

Environment and Natural Resources Division, and either e-mailed to 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. Tampa Electric Co.*, D.J. Ref. 90-5-2-1-06932.

The Second Amendment may be examined at the Office of the United States Attorney, Middle District of Florida, 400 North Tampa Street, Suite 3200, Tampa, Florida 33602, and at U.S. EPA Region 4, Office of Regional Counsel, 61 Forsyth Street, SW., Atlanta, Georgia 30303. During the public comment period, the Second Amendment may also be examined on the following Department of Justice Web site, http://www.usdoj.gov/enrd/Consent_Decrees.html. A copy of the Second Amendment 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), facsimile No. (202) 514-0097, telephone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$3.75 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if by e-mail or facsimile, forward a check in that amount to the Consent Decree Library at the stated address.

Thomas A. Mariani, Jr.,

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

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-62,659]

Richloom Home Fashions Division of Richloom Fabrics Corporation Clinton, SC; Notice of Affirmative Determination Regarding Application for Reconsideration

By applications postmarked March 6, 2008, a petitioner requested administrative reconsideration of the Department of Labor's Notice of Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance, applicable to workers and former workers of the subject firm. The denial notice was signed on February 22, 2008 and

published in the **Federal Register** on March 7, 2008 (73 FR 12466).

The initial investigation resulted in a negative determination based on the finding that the worker group does not produce an article within the meaning of Section 222 of the Trade Act of 1974.

In the request for reconsideration, the petitioner provided additional information regarding the production of samples by the subject firm and requested that the Department conduct further investigation of the Sample Department.

The Department has carefully reviewed the request for reconsideration and the existing record and determined that the Department will conduct further investigation to determine if the Sample Department 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 Department of Labor's prior decision. The application is, therefore, granted.

Signed in Washington, DC, this 27th day of March, 2008.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E8-8981 Filed 4-23-08; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

Proposed Collection for OMB Approval for Work-Flex State Plan Submission and Reporting Requirements; Comment Request

AGENCY: Employment and Training Administration, Department of Labor.

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden conducts a preclearance consultation program to provide the general public and federal agencies with an opportunity to comment on proposed and/or continuing collections 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. Currently, the Employment and Training Administration is soliciting comments concerning The Work Flex State Plan Submission and Reporting Requirements.

A copy of the proposed information collection request (ICR) can be obtained by contacting the office listed below in the addressee section of this notice or by accessing: <http://www.doleta.gov/OMBCN/OMBControlNumber.cfm>.

DATES: Written comments must be submitted to the office listed in the addressee's section below on or before June 23, 2008.

ADDRESSES: Submit written comments to Janet Sten, Chief, Division of Workforce System Support, U.S. Department of Labor, 200 Constitution Avenue, NW., Room C-4510, Washington, DC 20210, Telephone number: 202-693-3045 (this is not a toll-free number). Fax: 202-693-3015. E-mail: Sten.janet@dol.gov.

FOR FURTHER INFORMATION CONTACT: Janet Sten, Chief, Division of Workforce System Support, U.S. Department of Labor, 200 Constitution Avenue, NW., Room C-4510, Washington, DC 20210, Telephone number: 202-693-3045 (this is not a toll-free number). Fax: 202-693-3015. E-mail: Sten.janet@dol.gov.

SUPPLEMENTARY INFORMATION:

I. Background

Section 192 of the Workforce Investment Act (Pub. L. 105-220, August 7, 1998) permits States to apply for a workforce flexibility (Work-Flex) waiver authority to implement reforms to their workforce investment systems in exchange for program improvements. The Act provides that the Secretary may grant Work-Flex waiver authority for a period of up to five years pursuant to a Work-Flex Plan submitted by a State. Under Work-Flex, Governors are granted the authority to approve requests submitted by their local areas to waive certain statutory and regulatory provisions of WIA Title I programs. States may also request from the Secretary waivers of certain requirements of the Wagner-Peyser Act (Sections 8-10) and certain provisions of the Older Americans Act applicable to State agencies that administer the Senior Community Service Employment Program (SCSEP). The intent of the Work-Flex provision is to authorize States and Local Areas the operational flexibility they need to improve employment and training productivity for adult, dislocated, and youth populations. One of the underlying

principles of Work-Flex is that it will result in improved performance outcomes for persons served and that waiver authority will be granted in consideration of improved performance.

