

facility in the following month. In that case, we consider your absence to be temporary through the date of discharge.

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[FR Doc. 2023-02731 Filed 2-14-23; 8:45 am]

BILLING CODE 4191-02-P

NATIONAL LABOR RELATIONS BOARD

29 CFR Part 103

RIN 3142-AA22

Representation—Case Procedures: Election Bars; Proof of Majority Support in Construction Industry Collective-Bargaining Relationships

AGENCY: National Labor Relations Board.

ACTION: Notice of proposed rulemaking; extension of responsive comment period.

SUMMARY: The National Labor Relations Board (the Board) published a Notice of Proposed Rulemaking in the **Federal Register** on November 4, 2022, seeking comments from the public regarding its proposed rule concerning Representation—Case Procedures: Election Bars; Proof of Majority Support in Construction Industry Collective-Bargaining Relationships (“NPRM”). The deadline for initial comments was extended on December 1, 2022, to February 2, 2023, with responsive comments due on February 16, 2023. The date to submit responsive comments to the initial comments is being extended due to an administrative error that occurred within *Regulations.gov* that inadvertently allowed six comments to be filed on a closed NLRB rulemaking docket from 2018. These comments have been moved to the correct NPRM docket.

DATES: The responsive comment period for the proposed rule published November 4, 2022, at 87 FR 66890, extended December 1, 2022, at 87 FR 73705, is further extended. Responsive comments to initial comments must be received by the Board on or before March 1, 2023.

ADDRESSES:

Internet—Federal eRulemaking Portal. Electronic comments may be submitted through <http://www.regulations.gov>. Follow the instructions for submitting comments.

Delivery—Comments may be submitted by mail or hand delivery to: Roxanne L. Rothschild, Executive Secretary, National Labor Relations Board, 1015 Half Street SE, Washington, DC 20570-0001. Because of security

precautions, the Board continues to experience delays in U.S. mail delivery. You should take this into consideration when preparing to meet the deadline for submitting comments. The Board encourages electronic filing. It is not necessary to send comments if they have been filed electronically with *regulations.gov*. If you send comments, the Board recommends that you confirm receipt of your delivered comments by contacting (202) 273-1940 (this is not a toll-free number). Individuals with hearing impairments may call 1-866-315-6572 (TTY/TDD).

FOR FURTHER INFORMATION CONTACT: Roxanne L. Rothschild, Executive Secretary, National Labor Relations Board, 1015 Half Street SE, Washington, DC 20570-0001, (202) 273-1940 (this is not a toll-free number), 1-866-315-6572 (TTY/TDD).

SUPPLEMENTARY INFORMATION: The Board sought comments from the public regarding its November 4, 2022, NPRM. Pursuant to an extension published on December 1, 2022, initial comments were due on February 2, 2023, and responsive comments were due on February 16, 2023. The Board is extending the responsive comment deadline due to an administrative error that occurred within *Regulations.gov* that inadvertently allowed six comments to be filed on a closed NLRB rulemaking docket from 2018. These comments have been moved to the correct NPRM docket. The new due date for submission of responsive comments is March 1, 2023.

Only comments submitted through <http://www.regulations.gov>, hand delivered, or mailed will be accepted; ex parte communications received by the Board will be made part of the rulemaking record and will be treated as comments only insofar as appropriate. Comments will be available for public inspection at <http://www.regulations.gov> and during normal business hours (8:30 a.m. to 5 p.m. EST) at the above address.

The Board will post, as soon as practicable, all comments received on <http://www.regulations.gov> without making any changes to the comments, including any personal information provided. The website <http://www.regulations.gov> is the Federal eRulemaking portal, and all comments posted there are available and accessible to the public. The Board requests that comments include full citations or internet links to any authority relied upon. The Board cautions commenters not to include personal information such as Social Security numbers, personal addresses, telephone numbers,

and email addresses in their comments, as such submitted information will become viewable by the public via the <http://www.regulations.gov> website. It is the commenter's responsibility to safeguard his or her information. Comments submitted through <http://www.regulations.gov> will not include the commenter's email address unless the commenter chooses to include that information as part of his or her comment.

Dated: February 10, 2023.

Roxanne L. Rothschild,

Executive Secretary.

[FR Doc. 2023-03215 Filed 2-14-23; 8:45 am]

BILLING CODE 7545-01-P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Part 1952

[Docket No. OSHA-2021-0012]

RIN 1218-AD43

Arizona State Plan for Occupational Safety and Health; Proposed Reconsideration and Revocation; Withdrawal

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Reconsideration of final approval of State Plan; withdrawal.

SUMMARY: OSHA is withdrawing its proposed reconsideration of the Arizona State Plan's final approval status.

DATES: The proposed rule published on April 21, 2022, at 87 FR 23783, is withdrawn effective February 15, 2023.

ADDRESSES: *Docket:* To read or download comments and materials submitted in response to OSHA's revocation proposal, go to Docket No. OSHA-2021-0012 at www.regulations.gov. All comments and submissions are listed in the www.regulations.gov index; however, some information (e.g., copyrighted material) is not publicly available to read or download through that website. All comments and submissions are available for inspection and, where permissible, copying at the OSHA Docket Office, U.S. Department of Labor; telephone: (202) 693-2350 (TTY number: (877) 889-5627). Documents submitted to the docket by OSHA or stakeholders are assigned document identification numbers (Document ID) for easy identification and retrieval. The full Document ID is the docket number plus a unique four-digit code. For

example, the full Document ID number for the comment submitted by the Industrial Commission of Arizona (ICA) and the Arizona Division of Occupational Safety and Health (ADOSH), which is discussed in more detail below, is Document ID OSHA–2021–0012–0228. OSHA will identify this comment, and other comments in the rulemaking, by the term “Document ID” followed by the comment’s unique four-digit code.

