C&ORC, who will report directly to UBS’s Chief Risk Officer."

To accommodate UBS’s organizational structure in a manner consistent with the requirements of this exemption, Section I(m)(1)(ii) of the exemption is revised to read, “The Compliance Officer has a reporting line within UBS’s Compliance and Operational Risk Control (C&ORC) function to the Head of Compliance and Operational Risk Control, Asset Management. The C&ORC function is organizationally independent of UBS’s business divisions—including Asset Management and the Investment Bank—and is led by the Global Head of C&ORC, who will report directly to UBS’s Chief Risk Officer.”

Section I(m)(2)(v)

Section I(m)(2)(v) of the exemption states that, “[e]ach Annual Review, including the Compliance Officer’s written Annual Report, must be completed within at least three (3) months following the end of the period to which it relates.” Section I(m)(2)(v) of the exemption is revised by deleting the phrase “at least.” As revised, Section I(m)(2)(v) now reads, “Each Annual Review, including the Compliance Officer’s written Annual Report, must be completed within three (3) months following the end of the period to which it relates.”

Comment Section Regarding Notice of Right To Obtain Copy of Policies—Section I(r)

The comment section on page 61915 of the exemption discussing the right to obtain a copy of the Policies is hereby revised to be consistent with Section I(r) of the exemption, which provides that “[b]y July 09, 2018, each UBS QPAM, in its agreements with, or in other written disclosures provided to Covered Plans, will clearly and prominently inform Covered Plan clients of their right to obtain a copy of the Policies or a description (Summary Policies) which accurately summarizes key components of the UBS QPAM’s written Policies developed in connection with this exemption. . . .” Accordingly, the sentence beginning “[t]he Department also agrees with the Applicant . . .” in the first full paragraph in the second column on page 61915 is revised to read, “The Department also agrees with the Applicant that the timing requirement for disclosure should be revised and, accordingly, has modified the condition of Section I(r) to require notice regarding the information on the website within 6 months of the effective date of this exemption (by July 09, 2018), and thereafter to the extent certain material changes are made to the Policies.”

References to “UBS” and “UBS, AG”

The term “UBS, AG” as it appears in Section II(g) is revised to “UBS AG.” The term “UBS, AG” as it appears elsewhere in the exemption is revised to mean “UBS.”

Definition of UBS QPAM—Section II(h)

Section II(h) of the exemption states: “[t]he term ‘UBS QPAM’ means UBS Asset Management (Americas) Inc., UBS Realty Investors LLC, UBS Hedge Fund Solutions LLC, UBS O’Connor LLC, and any future entity within the Asset Management or the Wealth Management Americas divisions of UBS, AG that qualifies as a ‘qualified professional asset manager’ (as defined in Section VI(a) of PTE 84–14) and that relies on the relief provided by PTE 84–14 or represents to ERISA-covered plans and IRAs that it qualifies as a QPAM and with respect to which UBS, AG is an ‘affiliate’ (as defined in Part VII(d) of PTE 84–14). The term ‘UBS QPAM’ excludes UBS, AG and UBS Securities Japan.” (footnote omitted).

The Department is revising Section II(h) of the exemption by deleting the phrase “or represents to ERISA-covered plans and IRAs that it qualifies as a QPAM.” As revised, Section II(h) now reads, “The term ‘UBS QPAM’ means UBS Asset Management (Americas) Inc., UBS Realty Investors LLC, UBS Hedge Fund Solutions LLC, UBS O’Connor LLC, and any future entity within the Asset Management or the Wealth Management Americas divisions of UBS that qualifies as a ‘qualified professional asset manager’ (as defined in Section VI(a) of PTE 84–14) and that relies on the relief provided by PTE 84–14 and with respect to which UBS is an ‘affiliate’ (as defined in Part VII(d) of PTE 84–14). The term ‘UBS QPAM’ excludes UBS and UBS Securities Japan.”

FOR FURTHER INFORMATION CONTACT: Mr. Brian Mica of the Department, telephone (202) 693–8402. (This is not a toll-free number).

Lyssa E. Hall,
Director of Exemption Determinations, Employee Benefits Security Administration, U.S. Department of Labor.

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17 In general terms, a QPAM is an independent fiduciary that is a bank, savings and loan association, insurance company, or investment adviser that meets certain equity or net worth requirements and other licensure requirements and that has acknowledged in a written management agreement that it is a fiduciary with respect to each plan that has retained the QPAM.
in the section of this notice titled

**SUPPLEMENTARY INFORMATION:**

Docket: To read or download comments or other materials in the
docket, go to [http://www.regulations.gov](http://www.regulations.gov) or the OSHA Docket Office at the address above. All documents in the
docket (including this Federal Register
notice) are listed in the [http://
www.regulations.gov index; however,
some information (e.g., copyrighted
material) is not publicly available to
read or download from the website. All
submissions, including copyrighted
material, are available for inspection
and copying at the OSHA Docket Office.
You may also contact Theda Kenney at
the address below to obtain a copy of
the ICR.

**FOR FURTHER INFORMATION CONTACT:**
Charles McCormick or Theda Kenney,
Directorate of Standards and Guidance,
OSHA, U.S. Department of Labor,
telephone (202) 693–2222.

