

(Environmental Control), Part IV. (Resource Recovery Management), relating to the disposal of hazardous wastes restricted from land disposal.

Under the Consent Decree, Hi-Acres must commence site rehabilitation in accordance with State of Florida rules and regulations for all solid waste management units and areas of contamination that are identified on the appendix to the Consent Decree. Hi-Acres is required to provide any necessary revisions to its Contamination Assessment Protection Plan, along with any proposed alternate schedules for completing the required work. Hi-Acres will be required under the Consent Decree to submit periodic status reports to FDEP. Once the site is cleaned up, Hi-Acres shall submit to FDEP a site rehabilitation completion report. Hi-Acres will further be required to submit a plan for all necessary environmental monitoring to ensure the effectiveness of the on-going cleanup, including groundwater monitoring. Hi-Acres will be required to pay a penalty of \$400,000, evenly split between EPA and the FDEP, along with interest, per the terms of the Consent Decree.

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 e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States and State of Florida Department of Environmental Protection v. Hi-Acres, LLC, d/b/a Foremost Fertilizer, Inc. D.J.* Ref. 90-7-1-09265.

The Consent Decree may be examined at U.S. EPA Region 4, Atlanta Federal Center, 61 Forsyth Street, Atlanta, Georgia 30303. During the public comment period, the Consent Decree, may also be examined on the following Department of Justice Web site, [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](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](mailto: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 \$9.75 (for the Consent Decree only) and \$17.00 for the Consent Decree and all exhibits thereto) (25 cents per page reproduction cost)

payable to the U.S. Treasury or, if by email or fax, forward a check in that amount to the Consent Decree Library at the stated address.

**Henry Friedman,**

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

[FR Doc. 2011-17927 Filed 7-15-11; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### **Agency Information Collection Activities; Submission for OMB Review; Comment Request; Evaluation of the Adult and Dislocated Worker Program in the Workforce Investment Act**

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (DOL) is submitting the proposed Employment and Training Administration (ETA) sponsored information collection request (ICR) titled, "Evaluation of the Adult and Dislocated Worker Program in the Workforce Investment Act," to the Office of Management and Budget (OMB) for review and approval for use in accordance with the Paperwork Reduction Act (PRA) of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35).

**DATES:** Submit comments on or before August 17, 2011.

**ADDRESSES:** A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the RegInfo.gov Web site, <http://www.reginfo.gov/public/do/PRAMain>, on the day following publication of this notice or by contacting Michel Smyth by telephone at 202-693-4129 (this is not a toll-free number) or sending an e-mail to [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

Submit comments about this request to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Department of Labor, Employment and Training Administration (ETA), Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: 202-395-6929/Fax: 202-395-6881 (these are not toll-free numbers), e-mail: [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov).

#### **FOR FURTHER INFORMATION CONTACT:**

Michel Smyth by telephone at 202-693-4129 (this is not a toll-free number) or

by e-mail at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

**SUPPLEMENTARY INFORMATION:** To determine whether the adult and dislocated worker services funded by Title I of the Workforce Investment Act (WIA) are effective, the ETA is undertaking the WIA Random Assignment Impact Evaluation of the Adult and Dislocated Worker Programs. The evaluation will address the following research questions:

- Does access to WIA intensive and training services-both individually and combined-lead adults and dislocated workers to achieve better educational, employment, earnings, and self-sufficiency outcomes than they would achieve in the absence of access to those services?

- Does the effectiveness of the WIA vary by population subgroup? Is there variation by sex, age, race/ethnicity, unemployment insurance receipt, education level, previous employment history, adult and dislocated worker status, and veteran and disability status?

- How does the implementation of the WIA vary by Local Workforce Investment Area? Does the effectiveness of the WIA vary by how it is implemented? To what extent do implementation differences explain variations in the WIA's effectiveness?

- Do the benefits from WIA services exceed program costs? Do the benefits of intensive services exceed their costs? Do the benefits of training exceed its costs? Do the benefits exceed the costs for adults? Do they for dislocated workers?

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information if the collection of information does not display a valid OMB control number. See 5 CFR 1320.5(a) and 1320.6. For additional information, see the related notice published in the **Federal Register** on November 10, 2010 (75 FR 69126).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within 30 days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should reference OMB Control Number

201101–1205–001. The OMB is particularly interested in comments that:

- 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 proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

*Agency:* Employment and Training Administration (ETA).

*Type of Review:* New Collection (Request for a new OMB Control Number).

*Title of Collection:* Evaluation of the Adult and Dislocated Worker Program in the Workforce Investment Act.

*OMB Reference Number:* 201101–1205–001.

*Affected Public:* Individuals or Households; State, Local, and Tribal Governments.

*Total Estimated Number of Respondents:* 69,350.

*Total Estimated Number of Responses:* 70,430.

*Total Estimated Annual Burden Hours:* 34,133.

*Total Estimated Annual Other Costs Burden:* \$0.

Dated: July 12, 2011.

