

consistent with the variance process established in that Plan.

The BLM has prepared a Draft EIS with input from cooperating agencies and public comments collected during scoping to address the direct, indirect, and cumulative impacts of the Project. The Draft EIS analyzes three alternatives:

- No Action, in which the BLM would not authorize construction, operation and maintenance, and decommissioning of the Project;
- Proposed Action, in which the BLM would authorize construction, operation and maintenance, and decommissioning of the Project consistent with the detailed Project description below; and
- Wash Avoidance Alternative, which carries over the design of the Proposed Action, but avoids construction in a desert wash within the Project Area and near known sensitive sites, using specified setbacks to enhance resource conservation opportunities.

The BLM has identified the Wash Avoidance Alternative as the agency's preferred alternative. Information acquired during the Draft EIS public comment period will inform the BLM's ultimate decision to select any of the three alternatives.

Under the Proposed Action, the BLM would grant a ROW for the Project, which would have a net generating capacity of up to 600 megawatts alternating current (MWac) and span 3,495 acres administered by BLM and 38 acres of La Paz County land. The Project would include solar PV modules, direct current cabling and combining switchgear, inverters, voltage collection systems, transformers, monitoring and controls systems, operations and maintenance facilities, above-ground electrical connection lines, and potentially a battery energy storage system and substation. The Project would use a substation on an adjacent approved solar facility and connect into the regional transmission system via the Cielo Azul 500 kV switching station and Ten West Link 500 kV transmission line (construction ongoing). Overhead 69 kV connection lines would extend approximately 2 miles in a proposed utility easement on La Paz County land to the Cielo Azul switching station. The Applicant has incorporated numerous design features into the Proposed Action to avoid or minimize adverse environmental effects during construction, operation, and decommissioning. These plans and procedures are provided as appendices to the Proposed Plan of Development and the Draft EIS. The Wash Avoidance Alternative would employ the same technology and design as the Proposed

Action but avoid construction impacts to a desert wash to maintain wildlife habitat connectivity and preserve natural features. All design features for the Proposed Action would apply to the Wash Avoidance Alternative.

### Important Issues Identified During Scoping

During scoping, several issues were raised including for the following resource areas: air quality/greenhouse gas/climate change; biological resources; environmental justice/socioeconomics; fuels and fire management; livestock grazing; Native American, religious, and traditional cultural resources; recreation; soil resources; vegetation; visual resources; waste/hazardous waste; and water resources. The BLM reviewed all scoping comments and incorporated comments into the Draft EIS where applicable.

### Lead and Cooperating Agencies

The BLM's Yuma Field Office is the lead Federal agency for the Draft EIS. The Arizona Department of Transportation, Arizona Game and Fish Department, La Paz County, Fort Yuma-Quechan Tribe, U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, and U.S. Fish and Wildlife Service have also requested to participate in the environmental analysis as cooperating agencies. The BLM has a signed memorandum of understanding with each cooperating agency to identify its roles and responsibilities and those of the BLM in the process.

### Public Involvement Process

A virtual public meeting will be held 2 to 3 weeks after publication of this notice; the meeting date will be announced on the Project ePlanning website at least 15 days prior to the meeting. The public meeting will include a presentation and opportunity to speak with the project team. The date(s) and location(s) of any additional meetings will be announced in advance through the Project ePlanning website (see **ADDRESSES**).

The BLM encourages the public to review the Draft EIS and provide comments on the adequacy of the alternatives, analysis of effects, and any new information that would help the BLM disclose potential impacts of the Project in the Final EIS.

The BLM will continue to consult with Indian Tribal Nations on a government-to-government basis in accordance with Executive Order 13175, BLM MS 1780, and other Departmental policies. Tribal concerns, including potential impacts on Indian trust assets

and potential impacts to cultural resources, will be given due consideration.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

(Authority: 40 CFR 1506.6, 40 CFR 1506.10)

**Raymond Suazo,**

*State Director.*

[FR Doc. 2024-07868 Filed 4-18-24; 8:45 am]

**BILLING CODE 4331-12-P**

## DEPARTMENT OF LABOR

### Privacy Act of 1974; System of Records

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

**ACTION:** Notice of a modified system of records.

**SUMMARY:** The Privacy Act of 1974 and Office of Management and Budget (OMB) Circular No. A-108 requires that each agency publish notice of a new or modified system of records that it maintains. This notice proposes to modify an existing system of records to add three additional statutes to the "Authority" section of the system, and to add two new routine uses and revise one routine use for the Department of Labor (DOL), Occupational Safety and Health Administration (OSHA), *Retaliation Complaint File*, DOL/OSHA-1, as well as to make general updates to provide more detail and clarity regarding OSHA's practices for disclosing, storing, retaining, and disposing of records in this system and the technical, physical, and administrative safeguards that OSHA relies on to protect records in this system from unauthorized disclosure.

