

Administered under Case No. 3:09-bk-6247 (USBC M.D. Fla.), DOJ Ref. #90-11-3-09152/2.

The Bankruptcy Settlement Agreement may be examined at U.S. EPA Region 4, 61 Forsyth Street, Atlanta, GA 30303 (contact Stacey Haire, Esq. (404) 562-9676). During the public comment period, the Bankruptcy Settlement Agreement 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 Bankruptcy Settlement Agreement may also be obtained by mail from the Consent Decree Library, U.S. Department of Justice, P.O. Box 7611, Washington, DC 20044-7611 or by faxing or emailing 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 refer to *In re M.D. Moody & Sons, Inc., et al.*, Chap. 11, Jointly Administered under Case No. 3:09-bk-6247 (USBC M.D. Fla.), DOJ Ref. #90-11-3-09152/2, and enclose a check in the amount of \$17.50 (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.*

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**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

### Foreign Claims Settlement Commission

[F.C.S.C. Meeting and Hearing Notice No. 13-11]

#### Sunshine Act Meeting

The Foreign Claims Settlement Commission, pursuant to its regulations (45 CFR 503.25) and the Government in the Sunshine Act (5 U.S.C. 552b), hereby gives notice in regard to the scheduling of open meetings as follows:

#### Thursday, December 15, 2011

- 11 a.m.—Issuance of Proposed Decisions in claims against Libya.
- 1 p.m.—Oral hearings on objections to Commission's Proposed Decisions in Claim Nos. LIB-II-125; LIB-II-126 and LIB-II-127.

#### Friday, December 16, 2011

9 a.m.—Oral hearings on objection to Commission's Proposed Decision in Claim Nos. LIB-I-003.

#### STATUS: Open.

All meetings are held at the Foreign Claims Settlement Commission, 600 E Street, NW., Washington, DC. Requests for information, or advance notices of intention to observe an open meeting, may be directed to: Judith H. Lock, Executive Officer, Foreign Claims Settlement Commission, 600 E Street NW., Suite 6002, Washington, DC 20579. Telephone: (202) 616-6975.

**Jaleh F. Barrett,**

*Chief Counsel.*

[FR Doc. 2011-31558 Filed 12-5-11; 4:15 pm]

**BILLING CODE 4410-BA-P**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Agency Information Collection Activities; Submission for OMB Review; Comment Request; Davis-Bacon Certified Payroll

#### ACTION: Notice.

**SUMMARY:** The Department of Labor (DOL) is submitting the Wage and Hour Division (WHD) sponsored information collection request (ICR) titled, "Davis-Bacon Certified Payroll," to the Office of Management and Budget (OMB) for review and approval for continued use in accordance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501 *et seq.*).

**DATES:** Submit comments on or before January 6, 2012.

**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 email 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, Wage and Hour Division (WHD), Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: (202) 395-6929/Fax: (202) 395-6881 (these are not toll-free numbers), email: [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov).

#### FOR FURTHER INFORMATION CONTACT:

Contact Michel Smyth by telephone at (202) 693-4129 (this is not a toll-free number) or by email at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

**SUPPLEMENTARY INFORMATION:** The Copeland Act requires contractors and subcontractors performing work on federally financed or assisted construction contracts to furnish weekly a statement with respect to the wages paid each employee during the preceding week. See 40 U.S.C. 3145; 29 CFR 3.3(b). Regulations 29 CFR 5.5(a)(3)(ii)(A) requires contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, if the agency is a party to the contract, accompanied by a signed Statement of Compliance indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. 29 CFR 5.5(a)(3)(ii)(B).

The DOL has developed optional use Form WH-347, Payroll Form, to aide contractors and subcontractors performing work on federally financed or assisted construction contracts in meeting weekly payroll reporting requirements. 29 CFR 5.5(a)(3)(ii)(A); see also, 29 CFR 3.3(b). Properly filled out, this form will satisfy the requirements of Regulations 29 CFR parts 3 and 5 as to payrolls submitted in connection with contracts subject to the Davis-Bacon and Related Acts.

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. The DOL obtains OMB approval for this information collection under OMB Control Number 1235-0008. The current OMB approval is scheduled to expire on December 31, 2011; however, it should be noted that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. For additional information, see the related notice published in the **Federal Register** on August 8, 2011 (76 FR 48181).

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 1235–0008. 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:* Wage and Hour Division (WHD).

