

DEPARTMENT OF JUSTICE**Notice of the Availability of the Record of Decision Concerning a Proposal To Develop a Federal Correctional Complex in the Aliceville, AL Area**

AGENCY: U.S. Department of Justice, Federal Bureau of Prisons.

ACTION: Notice of a Record of Decision.

SUMMARY: Notice of the Availability of the Record of Decision.

The U.S. Department of Justice, Federal Bureau of Prisons (BOP) announces the availability of the Record of Decision (ROD) concerning the Final Environmental Impact Statement (EIS) for the proposed development of a Federal Correctional Complex (FCC) in the Aliceville, Alabama area.

Background Information

Pursuant to Section 102, 42 U.S.C. 4332, of the National Environmental Policy Act (NEPA) of 1969, as amended and the Council on Environmental Quality Regulations (40 CFR Parts 1500–1508), BOP has prepared Draft and Final EISs concerning a proposal to develop a FCC comprising one or more minimum-, medium-, and high-security correctional facilities. Initial development of the FCC would consist of a Federal Correctional Institution (FCI) to house approximately 1,500 adult inmates along with ancillary facilities including administrative structures, a prison industry facility, a satellite work camp to house approximately 250 adult inmates, and staff training facilities.

Project Information

The BOP is responsible for carrying out judgments of the Federal courts whenever a period of confinement is ordered. Subsequently, the mission of the BOP is to protect society by confining offenders in the controlled environments of prisons and community-based facilities that are safe, humane, cost-efficient, and appropriately secure, and that provide work and other self-improvement opportunities to assist offenders in becoming law-abiding citizens. Approximately 166,000 inmates are currently housed within the 114 federal correctional facilities that have levels of security ranging from minimum to maximum; a number exceeding the combined rated capacities of all federal correctional facilities. Measures being taken to manage the growth of the federal inmate population include acquisition and adaptation of facilities originally intended for other purposes, the expansion and improvement of

existing correctional facilities, and the expanded use of contract beds together with construction of new institutions. Adding capacity through these means allows the BOP to work toward the long-term goal of reduced system-wide crowding. The BOP is facing an especially challenging situation in that the number of inmates originating from the southeastern United States has grown substantially. As a result, the BOP manages many inmates from the southeastern-most United States in facilities throughout the Southeast Region and beyond. Provision of additional bedspace in the Aliceville, Alabama area would allow the BOP to manage inmates originating from the southeastern-most states nearer their families and friends which aids in the rehabilitative process.

The proposed action in the Aliceville, Alabama area is part of the BOP's comprehensive expansion effort and would consist of the construction and operation of a FCC. The principal function of the FCC would be to provide a safe, secure, and humane environment for the care and custody of federal inmates, primarily from the southeastern region of the country. Development of the proposed facility will necessitate the acquisition of approximately 1,270 acres of land by the BOP.

The BOP evaluated alternatives as part of the EIS including the No Action Alternative, development of the proposed project at alternative locations nationwide, and development of the proposed project at one of two alternative sites located near the City of Aliceville in Pickens County, Alabama. Each of the alternative sites is examined in detail in the Draft and Final EISs with development of the proposed project at the North Site identified by the Draft and Final EISs as the Preferred Alternative.

The BOP issued a Draft EIS on October 20, 2007, with publication of the Notice of Availability (NOA) in the **Federal Register** on October 27, 2007. The NOA provided a start date for the 45-day public comment period beginning on October 27, 2007, and ending on December 10, 2007. During the public comment period a public hearing concerning the proposed action and the Draft EIS was held in Aliceville, Alabama on November 15, 2007. Approximately 214 individuals attended the public hearing.

The Final EIS addressed comments received on the Draft EIS, and publication of the NOA in the **Federal Register** concerning the Final EIS occurred on February 22, 2008. The 30-day review period for receipt of public

comments concerning the Final EIS ended on March 24, 2008.

Approximately 40 comment letters were received during the public review period on the Final EIS. Each of the comment letters were similar to comments received on the Draft EIS and were considered in the decision presented in the ROD.

BOP provided written notices of the availability of the Draft EIS and Final EIS in the **Federal Register**, in two newspapers with local and regional circulations, and through three local public libraries. The BOP also distributed approximately 200 copies (each) of the Draft EIS and Final EIS to federal agencies, state and local governments, elected officials, interested organizations, and individuals.

Availability of Record of Decision

The Record of Decision and other information regarding this project are available upon request. To request a copy of the Notice of Availability, please contact: Pamela J. Chandler, Chief, or Issac J. Gaston, Site Selection Specialist, Site Selection and Environmental Review Branch, Federal Bureau of Prisons, 320 First Street, NW., Washington, DC 20534 Tel: 202–514–6470/Fax: 202–616–6024/E-mail: pchandler@bop.gov igaston@bop.gov.

FOR FURTHER INFORMATION CONTACT:

Pamela J. Chandler, Issac J. Gaston, Federal Bureau of Prisons.

Dated: April 29, 2008.

Issac J. Gaston,

Site Selection Specialist, Site Selection and Environmental Review Branch.