**DATES:** Comments must be received no later than May 20, 2024. This modification is effective upon publication of this Notice. If no public comments are received, the new routine uses will be effective beginning May 20, 2024. If DOL receives public comments, DOL will review the comments to determine whether any changes to the notice are necessary.

**ADDRESSES:** We invite you to submit comments on this notice. You may

submit comments by any of the following methods:

- *Federal e-Rulemaking Portal:* <https://www.regulations.gov> or <https://www.federalregister.gov>. Follow the instructions for submitting comments.

- *Mail, Hand Delivery, or Courier:* 200 Constitution Avenue NW, Room N-3653, Washington, DC 20210. In your comment, specify “Retaliation Complaint File, DOL/OSHA-1.”

All comments will be made public and will be posted without change to <https://www.regulations.gov>, including any personal information provided.

**FOR FURTHER INFORMATION CONTACT:** To submit general questions about the system, contact Lee Martin by telephone at 202-693-2199 or by email at [osha.dwpp@dol.gov](mailto:osha.dwpp@dol.gov). Please include “Retaliation Complaint File, DOL/OSHA-1” in the submission.

**SUPPLEMENTARY INFORMATION:** The Retaliation Complaint File, DOL/OSHA-1 modified system of records includes three additional OSHA statutes and two new routine uses. The new statutes to be added are: The Taxpayer First Act (26 U.S.C. 7623(d)); The Criminal Antitrust Anti-Retaliation Act (15 U.S.C. 7a-3); and The Anti-Money Laundering Act (31 U.S.C. 5323(a)(5), (g) & (j)). DOL is adding routine uses e. and f. regarding disclosure of records, as needed, to address a suspected breach of DOL’s or another agency’s records systems. DOL has also revised routine use c. to note that disclosure of appropriate, relevant, necessary, and compatible investigative records may be made to OSHA-approved occupational safety and health State Plan agencies (State Plans), as well as Federal agencies, responsible for investigating, prosecuting, enforcing, or implementing laws related to one or more of the statutes listed under AUTHORITY FOR MAINTENANCE OF THE SYSTEM where OSHA deems such disclosure compatible with the purpose for which the records were collected. Former routine use e. (permitting disclosure of statistical reports containing aggregated results of program activities and outcomes to the media, researchers, or other interested parties) is being re-designated as routine use g. Additionally, DOL is making general updates to provide more detail and clarity regarding OSHA’s practices for storing, retaining, and disposing of records in this system and the technical, physical, and administrative safeguards that OSHA relies on to protect records in this system from unauthorized disclosure.

**SYSTEM NAME AND NUMBER:**

Retaliation Complaint File, DOL/OSHA-1.

**SECURITY CLASSIFICATION:**

Unclassified.

**SYSTEM LOCATION:**

The system resides in a secure cloud service environment provided through Amazon Web Services (AWS). Records from the secure cloud service are accessed by DOL personnel located at the Occupational Safety and Health Administration (OSHA)’s national, regional, and area offices. Address information for regional and area offices can be found at: <https://www.osha.gov/contactus/bystate>. Pursuant to DOL’s Flexiplace Programs (also known as “telework” pursuant to the Telework Enhancement Act), copies of records may be temporarily located at alternative worksites, including employees’ homes or at geographically convenient satellite offices for periods of time. All appropriate safeguards are taken at these sites.

