

Site, including all real property, machinery, and equipment, for a cash payment of \$3 million. Under the Stipulation, the Trustee will disburse the \$3 million in sale proceeds as follows: EPA will receive \$1.25 million, in full settlement of its administrative claim; the State of New York will receive \$40,000; HSBC Bank will receive \$750,000; the Town of Wallkill and County of Orange will collectively receive \$275,000; Eleanor Koch will receive \$62,500; Rider, Weiner, Frankel & Calhelha, PC, will receive \$41,750, with the remainder to be released to the Trustee to pay administrative expenses as authorized by the Court. The Stipulation also provides that, in consideration of the payments made pursuant to the Stipulation, the United States on behalf of EPA covenants not to bring a civil action or take administrative action against the Debtor's estate, the Trustee, and/or HSBC Bank pursuant to Sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, relating to the Westwood Site. The Stipulation also provides to the Debtor's estate, the Trustee, and/or HSBC Bank protection from contribution actions or claims as provided by CERCLA Section 113(f)(2), 42 U.S.C. 9613(f)(2), for matters addressed in the Stipulation. In addition, the Debtor's Estate, the Trustee, and HSBC Bank covenant not to sue or assert causes of action against the United States with respect to the Westwood Site.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Stipulation. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *In re Westwood Chemical Corporation*, and/or *Banner v. HSBC Bank, National Association, et al.*, D.J. Ref. 90-11-2-08602.

The Stipulation may be examined at the Office of the United States Attorney, 86 Chambers Street, 3rd Floor, New York, New York 10007, and at U.S. EPA Region II, 290 Broadway, New York, New York 10007. During the public comment period, the Stipulation may also be examined on the following Department of Justice Web site http://www.usdoj.gov/enrd/Consent_Decrees.html. A copy of the Stipulation 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 \$4.75 (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.

Ronald G. Gluck,

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

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DEPARTMENT OF LABOR

Employment and Training Administration

Notice of Proposed Information Collection Request Submitted for Public Comment and Recommendations; Form ETA-232, the Domestic Agricultural In-Season Wage Report, and Form ETA-232A, Wage Survey Interview Record

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 the proposed and/or continuing collection 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.

DATES: Submit comments on or before April 9, 2007.

ADDRESSES: Send comments to Brian Pasternak, Chief, Division of Policy Analysis and Technical Assistance, Office of Foreign Labor Certification, Employment and Training Administration, U.S. Department of Labor, Room C-4312, 200 Constitution Avenue NW., Washington, DC 20210-0001, 202-693-3010 (this is not a toll-free number), fax 202-693-2768.

FOR FURTHER INFORMATION CONTACT: Isabel D. Jean-Pierre, Temporary Programs Manager, Office of Foreign Labor Certification, Employment and Training Administration, U.S.

Department of Labor, Room C-4312, 200 Constitution Avenue NW., Washington, DC 202-693-3010 (this is not a toll-free number), fax 202-693-2768.

SUPPLEMENTARY INFORMATION:

I. *Background.* The Wagner-Peyser Act, as amended, provides that the State Workforce Agencies throughout the country shall assist the Office of Foreign Labor Certification in promoting uniformity in its administrative and Statistical procedures, furnishing and publishing information as to opportunities for employment and other information of value in the operation of its system, and maintaining a system for clearing labor between the states.

Pursuant to the Wagner-Peyser Act, the U.S. Department of Labor has established regulations at 20 CFR 653.500 covering the processing of agricultural intrastate and interstate job orders. Section 563.501 provides that the wage offered by employers must not be less than the prevailing wage or the applicable Federal or state minimum wage; whichever is higher. Also, the regulations for the temporary employment of H-2A alien agricultural and H-2 logging workers in the United States, 20 CFR, Part 655, Subpart B and C implementing relevant sections of the Immigration Reform and Control Act of 1986, requires farmers and other agricultural employers to pay workers the adverse effect wage rate, the prevailing wage rate, or the legal Federal or State minimum wage rate; whichever is highest.

The prevailing wage rate is used to implement these regulations covering intrastate and interstate recruitment of farmworkers. The vehicle for establishing the prevailing wage rate is Form ETA-232, The Domestic Agricultural In-Season Wage Report, and Form ETA-232-A, Wage Survey Interview Record. The ETA-232 Report contains the prevailing wage finding based on survey data collected from employers and reported by the States on Form ETA-232-A.