**SUPPLEMENTARY INFORMATION:**

I. Background

The Department of Labor, as part of its
continuing effort to reduce paperwork
and respondent (i.e., employer) burden,
conducts a preclearance consultation
program to provide the public with an
opportunity to comment on proposed
and continuing information collection
requirements in accordance with the
Paperwork Reduction Act of 1995
(PRA–95) (44 U.S.C. 3506(c)(2)(A)). This
program ensures that information is in
the desired format, reporting burden
(time and costs) is minimal, collection
instruments are clearly understood, and
OSHA’s estimate of the information
collection burden is accurate. The
Occupational Safety and Health Act of
1970 (the OSH Act) (29 U.S.C. 651 et
seq.) authorizes information collection
by employers as necessary or
appropriate for enforcement of the OSH
Act or for developing information
regarding the causes and prevention of
occupational injuries, illnesses, and
accidents (29 U.S.C. 657). The OSH Act
also requires that OSHA obtain such
information with minimum burden
upon employers, especially those
operating small businesses, and to
reduce to the maximum extent feasible
unnecessary duplication of efforts in

Manufacturer’s Certification of
Modifications (§ 1910.67(b)(2)). The
Standard requires that when aerial lifts
are “field modified” for uses other than
those intended by the manufacturer, the
manufacturer or other equivalent entity,
such as a nationally recognized testing
laboratory, must certify in writing that
the modification is in conformity with
all applicable provisions of ANSI
A92.2–1969 and the OSHA standard
and that the modified aerial lift is at
least as safe as the equipment was
before modification. Employers are to
maintain the certification record and
make it available to OSHA compliance
officers upon request. This record
provides assurance to employers,
workers, and compliance officers that
the modified aerial lift is safe for use,
thereby preventing failure while
workers are being elevated. The
certification record also provides the
most efficient means for the compliance
officers to determine that an employer is
complying with the Standard.

II. Special Issues for Comment

OSHA has a particular interest in
comments on the following issues:
- Whether the proposed information
collection requirements are necessary
for the proper performance of the
Agency’s functions, including whether
the information is useful;
- The accuracy of OSHA’s estimate of
the burden (time and costs) of the
information collection requirements,
including the validity of the
methodology and assumptions used;
- The quality, utility, and clarity of the
information collected; and
- Ways to minimize the burden on
employers who must comply; for
example, by using automated or other
technological information collection
and transmission techniques.

III. Proposed Actions

There are no adjustments or program
changes associated with this package.

*Type of Review:* Extension of a
currently approved collection.

*Title:* Vehicle-Mounted Elevating and
Rotating Work Platforms (Aerial Lifts)

*OMB Control Number:* 1218–0230.

*Affected Public:* Business or other for-
profits.

*Number of Respondents:* 1,000.

*Number of Responses:* 1,000.

*Frequency of Responses:* On occasion.

*Average Time per Response:* Various.

*Estimated Total Burden Hours:* 20.

*Estimated Cost (Operation and
Maintenance):* $0.

IV. Public Participation—Submission of
Comments on This Notice and Internet
Access to Comments and Submissions

You may submit comments in
response to this document as follows:
(1) Electronically at [http://
www.regulations.gov](http://www.regulations.gov), which is the
Federal eRulemaking Portal; (2) by
facsimile (fax); or (3) by hard copy. All
comments, attachments, and other
materials must identify the Agency
name and the OSHA docket number for
the ICR (Docket No. OSHA–2011–0185).
You may supplement electronic
submissions by uploading document
files electronically. If you wish to mail
additional materials in reference to an
electronic or facsimile submission, you
must submit them to the OSHA Docket
Office (see the section of this notice
titled ADDRESSES). The additional
materials must clearly identify your
electronic comments by your name,
date, and the docket number so the
Agency can attach them to your
comments.

Because of security procedures, the
use of regular mail may cause a
significant delay in the receipt of
comments. For information about
security procedures concerning the
delivery of materials by hand, express
delivery, messenger, or courier service,
please contact the OSHA Docket Office
at (202) 693–2350, (TTY (877) 889–
5627).

Comments and submissions are
posted without change at [http://
www.regulations.gov](http://www.regulations.gov). Therefore, OSHA
cautions commenters about submitting
personal information such as social
security numbers and dates of birth.
Although all submissions are listed in
the [http://www.regulations.gov index],
some information (e.g., copyrighted
material) is not publicly available to
read or download from this website. All
submissions, including copyrighted
material, are available for inspection
and copying at the OSHA Docket Office.

Information on using the [http://

Website to submit comments and
access the docket is available at the
website’s “User Tips” link. Contact the
OSHA Docket Office for information
about materials not available from the
website, and for assistance in using the
internet to locate docket submissions.

V. Authority and Signature

Loren Sweatt, Deputy Assistant
Secretary of Labor for Occupational
Safety and Health, directed the
preparation of this notice. The authority
for this notice is the Paperwork
Reduction Act of 1995 (44 U.S.C. 3506
et seq.) and Secretary of Labor’s Order
No. 1–2012 (77 FR 3912).

Signed at Washington, DC, on February 13,
2018.

Loren Sweatt.

Deputy Assistant Secretary of Labor for
Occupational Safety and Health.

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