

aggravating circumstance. Third, the fact that the breach was discovered by Commission staff rather than the attorney's firm was also an aggravating circumstance.

The Commission issued a warning letter to the legal secretary. The Commission found that he did not breach the APO because he had not signed an Acknowledgement for Clerical Personnel but that there was good cause to issue the warning letter, pursuant to Commission rule 201.15(a), (19 CFR 201.15(a)), for his failure to redact the BPI from the law firm's brief. In deciding to issue a warning letter rather than a sanction, the Commission considered mitigating circumstances such as that the breach was unintentional; the secretary had no APO breaches in the last two years; he was under the direction and control of the attorney; and he had been overloaded with work on the day of the breach which had contributed to his failure to remove all the BPI from the public version of the brief.

*Case 3:* Attorneys for a party in a section 337 investigation that had already been terminated filed a complaint in a district court alleging that attorneys from another firm disclosed confidential business information (CBI) to unauthorized persons in breach of the Commission's APO. The complaint named specific attorneys alleged to have disclosed the CBI. Although the filing attorneys subsequently moved to place the complaint under seal, the complaint had been disseminated on the Internet and reported in the legal press before the court could rule on the motion.

The Commission found that the attorneys breached the APO by publicly disclosing the identity of the alleged breachers in their complaint, and it issued private letters of reprimand to them. In reaching this conclusion, the Commission considered certain mitigating circumstances such as the unintentional nature of the breach, the fact that this was the attorneys' first breach of a Commission APO, and the fact that the attorneys took corrective action as soon as they discovered the breach. There is one aggravating circumstance, however, which caused the Commission to issue a private letter of reprimand instead of a warning letter. Although the attorneys took the corrective action to place the complaint under seal, that did not prevent the release of the complaint to the public. The Commission presumed that the complaint was reviewed by at least one unauthorized person.

The Commission also considered whether to sanction under Commission

rule 19 CFR 201.15 another attorney who was in-house counsel for the party filing the complaint and, therefore, was not a signatory to the APO. Although the attorney participated in the drafting and filing of the complaint, he was not subject to the APO and he did not practice regularly before the Commission. The Commission noted that once the attorney became aware of the Commission rule treating the names of alleged breachers as CBI and prohibiting release of those names, he promptly attempted to mitigate disclosure of the CBI. The Commission decided to issue a cautionary letter to the attorney advising him that he was not found to have violated the APO but, if he intended to practice before the Commission in the future, he needed to keep abreast of the Commission's rules.

#### APO Breach Investigation in Which No Breach Was Found

*Case 1:* In the public version of final comments, several attorneys in a law firm were responsible for failing to bracket information identified by the Commission as CBI. The information was from a Commission staff member's telephone notes and included the identity of a source. The notes had been released under the APO. Although the Commission normally considers telephones notes of conversations and the identities of persons contacted by the Commission staff to be CBI, the Commission determined that disclosure of this information in the public version of the final comments did not breach the APO. The attorneys were able to demonstrate that the information and the identity of the source were publicly available at the time the public version of the final comments were filed. The Commission cautioned the attorneys to take care in the future when citing to any information released by the Commission under APO.

By order of the Commission.

Issued: December 14, 2011.

**James R. Holbein,**

*Secretary to the Commission.*

[FR Doc. 2011-32523 Filed 12-19-11; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)

In accordance with section 122(d)(2)(B) of the Comprehensive Environmental Response,

Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9622(d)(2), and 28 CFR 50.7, notice is hereby given that on December 9, 2011, a proposed Consent Decree in *United States of America v. Akzo Nobel Chemicals, Inc.*, Civil Action No. 1:11-cv-00701-CG-C, was lodged with the United States District Court for the Southern District of Alabama, Southern Division.

In this action, brought pursuant to sections 106(a) and 107 of CERCLA, 42 U.S.C. 9606(a) and 9607, the United States seeks injunctive relief to remedy conditions in connection with the release or threatened release of hazardous substances into the environment at the Stauffer Chemical Company Cold Creek Superfund Site and LeMoyne Plants Superfund Site (the "Sites"), Operable Unit Three, in Mobile County, Alabama. The United States also seeks to recover unreimbursed costs incurred, and to be incurred, for response activities at the Site. Under the proposed Consent Decree, defendants agree to undertake remedial work at the Site, to reimburse the United States for all of its past response costs (\$912,913.27), and to pay future costs, relating to Operable Unit Three at the Sites.