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DEPARTMENT OF JUSTICE**Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act**

In accordance with Departmental policy, 28 CFR 50.7 and section 122(d)(2) of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9622(d)(2), notice is hereby given that on April 29, 2008 a proposed consent decree in *United States v. Teledyne Technologies Incorporated*, Civil Action No. 3:08–cv–1085, was lodged with the United States District Court for the Northern District of Ohio.

In this action, brought against Teledyne Technologies Incorporated ("Teledyne") pursuant to Section 107 of CERCLA, 42 U.S.C. 9607, the United

States sought the recovery of response costs incurred by the United States in connection with actual and threatened releases of hazardous substances at and from the former Naval Weapons Industrial Reserve Plant—Toledo ("Facility"), a facility located in Toledo, Ohio that was formerly owned by the United States and that was and continues to be operated by Teledyne. The consent decree resolves claims of the United States against Teledyne and TDY Industries, Inc. (a predecessor for whom Teledyne has assumed liability) pursuant to sections 106 and 107(a) of CERCLA, 42 U.S.C. 9606 and 9607(a), for the recovery of Navy response costs and the work to be performed under the consent decree at the Facility. The consent decree requires Teledyne to pay the United States \$525,000 for past response costs incurred by the Navy in connection with the Site. Under the consent decree, Teledyne is also obligated to perform further response actions necessary to achieve regulatory closure by obtaining an Ohio Covenant Not To Sue for the Facility by the State of Ohio pursuant to Chapter 3746 of the Ohio Revised Code, and implementing regulation, otherwise known as the Ohio Voluntary Action Program ("VAP"), or Brownfield Program, in the event that the Toledo-Lucas County Port Authority, the current owner of the Facility, does not achieve regulatory closure by obtaining an Ohio Covenant Not to Sue using a Federal grant, pursuant to the authority of FY 2006 Appropriations Act (Pub. L. 109-148), administered by the Department of Defense's Office of Economic Adjustment.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either emailed to pubcomment-ees@usdoj.gov or mailed to P.O. Box 7611, United States Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Teledyne Technologies Incorporated*, D.J. Ref. 90-11-2-08320.

The consent decree may be examined at the Office of the United States Attorney, Four Seagate, Suite 308, Toledo, Ohio 43604. During the public comment period, the consent decree may also be examined on the following Justice Department Web site, http://www.usdoj.gov/enrd/Consent_Decrees.html. A copy of the consent decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of

Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood (tonia.fleetwood@usdoj.gov), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$14.50 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if by e-mail or fax, forward a check in that amount to the Consent Decree Library at the stated address.

William D. Brighton,

Assistant Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

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DEPARTMENT OF LABOR

Employment Standards Administration

Proposed Extension of the Approval of Information Collection Requirements

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Employment Standards Administration is soliciting comments concerning the proposed collection: Office of Federal Contract Compliance Programs Recordkeeping and Reporting Requirements, Supply and Service. A copy of the proposed information collection request can be obtained by contacting the office listed below in the **ADDRESSES** section of this Notice.

DATES: Written comments must be submitted to the office listed in the **ADDRESSES** section below on or before July 7, 2008.

ADDRESSES: Ms. Hazel M. Bell, U.S. Department of Labor, 200 Constitution Ave., NW., Room S-3201, Washington, DC 20210, telephone (202) 693-0418, fax (202) 693-1451, e-mail

bell.hazel@dol.gov. Please use only one method of transmission for comments (mail, fax, or e-mail).

SUPPLEMENTARY INFORMATION:

I. Background: The Office of Federal Contract Compliance Programs (OFCCP) is responsible for the administration of three equal opportunity programs prohibiting employment discrimination and requiring affirmative action. The OFCCP administers Executive Order 11246, as amended; section 503 of the Rehabilitation Act of 1973, as amended; and the affirmative action provisions of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended (VEVRAA), 38 U.S.C. 4212. The regulations implementing the Executive Order program are found at 41 CFR parts 60-1, 60-2, 60-3, 60-4, 60-20, 60-30, 60-40, and 60-50. The regulations implementing section 503 are published at 41 CFR part 60-741. The regulations implementing VEVRAA are found at 41 CFR part 60-250. These regulations require contractors to develop and maintain Affirmative Action Programs (AAP). OFCCP reviews these AAPs through its compliance evaluation process. The Supply and Service Scheduling Letter provides the contractor notice of its selection for a compliance evaluation and requests the submission of its Affirmative Action Programs and supporting documentation.

OFCCP published a Final Rule on August 8, 2007, with an effective date of September 7, 2007, that adopts new regulations implementing the Jobs for Veterans Act amendments to the affirmative action provisions of VEVRAA. The new regulations are codified in a new 41 CFR part 60-300.

In addition, OFCCP published a Final Rule on June 22, 2005, with a July 22, 2005, effective date, revising the regulations implementing section 503 of the Rehabilitation Act of 1973, as amended, to authorize the use of the compliance evaluation approach to determine a contractor's compliance with section 503. Neither Final Rule made any changes in burden hours associated with the Scheduling Letter. This information collection is currently approved for use through November 30, 2008.

II. Review Focus: The Department of Labor is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the