

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. Dominion Exploration & Production, INC., and XTO Energy, D.J.* Ref. 90-5-2-1-09196.

During the public comment period, the Decree may 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 \$24.50 (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.

**Maureen Katz,**

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

[FR Doc. E9-9919 Filed 4-29-09; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Bureau of Alcohol, Tobacco, Firearms and Explosives

[OMB Number 1140-NEW]

**Agency Information Collection Activities: Proposed Collection; Comments Requested: Correction: Emergency 60-Day Notice of Information Collection Under Review: Certification of Qualifying State Relief From Disabilities Program**

The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for "sixty days" until June 29, 2009. This

process is conducted in accordance with 5 CFR 1320.10.

If you have comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Barbara Terrell, Firearms Enforcement Branch, 99 New York Avenue, NE., Washington, DC 20226.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- 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 agencies 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.

*Overview of this information collection:*

(1) *Type of Information Collection:* New.

(2) *Title of the Form/Collection:* Certification of Qualifying State Relief from Disabilities Program.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection: Form Number:* ATF F 3210.12. Bureau of Alcohol, Tobacco, Firearms and Explosives.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* State, Local or Tribal Government. Other: None. The purpose of the information is to determine whether a State has certified, to the satisfaction of the Attorney General, that it has established a relief from disabilities program in accordance with the requirements of the National Instant Check System Improvement Act of 2007.

(5) *An estimate of the total number of respondents and the amount of time estimate for an average respondent to*

*respond:* It is estimated that 50 respondents will complete a 15 minute form.

(6) *An estimate of the total public burden (in hours) associated with the collection:* There are an estimated 13 annual total burden hours associated with this collection.

If additional information is required contact: Lynn Bryant, Department Clearance Officer, Policy and Planning Staff, Justice Management Division, Department of Justice, Patrick Henry Building, Suite 1600, 601 D Street, NW., Washington, DC 20530.

Dated: April 27, 2009.

**Lynn Bryant,**

*Department Clearance Officer, PRA Department of Justice.*

[FR Doc. E9-9978 Filed 4-29-09; 8:45 am]

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## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Emergency Review: Comment Request

April 24, 2009.

The Department of Labor has submitted the following information collection request (ICR), utilizing emergency review procedures, to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35) and 5 CFR 1320.13. OMB approval has been requested by May 20, 2009. A copy of this 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: [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov). Interested parties are encouraged to send comments to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Department of Labor—ETA, 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). Comments and questions about the ICR listed below should be received by no later than the requested OMB approval date. An additional opportunity to comment on this ICR will also be provided when DOL seeks approval

under standard PRA clearance procedures.

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 submissions of responses.

**AGENCY:** Employment and Training Administration.

*Title of Collection:* Collecting Aggregate Participant Counts for Workforce Investment Act (WIA) Title IB, Wagner-Peyser Act, National Emergency Grants, and Reemployment Services Grants.

*OMB Control Number:* Pending.

*Frequency of Collection:* Monthly collection.

*Affected Public:* State Workforce Agencies.

*Total Estimated Number of Respondents:* 54.

*Total Estimated Annual Burden Hours:* 41,472 hours for monthly reports and 573,160 hours for quarterly WIASRD reports.

*Description:* The American Recovery and Reinvestment Act of 2009 (The Recovery Act) was signed into law by President Obama on February 17, 2009. To record the impact of the Recovery Act resources, more current information on participants and the services received is essential. Therefore, to obtain a more robust look at participants and services provided with the additional Recovery Act resources, the Employment and Training Administration (ETA) proposes supplemental reports. Under these new supplemental reports, States are required to submit information that States already collect; however, the supplemental reports are required to be submitted monthly.

- *For WIA Adult,* States will report aggregate counts of *all* participants, including those whose services are funded with regular WIA Adult formula

funds and Recovery Act funds. States will report aggregate counts on those participants who are low-income, those receiving Temporary Assistance to Needy Families and other public assistance, the number of UI claimants, Veterans, and individuals with disabilities, numbers in training and type of training, and numbers receiving supportive services.

- *For WIA Dislocated Workers,* States will report aggregate counts of *all* participants, including those whose services are funded with regular WIA Dislocated Worker formula funds and Recovery Act funds. States will report the number of UI claimants, Veterans, and individuals with disabilities, numbers in training and type of training, and numbers receiving supportive services.

- *For National Emergency Grants, financed with Recovery Act Funds Only,* States will report aggregate counts of participants, including the number of UI claimants, Veterans, and individuals with disabilities, numbers in training and type of training, and numbers receiving supportive services.

- *For WIA Youth, served with Recovery Act Funds Only,* reporting will be slightly different. States will report aggregate counts of all Recovery Act youth participants, including the characteristics of participants, the numbers of participants in summer employment, services received, attainment of a work readiness skill, which is required in the Recovery Act, and completion of summer youth employment. States will also continue to submit the regular WIA quarterly and annual reports, including any youth who continue services under the WIA year-round youth program.

- *For the Wagner-Peyser Act Employment Service,* States will report on the number of participants served, number of Unemployment Insurance (UI) claimants served, and the type of services received. States will be required to submit supplemental reports of aggregate counts of all participants whose services are financed with regular Wagner-Peyser Act formula funds and Recovery Act funds (*i.e.*, Employment Service and Reemployment Services).

- *For the Wagner-Peyser Reemployment Services Grants,* States will report on the same data elements that are collected for the Wagner-Peyser Act Employment Service report, with one additional data element: *referral to training, including WIA-funded training.*

In addition to these aggregate monthly reports, ETA proposes that States submit the WIA individual records (WIASRD) on *all* participants in the

WIA title 1B programs, and in National Emergency Grants, on a quarterly basis, beginning with the 3rd quarter of Program Year 2009, which ends on March 31, 2010. The first deadline for the required quarterly submission will be May 15, 2010. This start date gives States sufficient time to adjust their management information systems.

*Why are we requesting Emergency Processing?* The supplemental reports and quarterly collection of WIA individual records allows ETA to overcome the limitations imposed by current outcome based performance reporting requirements. This collection comprises a participant and performance reporting strategy that will provide a more robust, "real time" view of the impact of the Recovery Act funds, providing greater information on levels of program participation, and provide more information about the characteristics of the participants served, and the types of services provided. The approval of this request is necessary to allow ETA to report performance accountability information immediately on the effective use of Recovery Act funds already received by State workforce agencies. With these monthly reports more detailed information on individuals will be available while they are participating in the programs. There is also significant value added by obtaining quarterly individual records from State workforce agencies. First, quarterly submissions provide more timely information to respond to the oversight needs of Governors, Congress and other Federal/ State stakeholders and the general public. Second, ETA will benefit from more timely analysis and States will have access to more regular updates on nationwide participation information as well as employment and training trends.

**Darrin A. King,**

*Departmental Clearance Officer.*

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## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Proposed Information Collection Request Submitted for Public Comment and Recommendations; Underground Retorts

**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