FOR FURTHER INFORMATION CONTACT:

For press inquiries: Francis Meilinger, OSHA Office of Communications, U.S. Department of Labor, Washington, DC 20210; telephone (202) 693–1999; email: meilinger.francis2@dol.gov.

For general and technical information: Douglas J. Kalinowski, Director, OSHA Directorate of Cooperative and State Programs, U.S. Department of Labor, Washington, DC 20210; telephone: (202) 693–2200; email: kalinowski.doug@dol.gov.

SUPPLEMENTARY INFORMATION: On April 21, 2022, OSHA published a **Federal Register** notice proposing reconsideration and revocation of OSHA’s final approval of the Arizona State Plan for Occupational Safety and Health pursuant to 29 CFR 1902.32(f), 9 CFR 1902.44(b), and 29 CFR 1902.47–.48 due to fundamental deficiencies in the Arizona State Plan (87 FR 23783) (revocation proposal). The concerns prompting the notice, discussed at length in OSHA’s revocation proposal, included Arizona’s failure to adopt adequate maximum penalty levels, occupational safety and health standards, National Emphasis Programs and, most recently, the COVID–19 Healthcare Emergency Temporary Standard (ETS) (87 FR 23785–87). Consequently, OSHA proposed reconsideration and revocation of Arizona’s 18(e) final approval determination until OSHA received satisfactory assurances that these fundamental deficiencies had been addressed and that Arizona remains committed to implementing a program for employee safety and health protection that meets the requirements of section 18(c) of the OSH Act.

Comments on OSHA’s revocation proposal were initially due on May 26, 2022, and the notice tentatively scheduled an informal public hearing on the proposal to begin on August 16, 2022. However, OSHA extended the comment period to July 5, 2022 (87 FR 31442) in response to requests from the public. OSHA received 197 comments concerning the proposal during this initial comment period.

On July 5, 2022, the ICA and its subagency, the Arizona Division of Occupational Safety and Health (ADOSH) submitted a comment on the revocation proposal to advise OSHA that Arizona had completed several measures to address the concerns that OSHA identified (see Document ID 0228).

In response to this comment, on August 15, 2022, OSHA published a **Federal Register** notice that reopened the comment period on the revocation proposal to allow stakeholders further opportunity to comment on the proposed revocation in light of Arizona’s efforts and postponed the informal public hearing (87 FR 50025). That extended comment period closed on October 14, 2022. OSHA received 28 additional comments during this extended comment period.

Arizona completed the following actions that address OSHA’s concerns: adopted three outstanding final rules (Standards Improvement Project Phase-IV (“SIP–IV”), Beryllium in Construction and Shipyards, and Cranes and Derricks in Construction: Railroad Roadway Work); adopted an increase to its minimum penalties for serious and non-serious violations to match OSHA minimum penalty levels; passed a state law to ensure that Arizona’s future maximum and minimum penalty levels will track OSHA’s annual penalty level adjustments; passed a state law to authorize adoption of an ETS when either the ICA or OSHA deems the grave danger criteria met; and adopted the recordkeeping and COVID–19 log requirements in OSHA’s COVID–19 Healthcare ETS as a permanent standard.

Additionally, in their comment on the revocation proposal, the ICA and ADOSH clarified that Arizona had adopted two National Emphasis Programs (NEPs) that OSHA had identified as not yet adopted by the State Plan, the NEP on Amputations in Manufacturing Industries, CPL 03–00–022 (adoption due June 10, 2020), and the NEP on Respirable Crystalline Silica, CPL 03–00–023 (adoption due August 4, 2020), and responded to OSHA’s concerns regarding Arizona’s failure to provide OSHA with the required documentation of adoption of the National Emphasis Program on Trenching and Excavation, as required by statute and regulations (Document ID 0228). OSHA now has the required documentation of Arizona’s adoption of these measures. Finally, Arizona asserted that it had updated its State Plan Application (“SPA”) portal entries to accurately reflect adoption dates for

NEPs and final rules (Document ID 0228).

Based on the foregoing, OSHA is withdrawing its proposal to reconsider the Arizona State Plan’s final approval status.

Authority and Signature

Douglas L. Parker, Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue NW, Washington, DC 20001 authorized the preparation of this notice. OSHA is issuing this notice under the authority specified by Section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667), Secretary of Labor’s Order No. 8–2020 (85 FR 58393 (Sept. 18, 2020)), and 29 CFR parts 1902, 1952, 1953, 1954, and 1955.

Signed at Washington, DC.

Douglas L. Parker,

Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2023–03183 Filed 2–14–23; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

30 CFR Part 550

[Docket No.: **BOEM–2023–0012**]

RIN 1010–AE11

Protection of Marine Archaeological Resources

AGENCY: Bureau of Ocean Energy Management (BOEM), Interior.

ACTION: Notice of proposed rulemaking and request for comment.

SUMMARY: BOEM proposes to require lessees and operators to submit an archaeological report with any oil and gas exploration or development plan they submit to BOEM for approval of activities proposed on the Outer Continental Shelf (OCS). An archaeological report is currently required only if the plan covers an area that a BOEM Regional Director has reason to believe may contain an archaeological resource. This proposed rule would increase the likelihood that archaeological resources are located and identified before they are inadvertently damaged by an OCS operator, thereby assuring compliance with section 106 of the National Historic Preservation Act (NHPA). This proposed rule would define the minimum level of survey information necessary to support the conclusions in the archaeological report, the procedure for reporting possible