

52. *Barry M. Taira*, Caskets & Urns For Less ("Taira") [Comment A-53]
53. *Michael P.A. Cohen*, National Selected Morticians ("NSM") [Comment A-54]\*
54. *Jeff Kramer*, AARP [Comment A-55]\*
55. *T. Scott Gilligan*, National Funeral Directors Association ("NFDA") [Comment A-56]
56. *John M. Peterson*, Monument Builders of North America ("MBNA") [Comment A-57]\*
57. *Harry I. Lapin*, Cremation Association of North America ("CANA") [Comment A-58]\*
58. *Service Corporation International* ("SCI") [Comment A-59]
59. *John O. Norquist*, Mayor, City of Milwaukee ("Mayor Norquist") [Comment A-60]
60. *David N. Swim*, Casket Gallery Showrooms ("Swim") [Comment A-61]
61. *David Lew*, The Casket Outlet [Comment A-62]
62. *James O. Pinkerton*, Orion C. Pinkerton Funeral Home, Inc. ("Pinkerton") [Comment A-63]
63. *Robert Prestatt*, [Comment A-64]
64. *Dennis N. Britson*, North American Cemetery Regulators Association ("NCRA") [Comment A-65]
65. *Bill Collier*, Collier Casket Co. ("Collier") [Comment A-66]\*
66. *Jed Hendrickson*, Santa Barbara Monumental Co., Inc. ("Hendrickson") [Comment A-67]
67. *Richard Lamb*, Richard Lamb Funeral Service & Resource Center ("Lamb") [Comment A-68]
68. *Larry Chedotal, Sr.*, Restlawn Park Cemetery & Mausoleum, Inc. ("Chedotal") [Comment A-69]
69. *Charles E. Davis*, Association of Independent Funeral Directors of Florida ("AIFDF") [Comment A-70]
70. *Robert C. Caudle*, ("Caudle") [Comment A-71]
71. *William P. Conway*, Western Cemetery Alliance ("WCA") [Comment A-72]
72. *William P. Conway*, Interment Association of California [Comment A-73]
73. *Wanda Upper*, Arborcrest Memorial Park & Chapel Mausoleum [Comment A-74]
74. *Betty Brown*, A-Team Casket Stores & National Casket Retailer's Association ("B. Brown") [Comment A-75]\*
75. *Lisa Carlson*, Funeral and Memorial Societies of America ("FAMSA") [Comment A-76]\*
76. *Carla J. Stovall*, State of Kansas, Office of the Attorney General ("KS OAG") [Comment A-77]
77. *Kathie Milligan* [Comment A-78]
78. *Carolyn Jacobi*, Eternal Justice ("EJ") [Comment A-79]\*
79. *Morris Nilsen*, Minnesota Funeral Directors Association [Comment A-80]
80. *Elmer Feldheim*, [Comment A-81]
81. *Charles E. Evans*, John H. Evans Funeral Home ("Evans") [Comment A-82]
82. *Don Kim*, Rainbow Casket Company ("Kim") [Comment A-83]
83. *Stephanie Lawrence*, [Comment A-84]
84. *Thomas Crean*, Family Funeral Home Association ("FFHA") [Comment A-85]
85. *Robert McAdams*, Twin Cities Cremation ("McAdams") [Comment A-86]

86. *Larry Kaplan*, National Association of Consumer Agency Administrators ("NACAA") [Comment A-87]
87. *Harold Goyette*, Lewis E. Wint and Son Funeral Home [Comment A-88]
88. *Richard F. Cody*, Resthaven Memorial Gardens [Comment A-89]
- \* **NOTE:** Not all referenced attachments are included in electronic form. Copies are available from the FTC's Consumer Response Center, Room 130, 600 Pennsylvania Avenue, N.W., Washington, D.C. 20580; 1-800-FTC-HELP.