*Title of Collection:* Davis-Bacon Certified Payroll.

*OMB Control Number:* 1235–0008.

*Affected Public:* Private Sector—Businesses or other for-profits.

*Total Estimated Number of Respondents:* 96,096.

*Total Estimated Number of Responses:* 2,210,208.

*Total Estimated Annual Burden Hours:* 2,062,861.

*Total Estimated Annual Other Costs Burden:* \$369,105.

Dated: December 1, 2011.

**Michel Smyth,**

*Departmental Clearance Officer.*

[FR Doc. 2011–31372 Filed 12–6–11; 8:45 am]

**BILLING CODE 4510–27–P**

## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

#### **Proposed Extension of Information Collection Requests Submitted for Public Comment: Disclosures by Insurers to General Account Policyholders; ERISA Technical Release 91–1; Registration for EFAST–2 Credentials; ERISA Procedure 76–1; Prohibited Transaction Exemptions 94–71 and 2003–39; Notice of Blackout Period Under ERISA; Voluntary Fiduciary Correction Program and Class Exemption**

**AGENCY:** Employee Benefits Security Administration, Department of Labor.

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (the Department), in accordance with the Paperwork Reduction Act of 1995 (PRA 95) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. The Employee Benefits Security Administration (EBSA) is soliciting comments on the proposed extension of the information collection requests (ICRs) contained in the documents described below. A copy of the ICRs may be obtained by contacting the office listed in the **ADDRESSES** section of this notice. ICRs also are available at [reginfo.gov](http://www.reginfo.gov) (<http://www.reginfo.gov/public/do/PRAMain>).

**DATES:** Written comments must be submitted to the office shown in the **Addresses** section on or before February 6, 2012.

**ADDRESSES:** G. Christopher Cosby, Department of Labor, Employee Benefits Security Administration, 200 Constitution Avenue NW., Washington, DC 20210, (202) 693–8410, Fax (202) 693–4745 (these are not toll-free numbers).

**SUPPLEMENTARY INFORMATION:** This notice requests public comment on the Department's request for extension of the Office of Management and Budget's (OMB) approval of ICRs contained in the rules and prohibited transactions described below. The Department is not proposing any changes to the existing ICRs at this time. An agency may not conduct or sponsor, and a person is not

required to respond to, an information collection unless it displays a valid OMB control number. A summary of the ICRs and the current burden estimates follows:

*Agency:* Employee Benefits Security Administration, Department of Labor.

*Title:* Disclosures by Insurers to General Account Policyholders.

*Type of Review:* Extension without change of a currently approved collection of information.

*OMB Number:* 1210–0114.

*Affected Public:* Business or other for-profit; Not-for-profit institutions.

*Respondents:* 50,000.

*Responses:* 96,223.

*Estimated Total Burden Hours:* 408,948.

*Estimated Total Burden Cost (Operating and Maintenance):* \$32,235.

*Description:* Section 1460 of the Small Business Job Protection Act of 1996 (Pub. L. 104–188) (SBJPA) amended added a new section 401(c) to the Employee Income Security Act of 1974 (ERISA). This new section, *inter alia*, required the Department to promulgate a regulation providing guidance, applicable only to insurance policies issued on or before December 31, 1998, to or for the benefit of employee benefit plans, to clarify the extent to which assets held in an insurer's general account under such contracts are “plan assets” within the meaning of the Employee Retirement Income Security Act (ERISA), because the policies are not “guaranteed benefit policies” within the meaning of section 401(b) of ERISA. SBJPA further directed the Department to set standards for how insurers should manage the specified insurance policies (called Transition Policies). Pursuant to the authority and direction given under SBJPA, the Department promulgated a regulation, issued in final form on January 5, 2000 (65 FR 714), and codified at 29 CFR 2550.401c–1. This regulation has not been amended subsequently. The ICR is scheduled to expire on March 31, 2012.

*Agency:* Employee Benefits Security Administration, Department of Labor.

*Title:* ERISA Technical Release 91–1.

*Type of Review:* Extension without change of a currently approved collection of information.

*OMB Number:* 1210–0084.

*Affected Public:* Business or other for-profit; Not-for-profit institutions.

*Respondents:* 15.

*Responses:* 107,040.

*Estimated Total Burden Hours:* 1,827.

*Estimated Total Burden Cost*

*(Operating and Maintenance):* \$25,286.

*Description:* The subject information collection requirements arise from ERISA section 101(e), which establishes