

Issued: July 31, 2008.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E8-18051 Filed 8-6-08; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Water Act

Notice is hereby given that on July 31, 2008, a proposed Consent Decree (the "Decree") in *United States v. Bacardi Corporation*, Civil Action No. 3:08-cv-1825 was lodged with the United States District Court for the District of Puerto Rico.

In a complaint, filed simultaneously with the Decree, the United States charged that Bacardi Corporation ("Bacardi") violated the Clean Water Act, 33 U.S.C. 1251 *et seq.*, at its facility in Cataño, Puerto Rico ("Facility") by discharging pollutants in excess of effluent limitations contained in its National Pollutant Discharge Elimination System ("NPDES") Permit No. PR0000591, by failing to report results of sampling conducted by Bacardi, including violations of effluent limitations, and by failing to conduct toxicity testing and report the results of such testing as required by NPDES Permit No. PR0000591.

Pursuant to the Decree, Bacardi will implement a number of compliance measures, including enhanced monitoring of certain pollutants in the Facility's effluent and developing and implementing a plan of action to address exceedances of the effluent limitations for bacterial pollutants. If Bacardi exceeds any effluent limitation prior to termination of the Decree, such exceedance may trigger a requirement to implement further compliance measures.

Bacardi will pay a \$550,000 civil monetary penalty to the United States pursuant to the Decree. Bacardi must also carry out a land preservation supplemental environmental project, the value of which is estimated at approximately \$1,000,000. Specifically, Bacardi will transfer title to a parcel of land containing wetlands, located in the watershed of Cienega Las Cucharillas in Cataño, Puerto Rico, to a non-profit group, and require the attachment of deed restrictions, covenants and/or easements to ensure the land is perpetually maintained as a protected area. This land preservation project will assist in restoring the ecosystem, provide environmental and public health protection, and enable the

ecological resources of Cienega Las Cucharillas and nearby mangrove forest and wetland areas to be maintained and protected to ensure future environmental benefits.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the 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 v. Bacardi Corporation*, D.J. Ref. 90-5-1-1-08983.

The Decree may be examined at the Office of the United States Attorney, Torre Chardón, Room 1201, 350 Chardón Street, San Juan, Puerto Rico 00918, and at U.S. EPA Region 2, Office of Regional Counsel, 290 Broadway, New York, New York 10007-1866. During the public comment period, the 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 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 \$14.25 (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 Gluck,**

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

[FR Doc. E8-18053 Filed 8-6-08; 8:45 am]

BILLING CODE 4410-15-P

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review: Comment Request

July 31, 2008.

The Department of Labor (DOL) hereby announces the submission of the following public information collection requests (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with

the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35). A copy of each ICR, with applicable supporting documentation, including among other things a description of the likely respondents, proposed frequency of response, and estimated total burden, may be obtained from the RegInfo.gov Web site at <http://www.reginfo.gov/public/do/PRAMain> or by contacting Darrin King on 202-693-4129 (this is not a toll-free number)/e-mail: [king.darrin@dol.gov](mailto:king.darrin@dol.gov).

Interested parties are encouraged to send comments to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Employment Standards Administration (ESA), Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: 202-395-7316/Fax: 202-395-6974 (these are not toll-free numbers), e-mail: [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov) within 30 days from the date of this publication in the **Federal Register**. In order to ensure the appropriate consideration, comments should reference the OMB Control Number (see below).

The OMB 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 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 Standards Administration.

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

*Title of Collection:* FECA Medical Report Forms, Claim for Compensation. *OMB Control Number:* 1215-0103.

*Form Numbers:* CA-7; CA-17; CA-16; CA-20; CA-1331; CA-1332; OWCP-5A; OWCP-5B; and OWCP-5C.

*Total Estimated Number of Respondents:* 294,540.

*Total Estimated Annual Burden Hours:* 30,493.

*Total Estimated Annual Cost Burden:* \$132,543.

*Affected Public:* Individuals or households.