**SYSTEM MANAGER(S):**

Lee Martin, Director of the Directorate of Whistleblower Protection Programs, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue NW, Room N-3647, Washington, DC 20210.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

- The Occupational Safety and Health Act (29 U.S.C. 660(c));
- The Surface Transportation Assistance Act (49 U.S.C. 31105);
- The Asbestos Hazard Emergency Response Act (15 U.S.C. 2651);
- The International Safe Container Act (46 U.S.C. 80507);
- The Safe Drinking Water Act (42 U.S.C. 300j-9(i));
- The Federal Water Pollution Control Act (33 U.S.C. 1367);
- The Toxic Substances Control Act (15 U.S.C. 2622);
- The Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (49 U.S.C. 42121);
- The Solid Waste Disposal Act (42 U.S.C. 6971);
- The Clean Air Act (42 U.S.C. 7622);
- The Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. 9610);
- The Energy Reorganization Act of 1978 (42 U.S.C. 5851);
- The Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60129);
- The Corporate and Criminal Fraud Accountability Act of 2002, Title VIII of the Sarbanes-Oxley Act of 2002 (18 U.S.C. 1514A);

- The Federal Railroad Safety Act (49 U.S.C. 20109);
- The National Transit Systems Security Act (6 U.S.C. 1142);
- The Consumer Product Safety Improvement Act (15 U.S.C. 2087);
- The Affordable Care Act (29 U.S.C. 218C);
- The Consumer Financial Protection Act of 2010 (12 U.S.C. 5567);
- The Seaman’s Protection Act (46 U.S.C. 2114);
- The FDA Food Safety Modernization Act (21 U.S.C. 399d);
- The Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30171);
- The Taxpayer First Act (26 U.S.C. 7623(d));
- The Criminal Antitrust Anti-Retaliation Act (15 U.S.C. 7a-3); and
- The Anti-Money Laundering Act (31 U.S.C. 5323(a)(5), (g) & (j)).

**PURPOSE(S) OF THE SYSTEM:**

The records are used to support a determination by OSHA on the merits of a complaint alleging violation of the employee protection provisions of one or more of the statutes listed under AUTHORITY FOR MAINTENANCE OF THE SYSTEM. The records also are used as the basis of statistical reports on such activity by the system manager, national office administrators, regional administrators, investigators, and their supervisors in OSHA. The reports may be released to the public. The reports do not contain any identifying information and are generally used for statistical purposes.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Individuals who have filed complaints alleging retaliation against them by their employers, or by others, for engaging in activities protected under the various statutes set forth below, popularly referenced as whistleblower protection statutes are covered by the system. Complainants may file such claims with OSHA pursuant to the following statutes: The Occupational Safety and Health Act (29 U.S.C. 660(c)); the Surface Transportation Assistance Act (49 U.S.C. 31105); the Asbestos Hazard Emergency Response Act (15 U.S.C. 2651); the International Safe Container Act (46 U.S.C. 80507); the Safe Drinking Water Act (42 U.S.C. 300j-9(i)); the Federal Water Pollution Control Act (33 U.S.C. 1367); the Toxic Substances Control Act (15 U.S.C. 2622); the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (49 U.S.C. 42121); the Solid Waste Disposal Act (42 U.S.C. 6971); the Clean Air Act (42 U.S.C. 7622); the Comprehensive

Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. 9610); the Energy Reorganization Act of 1978 (42 U.S.C. 5851); the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60129); the Corporate and Criminal Fraud Accountability Act of 2002, Title VIII of the Sarbanes-Oxley Act of 2002 (18 U.S.C. 1514A); the Federal Railroad Safety Act (49 U.S.C. 20109); the National Transit Systems Security Act (6 U.S.C. 1142); the Consumer Product Safety Improvement Act (15 U.S.C. 2087); the Affordable Care Act (29 U.S.C. 218C); the Consumer Financial Protection Act of 2010 (12 U.S.C. 5567); the Seaman's Protection Act (46 U.S.C. 2114); the FDA Food Safety Modernization Act (21 U.S.C. 399d); the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30171); the Taxpayer First Act (26 U.S.C. 7623(d)); the Criminal Antitrust Anti-Retaliation Act (15 U.S.C. 7a-3); and the Anti-Money Laundering Act (31 U.S.C. 5323(a)(5), (g) & (j)).

#### CATEGORIES OF RECORDS IN THE SYSTEM:

Records in the system include the complainant's name, address, telephone numbers, occupation, place of employment, and other identifying data along with the allegation, OSHA forms, and evidence offered in the allegation's proof. Records in the system also includes the respondent's name, address, telephone numbers, response to notification of the complaint, statements, and any other evidence or background material submitted as evidence. This material includes records of interviews and other data gathered by the investigator.

