

*Hercules Chemical Company, Inc.*, D.J. Ref. 90–11–3–07683/7.

During the public comment period, the Settlement Agreement, may also be examined on the following Department of Justice Web site, to [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 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 \$4.00 (25 cents per page reproduction costs of the Settlement Agreement) 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. E9–26156 Filed 10–29–09; 8:45 am]  
BILLING CODE 4410–15–P

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review: Comment Request

October 26, 2009.

The Department of Labor (DOL) hereby announces the submission of the following public information collection request (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 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—Occupational Safety and Health Administration (OSHA), Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: 202–395–7316/Fax: 202–395–5806 (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).

202–395–5806 (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:* Occupational Safety and Health Administration.

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

*Title of Collection:* Hazard Communication (29 CFR parts 1910.1200, 1915.1200, 1917.28, 1918.90, 1926.59 and 1928.21).

*OMB Control Number:* 1218–0072.

*Affected Public:* Business or other for-profits.

*Estimated Number of Respondents:* 2,880,308.

*Estimated Total Annual Burden Hours:* 10,375,704.

*Estimated Total Annual Costs Burden (excludes hourly wage costs):* \$1,750,460.

*Description:* The standard requires all employers to establish hazard communications programs, to transmit information on the hazards of chemicals to their employees by means of container labels, material safety data sheets and training programs. This action will reduce the incidence of chemical related illness and injury in the workplace. For additional information, see the related 60-day preclearance notice published in the **Federal Register** at Vol. 74 FR 44876 on August 31, 2009. PRA documentation prepared in association with the preclearance notice is available on

<http://www.regulations.gov> under docket number OSHA–2009–0014.

**Darrin A. King**,

Departmental Clearance Officer.

[FR Doc. E9–26180 Filed 10–29–09; 8:45 am]

BILLING CODE 4510–26–P

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review: Comment Request

October 27, 2009.

The Department of Labor (DOL) hereby announces the submission of the following public information collection request (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 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—Occupational Safety and Health Administration (OSHA), Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: 202–395–7316/Fax: 202–395–5806 (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:* Occupational Safety and Health Administration.

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

*Title of Collection:* Chromium (VI) Standards for General Industry (29 CFR 1910.1026), Shipyard Employment (29 CFR 1915.1026), and Construction (29 CFR 1926.1126).

*OMB Control Number:* 1218-0252.

*Affected Public:* Business or other for-profits.

*Estimated Number of Respondents:* 78,126.

*Estimated Total Annual Burden Hours:* 725,319.

*Estimated Total Annual Costs Burden (excludes hourly wage costs):* \$47,751,607.

*Description:* The standard requires employers to monitor worker exposure to Chromium (VI), to provide medical surveillance, and to establish and maintain accurate records of employee exposure to Chromium and employee medical records. These records will be used by employers, workers, physicians, and the Government to ensure that workers are not being harmed by exposure to Chromium. For additional information, see the related 60-day preclearance notice published in the **Federal Register** at Vol. 74 FR 29517 on June 22, 2009. PRA documentation prepared in association with the preclearance notice is available on <http://www.regulations.gov> under docket number OSHA-2009-0015.

**Darrin A. King,**

*Departmental Clearance Officer.*

[FR Doc. E9-26187 Filed 10-29-09; 8:45 am]

BILLING CODE 4510-26-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Labor Surplus Area Classification Under Executive Orders 12073 and 10582

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Notice

**SUMMARY:** The purpose of this notice is to announce the annual list of labor surplus areas for Fiscal Year (FY) 2010.

**DATES:** *Effective Date:* The annual list of labor surplus areas is effective October 1, 2009, for all States, the District of Columbia, and Puerto Rico.

**FOR FURTHER INFORMATION CONTACT:** Samuel Wright, Office of Workforce Investment, Employment and Training Administration, 200 Constitution Avenue, NW., Room S-4231, Washington, DC 20210. *Telephone:* (202) 693-2870 (This is not a toll-free number).

**SUPPLEMENTARY INFORMATION:** The Department of Labor's regulations implementing Executive Orders 12073 and 10582 are set forth at 20 CFR Part 654, Subparts A and B. These regulations require the Employment and Training Administration (ETA) to classify jurisdictions as labor surplus areas pursuant to the criteria specified in the regulations and to publish annually a list of labor surplus areas. Pursuant to those regulations, ETA is hereby publishing the annual list of labor surplus areas.

In addition, the regulations provide exceptional circumstance criteria for classifying labor surplus areas when catastrophic events, such as natural disasters, plant closings, and contract cancellations are expected to have a long-term impact on labor market area conditions, discounting temporary or seasonal factors.

#### Eligible Labor Surplus Areas

A Labor Surplus Area (LSA) is a civil jurisdiction that has a civilian average annual unemployment rate during the previous two calendar years of 20 percent or more above the average annual civilian unemployment rate for all States during the same 24-month reference period. Only official unemployment estimates provided to ETA by the Bureau of Labor Statistics are used in making these classifications. The average unemployment rate for all States includes data for the Commonwealth of Puerto Rico. The basic LSA classification criteria include a "floor unemployment rate" (6.0%) and a "ceiling unemployment rate" (10.0%).

Civil jurisdictions are defined as follows:

(a) A city of at least 25,000 population on the basis of the most recently available estimates from the Bureau of the Census; or

(b) A town or township in the States of Michigan, New Jersey, New York, or Pennsylvania of 25,000 or more population and which possess powers

and functions similar to those of cities; or

(c) A county, except those counties which contain any type of civil jurisdictions defined in A or B above; or

(d) A "balance of county" consisting of a county less any component cities and townships identified in paragraphs A or B above; or

(e) A county equivalent which is a town in the States of Connecticut, Massachusetts, and Rhode Island, or a municipio in the Commonwealth of Puerto Rico.

#### Procedures for Classifying Labor Surplus Areas

The Department of Labor (DOL) issues the labor surplus area list on a fiscal year basis. The list becomes effective each October 1 and remains in effect through the following September 30. The reference period used in preparing the current list was January 2007 through December 2008. The national average unemployment rate during this period was 5.3 percent. Twenty percent higher than the national unemployment rate of 5.3 percent is a qualifying rate of 6.3 percent. Therefore, areas included on the FY 2010 labor surplus area list had an average unemployment rate of 6.3 percent or above during the reference period. This year the balance of county areas will only be listed were the county did not meet the unemployment qualifier as a labor surplus area but the balance of county did. A second listing would be unnecessarily redundant and potentially confusing. Several areas not on this labor surplus list have current unemployment rates that are substantially higher than the labor surplus qualifier of 6.3 percent. Most of these areas experienced unemployment rates that were considerably lower than the labor surplus qualifier of 6.3 percent for 2007 and the first half of 2008. The unemployment rates for most of these areas did not become significantly higher than 6.3 percent until after the third quarter of 2008 causing the unemployment rate for the reference period to be lower than 6.3 percent. The FY 2010 labor surplus area list can be accessed at: <http://www.doleta.gov/programs/lsa.cfm>.

#### Petition for Exceptional Circumstance Consideration

The classification procedures also provide for the designation of labor surplus areas under exceptional circumstance criteria. These procedures permit the regular classification criteria to be waived when an area experiences a significant increase in unemployment which is not temporary or seasonal and