*Description:* These forms are used for filing claims for wage loss or permanent impairment due to a Federal employment-related injury, and to obtain necessary medical documentation to determine whether a claimant is entitled to benefits under the Federal Employees Compensation Act (FECA), 5 U.S.C. 8101 *et seq.* For additional information, see related notice published at 73 FR 20720 on April 16, 2008.

*Agency:* Employment Standards Administration.

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

*Title of Collection:* Representative Payee Report, Representative Payee Report, Short Form, Physician's Medical Officer's Statement.

*OMB Control Number:* 1215-0173.

*Form Numbers:* CM-623; CM-623S; and CM-787.

*Total Estimated Number of Respondents:* 2,100.

*Total Estimated Annual Burden Hours:* 1,642.

*Total Estimated Annual Cost Burden:* \$0.

*Affected Public:* Individuals or households and business or other for-profit or not-for-profit institutions.

*Description:* Representative Payee Report (CM-623) and Representative Payee Report, Short Form (CM-623S) are used to ensure that benefits paid to a representative payee are being used for the beneficiary's well-being. Physician's/Medical Officer's Statement (CM-787) is used to determine the beneficiary's capability to manage monthly Black Lung benefits. The Federal Mine Safety and Health Act (30 U.S.C. 901 and 922) and 20 CFR 725.506, 725.510, 725.511, and 725.513 necessitate this information collection. For additional information, see related notice published at 73 FR 18572 on April 4, 2008.

**Darrin A. King,**

*Departmental Clearance Officer.*

[FR Doc. E8-18054 Filed 8-6-08; 8:45 am]

**BILLING CODE 4510-CF-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-63,235]

#### Southprint, Inc., Reidsville Division, Reidsville, NC; Notice of Affirmative Determination Regarding Application for Reconsideration

By application postmarked July 7, 2008, a petitioner requested administrative reconsideration of the negative determination regarding workers' eligibility to apply for Trade Adjustment Assistance (TAA) and Alternative Trade Adjustment Assistance (ATAA) applicable to workers and former workers of the subject firm. The determination was issued on May 29, 2008. The Notice of Determination was published in the **Federal Register** on June 16, 2008 (73 FR 34044).

The initial investigation resulted in a negative determination based on the finding that imports of screen printing for apparel did not contribute importantly to worker separations at the subject firm and no shift of production to a foreign source occurred.

In the request for reconsideration, the petitioner provided additional information about the customers of the subject firm.

The Department has carefully reviewed the request for reconsideration and the existing record and has determined that the Department will conduct further investigation to determine if the workers meet the eligibility requirements of the Trade Act of 1974.

#### Conclusion

After careful review of the application, I conclude that the claim is of sufficient weight to justify reconsideration of the U.S. Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, DC, this 31st day of July 2008.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E8-18168 Filed 8-6-08; 8:45 am]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-62,434]

#### Arrow Home Fashions, Division Of BCP Home, Inc., Including On-Site Leased Workers From Adecco and Select Personnel, Anaheim, CA; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273), and Section 246 of the Trade Act of 1974 (26 U.S.C. 2813), as amended, the Department of Labor issued a Certification Regarding Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance on November 30, 2007, applicable to workers of Arrow Home Fashions, including on-site leased workers of Adecco and Select Personnel, Anaheim, California. The notice was published in the **Federal Register** on December 11, 2007 (72 FR 70346).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The workers were engaged in employment related to the production of bedding products. New information shows that due to a change in ownership in April 2008, BCP Home, Inc. is the parent firm of Arrow Home Fashions. Workers separated from employment at the subject firm had their wages reported under a separate unemployment insurance (UI) tax account for Arrow Home Fashions, Division of BCP Homes, Inc.

Accordingly, the Department is amending the certification to properly reflect this matter.

The intent of the Department's certification is to include all workers of Arrow Home Fashions, Division of BCP Home, Inc. Anaheim, California who were adversely affected by a shift in production of bedding products to China.

The amended notice applicable to TA-W-62,434 is hereby issued as follows:

All workers of Arrow Home Fashions, Division of BCP Home, Inc., including on-site leased workers of Adecco and Select Personnel, Anaheim, California, who became totally or partially separated from employment on or after November 6, 2006, through November 30, 2009, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974 and are also eligible to apply for alternative trade