#### RECORD SOURCE CATEGORIES:

Records contained in this system are obtained from individual complainants who filed allegation(s) of retaliation by employer(s) against employee(s) or persons who have engaged in protected activities. OSHA uses the OSHA Online Whistleblower Complaint Form (OSHA 8-60.1) approved under OMB Control No. 1218-0236 to collect initial complainant information. Records contained in this system are also obtained from employers, employees other than an individual complainant, and other witnesses.

#### ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

In addition to the disclosures permitted under 5 U.S.C. 552a(b), as well as those contained in DOL's Universal Routine Uses of Records,<sup>1</sup> a

record from this system of records may be disclosed as follows:

a. Disclosure of the complaint, as well as the identity of the complainant, and any interviews, statements, or other information provided by the complainant, or information about the complainant given to OSHA, may be made to the respondent, so that the complaint can proceed to a resolution.

**Note:** Personal information about other employees that is contained in the complainant's file, such as statements taken by OSHA or information for use as comparative data, such as wages, bonuses, the substance of promotion recommendations, supervisory assessments of professional conduct and ability, or disciplinary actions generally may be withheld from the respondent when it could violate the other employee's privacy rights, cause intimidation or harassment to the other employee, or impair future investigations by making it more difficult to collect similar information from other employees.

b. Disclosure of the respondent's responses to the complaint and any other evidence it submits may be shared with the complainant so that the complaint can proceed to a resolution.

c. Disclosure of appropriate, relevant, necessary, and compatible investigative records may be made to other Federal agencies and State Plans responsible for investigating, prosecuting, enforcing, or implementing laws related to the statutes listed under AUTHORITY FOR MAINTENANCE OF THE SYSTEM where OSHA deems such disclosure compatible with the purpose for which the records were collected.

d. Disclosure of appropriate, relevant, necessary, and compatible investigative records may be made to another agency or instrumentality of any governmental jurisdiction within or under the control of the United States, for a civil or criminal law enforcement activity, if the activity is authorized by law, and if that agency or instrumentality has made a written request to OSHA, specifying the particular portion desired and the law enforcement activity for which the record is sought.

e. Disclosure of information contained in this system of records may be made to appropriate agencies, entities, and persons when (1) DOL suspects or confirms a breach of the system of records; (2) DOL determines as a result of the suspected or confirmed breach, there is a risk of harm to individuals, DOL (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with DOL's efforts to

respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

f. Disclosure of information contained in this system of records may be made to another Federal agency or Federal entity, when DOL determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

g. Statistical reports containing aggregated results of program activities and outcomes may be disclosed to the media, researchers, or other interested parties. Disclosure may be in response to requests made by telephone, email, fax, or letter, by a mutually convenient method. Statistical data may also be posted by the system manager on the OSHA web page.

#### POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Electronic records in this system of records are stored on AWS, in a self-contained system. Limited paper case files may be used on a temporary basis and kept in locked offices. The system is contained behind the DOL firewall. Users access the system via their personal identity verification (PIV) card for internal federal users or through *login.gov* for State Plan users.

#### POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records are retrieved by complainant's name, respondent's name, or case number. The system is contained behind the DOL firewall. Users access the system via their personal identity verification (PIV) card for internal federal users or through *login.gov* for State Plan users.

#### POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records are maintained primarily in the DOL IT system on the AWS server. Limited paper case files may be maintained at applicable locations as set out above under the heading SYSTEM LOCATION. System records are destroyed five years after a case is closed, in accordance with Records Schedule Number DAA-0100-2018-0002-0009. Paper copies of case files that are not scanned are retained on-site until the five-year retention period has been met and then destroyed.

<sup>1</sup> See <https://www.dol.gov/general/privacy> under the heading "System of Records Notices (SORNs)."

**ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:**

Records in this system are safeguarded in accordance with applicable rules and policies, including all applicable DOL automated systems security and access policies. Access to the system containing the records is limited to those individuals deemed as authorized personnel. Records in the system are protected from unauthorized access and misuse through a combination of administrative, technical, and physical security measures. Administrative measures include policies that limit system access to individuals within an agency with a legitimate business need and regular review of security procedures and best practices to enhance security. Technical measures include system design that allows individuals within an agency access only to data for which they are responsible; role-based access controls that allow individuals access only to data for their agency or reporting unit; multi-factor authentication to access the system; and use of encryption for certain data transfers. Physical security measures include the use of DOL cloud data centers which meet government requirements for storage of sensitive data.

