennsylvania Avenue, NW., Washington, DC 20506, in Room 730, from 9:30 a.m. to 5 p.m., on Thursday, May 13, 2010.

The purpose of the meeting is to review applications for Certificates of Indemnity submitted to the Federal Council on the Arts and the Humanities for exhibitions beginning after July 1, 2010.

Because the proposed meeting will consider financial and commercial data and because it is important to keep values of objects, methods of transportation and security measures

confidential, pursuant to the authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated July 19, 1993, I have determined that the meeting would fall within exemption (4) of 5 U.S.C. 552(b) and that it is essential to close the meeting to protect the free exchange of views and to avoid interference with the operations of the Committee.

It is suggested that those desiring more specific information contact Advisory Committee Management Officer, Michael P. McDonald, 1100 Pennsylvania Avenue, NW., Washington, DC 20506, or call 202/606-8322.

Michael P. McDonald,

Advisory Committee Management Officer.

[FR Doc. 2010-9768 Filed 4-27-10; 8:45 am]

BILLING CODE 7536-01-P

NATIONAL SCIENCE FOUNDATION

National Science Board

Sunshine Act Meetings; Notice

The National Science Board, pursuant to NSF regulations (45 CFR Part 614), the National Science Foundation Act, as amended (42 U.S.C. 1862n-5), and the Government in the Sunshine Act (5 U.S.C. 552b), hereby gives notice in regard to the scheduling of meetings for the transaction of National Science Board business and other matters specified, as follows:

AGENCY HOLDING MEETING: National Science Board.

DATE AND TIME: Tuesday, May 4, 2010, at 7:30 a.m.; and Wednesday, May 5, 2010 at 7:30 a.m.

PLACE: National Science Foundation, 4201 Wilson Blvd., Rooms 1235 and 1295, Arlington, VA 22230. All visitors must report to the NSF visitor desk at the 9th and N. Stuart Streets entrance to receive a visitor's badge. Public visitors must arrange for a visitor's badge in advance. Call 703-292-7000 or e-mail NationalScienceBrd@nsf.gov and leave your name and place of business to request your badge, which will be ready for pick-up at the visitor's desk on the day of the meeting.

STATUS: Some portions open, some portions closed.

Open Sessions

May 4, 2010

7:30 a.m.–7:35 a.m.
7:35 a.m.–9 a.m.
11:30 a.m.–12 p.m.
1 p.m.–3 p.m.

2 p.m.–3:30 p.m.
3 p.m.–3:15 p.m.
3:15 p.m.–3:30 p.m.
3:30 p.m.–4 p.m.

May 5, 2010

7:30 a.m.–8:30 a.m.
7:30 a.m.–9 a.m.
8:30 a.m.–9:30 a.m.
9:30 a.m.–10:30 a.m.
10:30 a.m.–11:30 a.m.
1:45 p.m.–3:35 p.m.

Closed Sessions

May 4, 2010

9 a.m.–11:30 a.m.
1 p.m.–2 p.m.

May 5, 2010

9 a.m.–9:30 a.m.
11:30 a.m.–12 p.m.
1 p.m.–1:45 p.m.

AGENCY CONTACT: Kim Silverman, ksilverm@nsf.gov, (703) 292-7000, <http://www.nsf.gov/nsb/>.

Matters To Be Discussed

Tuesday, May 4, 2010

Chairman's Introduction

Open Session: 7:30 a.m.–7:35 a.m., Room 1235

- Chairman's Remarks.

Committee on Programs and Plans (CPP)

Open Session: 7:35 a.m.–9 a.m., Room 1235

- Approval of February 2010 Minutes.
- Committee Chairman's Remarks.
- Subcommittee on Polar Issues (SOPI):
 - SOPI Chairman's Remarks.
 - Director's Report—Office of Polar Programs (OPP).
 - U.S. Antarctic Program Review.
 - International State of the Arctic Meeting.
- *Discussion Item:* Review of NSB Policy on Award Thresholds requiring NSB approval.
- *CPP Task Force on Support of Mid-Scale and Multi-Investigator Research:* Status Report.
- *NSB Information Item:* iPlant.
- *NSB Information Item:* DataNet.

Closed Session: 9 a.m.–11:30 a.m., Room 1235

- Committee Chairman's Remarks.
- *NSB Information Item:* DUSEL—Update.
- *NSB Action Item:* Academic Research Infrastructure Recovery and Reinvestment Program (ARI-R²).
- *NSB Action Item:* NCAR Supercomputing Center Construction Project.
- *NSB Action Item:* Approval of MREFC Construction Award for the

National Ecological Observatory Network (NEON).

Plenary Open

Open Session: 11:30 a.m.–12 p.m., Room 1235

- Presentation by Honorary Awards Recipient:
 - NSB Public Service Award—individual, Dr. Nalini Nadkarni.

Committee on Audit and Oversight (A&O)

Open Session: 1 p.m.–3 p.m., Room 1235

- Approval of Minutes, February 3, 2010.
- Committee Chairman's Opening Remarks.
- Human Resources Update.
- Chief Financial Officer's Update. OIG Semiannual Report.
- Management Response to OIG Semiannual Report.
- Inspector General's ARRA Update.
- 2010 Financial Statement Audit.
- Future NSF Update.
- Report to the Board on the NSF Merit Review Process, FY 2009.
- Review of NSB Policy on Award Thresholds Requiring NSB Approval.
- Committee Chairman's Closing Remarks.

Committee on Programs and Plans (CPP)

Closed Session: 1 p.m.–2 p.m., Room 1295

- *NSB Action Item:* Support for nine FY 2010 Research Infrastructure Improvement Program (RII) Track-1 proposed awards from the Experimental Program to Stimulate Competitive Research.

Committee on Strategy and Budget (CSB)

Open Session: 2 p.m.–3:30 p.m., Room 1295

- Subcommittee on Facilities (SCF).
- Approval of SCF Teleconference Minutes, January 2010.
- Approval of SCF Teleconference Minutes, March 2010.
- Approval of SCF Teleconference Minutes, April 2010.
- SCF Chairman's Remarks.
- Overview of the Draft Report of the *NSF Facilities Portfolio Review*.
- Discussion of the Draft *NSF Facilities Portfolio Review*.
- Next Steps for Final Report.