## Appendix 2

### Participant List

#### Funeral Rule Review Workshop, November 18, 1999

- A-55 Jeffrey A. Kramer, American Association of Retired Persons (AARP)
- A-51 Robert Karlin, California Casket Retailers Association
- A-61 David Swim, Casket Gallery Showrooms
- A-11 G. V. Ayers, Cemetery & Funeral Program of the CA Dept. of Cons. Affairs (CFP-1 of CA)
- A-58 Harvey Lapin, Cremation Association of North America (CANA)
- 54 Bill Seale, Directors Investment Group, Inc. (DIG)
- A-79 Carolyn Jacobi, Eternal Justice
- A-76 Lisa Carlson, Funeral and Memorial Societies of America (FAMSA)
- A-10 Robert Ninker, Funeral Ethics Association (FEA)  
Jonathan Siedlecki, FEA
- A-52 Mercedes Bern-Klug, Funeral and Memorial Society of Greater Kansas City
- 49 Pat Graham, Graham Funeral Home (Graham)
- A-38 Paul M. Elvig, International Cemetery and Funeral Association (ICFA)
- 57 Billie Watson Hughes, Independent Funeral Directors Assoc. of the District of Columbia (IFDADC)
- A-27 Randall L. Earl, International Order of the Golden Rule (IOGR)
- A-14 Harry Neel, Jefferson Memorial Cemetery and Funeral Home
- A-57 John M. Peterson, Monument Builders of North America (MBNA)
- A-87 Jennifer L. Rawls, National Association of Consumer Agency Administrators (NACAA)
- 48 Maynard Cheris, National Casket Retailers Association, Inc.
- A-56 John Carmon, National Funeral Directors Association (NFDA)  
T. Scott Gilligan, NFDA
- A-54 George W. Clarke, National Selected Morticians (NSM)
- 58 Edith Churchman, Ph.D., National Funeral Directors & Morticians Association (NFDMA)
- A-35 John S. Wallenstein, New York State Monument Builders Association (NYSMB)
- A-63 James Pinkerton, Orion C. Pinkerton Funeral Home, Inc.
- A-59 Glenn McMillen, Service Corporation International (SCI)

## Appendix 3

### Statements Made On The Public Record

#### Funeral Rule Review Workshop, November 18, 1999

- Sylvia Brown, Greensboro, NC
- Robert Creal, Creal Funeral Home, St. Petersburg, FL
- Tom Crean, Family Funeral Home Assn., New Westminster, British Columbia, Canada
- Gere Fulton, FCA-FAMSA, Board Member, Columbia, SC
- Samuel Frain, Indiana Funeral Directors Assn., Frain Mortuary Inc., Winamac, IN
- John R. Harmon, NFDA-MA, Tyler, TX
- John Horan, Horan & McConaty Funeral Svc./Cremation, Aurora, CO
- Deicie May James, Milwaukee, WI
- David McComb, D.O. McComb & Sons, Ft. Wayne, IN
- John McDonough, Electronic Funeral Service Assn., McDonough Funeral Home, Lowell, MA
- Rev. Partick Pollard, Natl. Catholic Cemetery Conference, Hillside, IL
- Eileen Santangelo, Evergreen Memorial Garden
- Richard Santore, Today in Death Care, Kingsport, TX
- Steven Sklar, Chairman, N.A.M. Cemetery Regulators Assn., Chair, Consumer Affairs, Baltimore, MD
- Douglas Stowell, Funeral Services, Inc., Stowell, Anton & Kraemer, Tallahassee, FL
- Shirley VanArsdale, NFDA, Gardner, KS
- [FR Doc. E8-5065 Filed 3-13-08; 8:45 am]
- BILLING CODE 6750-01-S**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

#### 29 CFR Part 1910

[Docket No. OSHA-2007-0040]

RIN 1218-AC08

#### Updating OSHA Standards Based on National Consensus Standards

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

**ACTION:** Final rule; confirmation of effective date.

**SUMMARY:** OSHA is confirming the effective date of its direct final rule that revises a number of standards for general industry that refer to national consensus standards. The direct final rule states that it would become effective on March 13, 2008 unless OSHA receives significant adverse comment on these revisions by January 14, 2008. OSHA received no adverse comments by that date and, therefore, is confirming that the rule will become effective on March 13, 2008.

**DATES:** The direct final rule published on December 14, 2007 (72 FR 71061) is effective March 13, 2008.

**FOR FURTHER INFORMATION CONTACT:** *Press Inquiries:* Kevin Ropp, OSHA Office of Communications, Room N-3647, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone: (202) 693-1999. *General and technical information:* Don Pittenger, Director, Office of Safety Systems, Directorate of Standards and Guidance, Occupational Safety and Health Administration, U.S. Department of Labor, Room N-3609, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693-2508.

**ADDRESSES:** In compliance with 28 U.S.C. 2112(a), OSHA designates the Associate Solicitor for Occupational Safety and Health as the recipient of petitions for review of the final standard. Contact the Associate Solicitor at the Office of the Solicitor, Room S-4004, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210, telephone: (202) 693-5445.

**SUPPLEMENTARY INFORMATION:** The direct final rule, which applies to general industry, removes a number of references to national consensus standards that have requirements that duplicate, or are comparable to, other OSHA rules; this action includes correcting a paragraph citation in one of these OSHA rules. The direct final rule also removes a reference to American Welding Society standard A3.0-1969 ("Terms and Definitions").