**RECORD ACCESS PROCEDURES:**

If an individual wishes to access their own data in the system, the individual should contact OSHA directly and follow the instructions for making a Privacy Act Request on DOL's web page at: <https://www.dol.gov/general/privacy/instructions>. DOL also describes its process for requesting records under the Privacy Act in regulations at 29 CFR 71.2. Individuals who need additional assistance may also reach out to DOL's Privacy Office by email at [privacy@dol.gov](mailto:privacy@dol.gov).

**CONTESTING RECORD PROCEDURES:**

If an individual wishes to request a correction or amendment of a record, the individual should direct their request to OSHA directly. The request must be in writing and must identify:

- The name of the individual making the request,
- The particular record in question,
- The correction or amendment sought,
- The justification for the change, and
- Any other pertinent information to help identify the file.

Additional information can be found on DOL's web page at: <https://www.dol.gov/general/privacy/instructions>. DOL also describes its process for requesting a correction or amendment at 29 CFR 71.9. Individuals

who need additional assistance may also reach out to DOL's Privacy Office by email at [privacy@dol.gov](mailto:privacy@dol.gov).

**NOTIFICATION PROCEDURES:**

If an individual wishes to know if a system contains their information, the individual should contact OSHA directly and follow the instructions for making a Privacy Act Request on DOL's web page at: <https://www.dol.gov/general/privacy/instructions>. DOL also describes its process for requesting records under the Privacy Act in regulations at 29 CFR 71.2. Individuals who need additional assistance may also reach out to DOL's Privacy Office by email at [privacy@dol.gov](mailto:privacy@dol.gov).

**EXEMPTIONS PROMULGATED FOR THE SYSTEM:**

In accordance with 5 U.S.C. 552a(k)(2), investigatory material in this system of records compiled for law enforcement purposes is exempt from subsections (c)(3); (d); (e)(1); (e)(4)(G), (H), and (I); and (f) of 5 U.S.C. 552a.

However, if any individual is denied any right, privilege, or benefit that the individual would otherwise be entitled to by Federal law or for which they would otherwise be eligible, such material shall be provided. To the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise<sup>2</sup> that the identity of the source would be held in confidence, DOL will not furnish such records to the individual.

**HISTORY:**

This is a full publication of the modified SORN in its entirety that replaces the previously published SORN found at 81 FR 25765, 25853–54 (April 29, 2016).

**Carolyn Angus-Hornbuckle,**

*Assistant Secretary for Administration and Management.*

[FR Doc. 2024–08383 Filed 4–18–24; 8:45 am]

**BILLING CODE 4510–26–P**

**DEPARTMENT OF LABOR****Mine Safety and Health Administration****Petition for Modification of Application of Existing Mandatory Safety Standards**

**AGENCY:** Mine Safety and Health Administration, Labor.

**ACTION:** Notice.

<sup>2</sup>For sources who furnished information to the Government prior to January 1, 1975, the standard is an implied promise that the identity of the source would be held in confidence.

**SUMMARY:** This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by the Rosebud Mining Company.

**DATES:** All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before May 20, 2024.

**ADDRESSES:** You may submit comments identified by Docket No. MSHA–2024–0008 by any of the following methods:

1. *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA–2024–0008.
2. *Fax:* 202–693–9441.
3. *Email:* [petitioncomments@dol.gov](mailto:petitioncomments@dol.gov).
4. *Regular Mail or Hand Delivery:*

MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Suite 4E401, Arlington, Virginia 22202–5452.

*Attention:* S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk, 4th Floor West. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202–693–9455 to make an appointment, in keeping with the Department of Labor's COVID–19 policy. Special health precautions may be required.

**FOR FURTHER INFORMATION CONTACT:** S. Aromie Noe, Office of Standards, Regulations, and Variances at 202–693–9440 (voice), [Petitionsformodification@dol.gov](mailto:Petitionsformodification@dol.gov) (email), or 202–693–9441 (fax). [These are not toll-free numbers.]

**SUPPLEMENTARY INFORMATION:** Section 101(c) of the Federal Mine Safety and Health Act of 1977 and 30 CFR part 44 govern the application, processing, and disposition of petitions for modification.

**I. Background**

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.