Work-Flex State Plan Instructions

States requesting designation as a Work-Flex State must submit a Work-Flex Plan which includes descriptions of:

a. The process by which local areas in the State may submit and obtain approval by the State of applications for waivers of requirements applicable under Title I of WIA, including provisions for public review and comment on local area waiver applications.

b. The statutory and regulatory requirements of Title I that are likely to be waived by the State under the plan.

c. The requirements applicable under Sections 8 through 10 of the Wagner-Peyser Act that are proposed to be waived, if any.

d. The statutory and regulatory requirements of the Older Americans Act of 1965 applicable to State agencies on aging with respect to administration of the Senior Community Service Employment Program (SCSEP) that are proposed to be waived, if any.

e. The outcomes to be achieved by the waiver authority including, where appropriate, revisions to adjusted levels of performance included in the State or Local Plan under Title I of WIA.

f. Special measures (in addition to current procedures) to be taken to ensure appropriate accountability for Federal funds in connection with the waivers.

g. Prior to submitting a Work-Flex Plan to the Secretary for approval, the State must provide notice to all interested parties and to the general public adequate notice and a reasonable opportunity for comment on the waivers proposed to be implemented. The plan should describe the process used for ensuring meaningful public comment.

Include a description of the Governor's and the State Workforce Investment Board's involvement in drafting, reviewing and commenting on the Plan. Describe the actions taken to collaborate in the development of the State Work-Flex Plan with local chief elected officials, local workforce investment boards and youth councils, the business community (including small businesses), labor organizations, educators, vocational rehabilitation agencies, and other interested parties, such as service providers, welfare agencies, community and faith-based organizations, transportation providers and other stakeholders.

Work-Flex Quarterly Report Instructions

Report for each waiver granted:

1. Waiver (assigned by State).
2. Date received.
3. Date granted.
4. Local Area(s) requesting waiver.
5. Purpose (brief statement).
6. Regulation/statute affected.

Summary (year-to-date):

1. Of waivers granted.
2. Of waivers denied.
3. Of waivers pending.
4. Total waivers received.

II. Review Focus

The Department of Labor 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 submissions of responses.

III. Current Actions

Type of Review: Extension without change.

Agency: Employment and Training Administration.

Title: Work-Flex State Plan Submission and Reporting Requirements.

OMB Number: 1205-0432.

Recordkeeping: Consistent with 29 CFR 97.42, records and supporting documentation should be retained for three years on a Federal fiscal year basis. The retention period for quarterly reports associated with a fiscal year status on the date the State submits its last quarterly report for that fiscal year. The retention period for the State Work-Flex Plan starts on the last day of the fiscal year for which it was initially approved or subsequently modified, whichever is later.

Affected Public: State and local governments.

Form: See above instructions.

Total Respondents: 5.

Frequency: 5 state plans annually; 20 quarterly reports.

Total Responses: 25.

Average Time per Response: 38.4 hours.

Estimated Total Burden Hours: 960.

Total Burden Cost (operating/maintaining): \$0.

Comments submitted in response to this comment request 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 16th day of April, 2008.

Gay M. Gilbert,

Administrator, Office of Workforce Investment.

[FR Doc. E8-8813 Filed 4-23-08; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-62,784]

Kemet Electronics Corporation, A Subsidiary of Kemet Corporation, Simpsonville Facility Including On-Site Leased Workers From Blanton Phillips Staffing Simpsonville, SC; 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 of Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance on March 12, 2008, applicable to workers of Kemet Electronics Corporation, a subsidiary of Kemet Corporation, Simpsonville Facility, including on-site leased workers from Blanton Phillips Staffing, Simpsonville, South Carolina. The notice will be published soon in the **Federal Register**.

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The workers were engaged in the production of tantalum capacitors.

Findings show that there was a previous certification, TA-W-58,661A, issued on February 7, 2006, for the workers of the Simpsonville Facility, Simpsonville, South Carolina. That certification expired February 7, 2008. To avoid an overlap in worker group