**Michel Smyth,**

*Departmental Clearance Officer.*

[FR Doc. 2011–18008 Filed 7–15–11; 8:45 am]

**BILLING CODE 4510–FN–P**

## **MERIT SYSTEMS PROTECTION BOARD**

### **Public Availability of the Merit Systems Protection Board's FY 2010 Service Contract Inventory**

**AGENCY:** Merit Systems Protection Board.

**ACTION:** Notice.

**SUMMARY:** The Merit Systems Protection Board (MSPB) is publishing this notice to advise the public of the availability

of its FY 2010 Service Contract Inventory as required by Section 743 of Division C of the Consolidated Appropriations Act of 2010 (Pub. L. 111–117). This inventory provides information on service contract actions over \$25,000 awarded in FY 2010. The inventory was developed in accordance with guidance issued on November 5, 2010 by the Office of Management and Budget's Office of Federal Procurement Policy (OFPP). The OFPP's guidance is available at: <http://www.whitehouse.gov/sites/default/files/omb/procurement/memo/service-contract-inventories-guidance-11052010.pdf>. The MSPB's inventory is posted on its Web site at <http://www.mspb.gov/contact/contracting.htm>.

#### **FOR FURTHER INFORMATION CONTACT:**

Veronica Bullock, Merit Systems Protection Board, Office of Financial and Administrative Management, 1615 M Street, NW., Washington, DC 20419; telephone 202–254–4406; e-mail [veronica.bullock@mspb.gov](mailto:veronica.bullock@mspb.gov).

**William D. Spencer,**

*Clerk of the Board.*

[FR Doc. 2011–17976 Filed 7–15–11; 8:45 am]

**BILLING CODE 7400–01–P**

## **POSTAL REGULATORY COMMISSION**

**[Docket No. R2010–4R; Order No. 757]**

### **Rate Adjustment Remand**

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission is noticing a proceeding to address the causation standard in exigent rate adjustments. This notice provides information on legal developments associated with this proceeding, addresses preliminary procedural matters, and invites public comment.

**DATES:** *Comments are due:* July 25, 2011; *reply comments are due:* August 1, 2011.

**ADDRESSES:** Submit comments electronically by accessing the “Filing Online” link in the banner at the top of the Commission's Web site (<http://www.prc.gov>) or by directly accessing the Commission's Filing Online system at <https://www.prc.gov/prc-pages/filing-online/login.aspx>. Commenters who cannot submit their views electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section as the source for case-related information for advice on alternatives to electronic filing.

#### **FOR FURTHER INFORMATION CONTACT:**

Stephen L. Sharfman, General Counsel,

at 202–789–6820 (case-related information) or [DocketAdmins@prc.gov](mailto:DocketAdmins@prc.gov) (electronic filing assistance).

#### **SUPPLEMENTARY INFORMATION:**

*Regulatory History:* 75 FR 40853 (July 14, 2010).

On May 24, 2011, the United States Court of Appeals for the District of Columbia Circuit issued its opinion in *United States Postal Service v. Postal Regulatory Commission*, 640 F.3d 1263 (D.C. Cir. 2011). The court denied in part and granted in part a Postal Service petition for review of the Commission's September 30, 2010 order denying a Postal Service request for an exigent rate adjustment under 39 U.S.C. 3622(d)(1)(E).<sup>1</sup> 640 F.3d at 1268.

On July 11, 2011, the court issued its mandate remanding the case to the Commission. The Commission is issuing this order to promptly establish procedures for receiving initial and reply comments that address the causation standard applicable to exigent rate adjustment requests submitted under 39 U.S.C. 3622(d)(1)(E).<sup>2</sup>

*Background.* On July 6, 2010, the Postal Service filed a request for an exigent rate adjustment pursuant to 39 U.S.C. 3622(d)(1)(E).<sup>3</sup> This was the first such request filed by the Postal Service. The Exigent Request alleged that “extraordinary or exceptional circumstances” had occurred—namely, the recent recession and related declines in mail volume—and that the Postal Service was entitled to an exigent rate adjustment. *Id.* at 6.

After holding public hearings and considering initial and reply comments filed by the Postal Service and other interested persons, the Commission issued Order No. 547 denying the Postal Service's Exigent Request. The Commission analyzed the plain meaning of “due to” in section 3622(d)(1)(E), interpreting the phrase as requiring that a “proposed adjustment \* \* \* be causally related to the alleged extraordinary or exceptional circumstance.” Order No. 547 at 54. The Commission found that the recent recession and its impact on postal

<sup>1</sup> Order Denying Request for Exigent Rate Adjustments, September 30, 2010 (Order No. 547).

<sup>2</sup> Section 3622(d)(1)(E) provides in relevant part as follows:

“[R]ates may be adjusted on an expedited basis due to either extraordinary or exceptional circumstances, provided that the Commission determines \* \* \* that such adjustment is reasonable and equitable and necessary to enable the Postal Service, under best practices of honest, efficient, and economical management, to maintain and continue the development of postal services of the kind and quality adapted to the needs of the United States.” (emphasis added).

<sup>3</sup> Exigent Request of the United States Postal Service, July 6, 2010 (Exigent Request).