II. Desired Focus of Comments.

Currently, the Employment and Training Administration is soliciting comments concerning the proposed request to extend the expiration date of the collection request to:

- 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 required 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 submissions of responses.

A copy of the proposed information collection request (ICR) can be obtained by contacting the office listed above in the addressee section of this notice.

III. *Current Actions.* Activity covered by regulations at 20 CFR 653.500 and 20 CFR 655 (B)(C), particularly the H-2A program, continues to expand, further increasing the need for accurate and timely wage information on which to base prevailing agricultural wage determinations. There is no similar wage information which is available or can be used for these determinations which apply to a specific crop or livestock activity, in a specific agricultural wage reporting area for a specific period of time during the peak harvest season.

Type of Review: Extension of Approved Collection.

Agency: Employment and Training Administration.

Title: Domestic Agricultural In-Season Wage Report, Form ETA-232 and Wage Survey Interview Record, Form ETA-232-A.

OMB Number: 1205-0017.

Cite/Reference/Form/etc: ETA-232 and ETA 232-A.

- *Total Respondents:* 38,855.

- *Frequency:* Annually.

- *Total Responses:* 39,405.

- *Average Time Per Response:* 11 hours (ETA Form 232); 15 minutes (ETA Form 232A).

Form/activity	Total respondents	Frequency	Total responses	Average time per response (hours)	Burden (hours)
ETA-232	50	Annually	600	11	6600
ETA-232-A	38,805	Annually	38,805	1/4	9,701
Totals	38,855		39,405		16,301

Total Burden Cost (capital/startup): -0-

Total Burden Cost (operating/maintaining): -0-

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Signed at Washington, DC., this 31st day of January 2007.

William L. Carlson,

Administrator, Office of Foreign Labor Certification, Employment and Training Administration.

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DEPARTMENT OF LABOR

Employment and Training Administration

Implementation of the Senior Community Service Employment Program (SCSEP) Performance Measures Under Public Law 109-365

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice of request for public comments.

SUMMARY: On October 17, 2006, President Bush signed into law the Older Americans Act Amendments of 2006 (OAA-2006). Title V of OAA-2006 authorizes the Senior Community Service Employment Program (SCSEP). The law calls for the Department of

Labor (DOL) to establish and implement new SCSEP measures of performance by Program Year (PY) 2007 (which begins July 1, 2007) after consultation with stakeholders. DOL is publishing this notice to solicit public input on implementation of the performance indicators.

Key Dates: To ensure consideration of comments in light of the compressed statutory timeline, please submit comments on or before February 22, 2007. DOL will consider comments submitted after that date to the extent possible.

ADDRESSES: Submit your comments by e-mail to older.americans@dol.gov. Comments can also be mailed or hand carried to the Employment and Training Administration, Office of Workforce Investment, Division of Adult Services, Room S-4209, 200 Constitution Avenue, NW., Washington, DC 20210. A summary of all comments received will be made available to the public on the SCSEP Web site at <http://www.doleta.gov/seniors>.

FOR FURTHER INFORMATION CONTACT: Ms. Judith Gilbert via e-mail at gilbert.judith@dol.gov or via telephone at (202) 693-3758. This is not a toll free number.

SUPPLEMENTARY INFORMATION:

A. Background

SCSEP provides useful part-time training opportunities in community service activities for persons with low incomes who are 55 years of age or older and assists older workers in

transitioning to unsubsidized employment.

In 2000, statutory amendments established program-specific measures to monitor the performance of each grantee. Public Law 106-501, section 513(b).

These measures were:

1. The number of persons served, with particular consideration given to individuals with greatest economic need, greatest social need, or poor employment history or prospects, and individuals who are over the age of 60;
2. Community services provided;
3. Placement into and retention in unsubsidized public or private employment;
4. Satisfaction of the enrollees, employers, and their host agencies with their experiences and the services provided; and
5. Any additional indicators of performance that the Secretary determines to be appropriate.

In addition, grantees were asked to report on three common performance measures that generally apply to federally-funded employment and job training programs. Currently, the common measures are:

1. Entered employment;
2. Retention in employment; and
3. Average earnings.

The OAA-2006 Amendments, found at Public Law 109-365, call for several specific changes to the existing performance accountability system, and require that DOL establish and implement the new SCSEP performance measures after consultation with stakeholders by PY 2007. Specifically,