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.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 of America v. Akzo Nobel Chemicals, Inc.*, D.J. Ref. 90-11-2-912/2.

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 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 enclose a check in the amount of \$12.50 (for the Consent Decree only) and \$64.00 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 Nat. Resources Division.*

[FR Doc. 2011-32478 Filed 12-19-11; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

### Federal Bureau of Investigation

[Docket No. FBI 150]

#### FBI Criminal Justice Information Services Division; Revised User Fee Schedule

**AGENCY:** Federal Bureau of Investigation (FBI), Justice.

**ACTION:** Notice.

**SUMMARY:** Pursuant to Title 28, Code of Federal Regulations (CFR), 20.31(e)(3), this notice establishes revised rates for the user fee schedule for authorized users requesting fingerprint-based

Criminal History Record Information (CHRI) checks for noncriminal justice purposes.

**DATES:** *Effective Date:* This fee is effective March 19, 2012.

#### FOR FURTHER INFORMATION CONTACT:

Christopher L. Enourato, Section Chief, Resources Management Section, Criminal Justice Information Services Division, FBI, 1000 Custer Hollow Road, Module E-3, Clarksburg, WV 26306. Telephone number (304) 625-2910.

**SUPPLEMENTARY INFORMATION:** Pursuant to the authority in Public Law 101-515 as amended, the FBI has established user fees for authorized agencies requesting noncriminal fingerprint-based CHRI checks at 28 CFR 20.31(e). The FBI will periodically review the process of fingerprint-based CHRI checks to determine the proper fee amounts that should be collected, and the FBI will publish any resulting fee adjustments in the **Federal Register**.

In accordance with 28 CFR 20.31(e)(2), the fee study employed the same methodology as detailed in the Final Rule (F.R.) establishing the process for setting fees (75 FR 18751, April 13, 2010).

The fee study results recommended several adjustments to the current user fees, which have been in effect since October 1, 2007. The FBI independently reviewed the recommendations, compared them to current fee calculations and plans for future service, and determined that the revised fees were both objectively reasonable and in consonance with the underlying legal authorities. Pursuant to the recommendations of the study, the fees for fingerprint-based CHRI checks will be decreased. Note that there will be no change in the fee for name-based CHRI checks for federal agencies specifically authorized by statute, *e.g.*, pursuant to the Security Clearance Information Act, 5 United States Code (U.S.C.) 9101, as explained at 73 FR 34908.

The following tables detail the fee amounts for authorized users requesting fingerprint-based and name-based CHRI checks for noncriminal justice purposes, including the difference, if any, from the fee schedule previously set out at 75 FR 18887. The schedule also sets out the fee amounts for volunteers, as explained at 75 FR 18752, and Centralized Billing Service Providers (CBSPs), as explained at 75 FR 18753.

#### FINGERPRINT-BASED CHRI CHECKS

Service	Fee currently in Effect	Fee currently in effect for CBSPs	Change in fee amount	Revised fee	Revised fee for CBSPs
Electronic Submission .....	\$19.25	\$17.25	(\$2.75)	\$16.50	\$14.50
Electronic In/Manual Out Submission .....	26.00	24.00	(2.75)	23.25	21.25
Manual Submission .....	30.25	28.25	(2.75)	27.50	25.50
Volunteer Submission .....	15.25	13.25	(.25)	15.00	13.00

#### NAME-BASED CHRI CHECKS

Service	Fee currently in effect	Change in fee amount	Revised fee
Electronic Submission .....	\$2.25	0	\$2.25
Manual Submission .....	6.00	0	6.00

This new fee schedule will become effective March 19, 2012.

Dated: September 30, 2011.

**Robert S. Mueller, III,**

*Director.*

[FR Doc. 2011-32544 Filed 12-19-11; 8:45 am]

**BILLING CODE 4410-02-P**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Agency Information Collection Activities; Submission for OMB Review; Comment Request; Evaluation of the Young Parents Demonstration Project

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (DOL) is submitting the Employment and Training Administration (ETA) sponsored information collection request (ICR) proposal titled, "Evaluation of the Young Parents

Demonstration Project," to the Office of Management and Budget (OMB) for review and approval for 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 19, 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