On December 14, 2007, OSHA published the direct final rule in the *Federal Register* with a statement that the rule would become effective on March 13, 2008 unless the Agency received a significant adverse comment by January 14, 2008 (72 FR 71061). OSHA published simultaneously with the direct final rule a companion proposed rule (72 FR 71091). In both the direct final rule and the proposed rule, OSHA requested comment on any issues related to this action.

OSHA received six comments on the direct final rule; none of these comments was significantly adverse. Some commenters suggested that OSHA, instead of removing the duplicative and outdated references, update the references to the latest versions of the consensus standards. While OSHA will consider updating its rules to incorporate more recent versions of the consensus standards in the future, updating the references is outside the scope of this rulemaking. In addition, some commenters mistakenly believed that removing the duplicative references would diminish employee

protection. As explained in the December 14, 2007 *Federal Register* notice, OSHA is removing references that essentially duplicate requirements found elsewhere in OSHA's standards. For this reason, employee protection will not be diminished by the direct final rule. Therefore, the direct final rule will become effective on March 13, 2008.

#### Authority and Signature

Edwin G. Foulke, Jr., Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210, directed the preparation of this document. OSHA is issuing this document pursuant to Sections 4, 6, and 8 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 653, 655, 657), Secretary of Labor's Order 5-2007 (72 FR 31160); and 29 CFR part 1911.

Signed at Washington, DC on March 11, 2008.

**Edwin G. Foulke, Jr.**

*Assistant Secretary of Labor for Occupational Safety and Health.*

[FR Doc. E8-5120 Filed 3-13-08; 8:45 am]

**BILLING CODE 4510-26-P**

## PENSION BENEFIT GUARANTY CORPORATION

### 29 CFR Parts 4022 and 4044

#### Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Final rule.

**SUMMARY:** The Pension Benefit Guaranty Corporation's regulations on Benefits Payable in Terminated Single-Employer Plans and Allocation of Assets in Single-Employer Plans prescribe interest assumptions for valuing and paying benefits under terminating single-employer plans. This final rule amends the regulations to adopt interest assumptions for plans with valuation dates in April 2008. Interest assumptions are also published on the PBGC's Web site (<http://www.pbgc.gov>).

**DATES:** Effective April 1, 2008.

**FOR FURTHER INFORMATION CONTACT:** Catherine B. Klion, Manager, Regulatory and Policy Division, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005, 202-326-4024. (TTY/TDD users may call the

Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4024.)

**SUPPLEMENTARY INFORMATION:** The PBGC's regulations prescribe actuarial assumptions—including interest assumptions—for valuing and paying plan benefits of terminating single-employer plans covered by title IV of the Employee Retirement Income Security Act of 1974. The interest assumptions are intended to reflect current conditions in the financial and annuity markets.

Three sets of interest assumptions are prescribed: (1) A set for the valuation of benefits for allocation purposes under section 4044 (found in Appendix B to Part 4044), (2) a set for the PBGC to use to determine whether a benefit is payable as a lump sum and to determine lump-sum amounts to be paid by the PBGC (found in Appendix B to Part 4022), and (3) a set for private-sector pension practitioners to refer to if they wish to use lump-sum interest rates determined using the PBGC's historical methodology (found in Appendix C to Part 4022).

This amendment (1) adds to Appendix B to Part 4044 the interest assumptions for valuing benefits for allocation purposes in plans with valuation dates during March 2008, (2) adds to Appendix B to Part 4022 the interest assumptions for the PBGC to use for its own lump-sum payments in plans with valuation dates during April 2008, and (3) adds to Appendix C to Part 4022 the interest assumptions for private-sector pension practitioners to refer to if they wish to use lump-sum interest rates determined using the PBGC's historical methodology for valuation dates during April 2008.

For valuation of benefits for allocation purposes, the interest assumptions that the PBGC will use (set forth in Appendix B to part 4044) will be 5.64 percent for the first 20 years following the valuation date and 4.71 percent thereafter. These interest assumptions represent an increase (from those in effect for March 2008) of 0.10 percent for the first 20 years following the valuation date and 0.10 percent for all years thereafter.

The interest assumptions that the PBGC will use for its own lump-sum payments (set forth in Appendix B to part 4022) will be 3.25 percent for the period during which a benefit is in pay status and 4.00 percent during any years preceding the benefit's placement in pay status. These interest assumptions represent an increase (from those in effect for March 2008) of 0.25% in the immediate annuity rate and are