

Issued: November 16, 2011.

**James R. Holbein,**

*Secretary to the Commission.*

[FR Doc. 2011-30038 Filed 11-21-11; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA")

Notice is hereby given that on November 15, 2011, a proposed Consent Decree ("proposed Decree") in *United States v. Occidental Chemical Corporation, et al*, Civil Action No. 11-CV-7149 was lodged with the United States District Court for the Eastern District of Pennsylvania.

In this action under Section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9607(a) ("CERCLA"), the United States sought reimbursement of response costs incurred or to be incurred for response actions taken at or in connection with the release or threatened release of hazardous substances at the Occidental Chemical Corporation Superfund Site located in Lower Pottsgrove Township, Montgomery County, Pennsylvania. The proposed Decree requires Settling Defendants to pay \$2,130,600.88 to the United States in reimbursement of past response costs. The proposed Decree also requires the Performing Settling Defendants to pay all future response costs and continue to perform the work for operable unit 2 at the Site, which is the final operable unit to be remediated under the 1993 Record of Decision.

The proposed Decree provides the Settling Defendants with a covenant not to sue under Section 107(a) of CERCLA, 42 U.S.C. 9607(a) for past response costs and a covenant not to sue for future response costs to Performing Settling Defendants only.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either emails to emailed 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. Occidental Chemical Corporation, et al.*, D.J. Ref. 90-11-2-913/1.

During the public comment period, the proposed 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 proposed 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 emailing 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 \$8.00 (.25 cents per page reproduction cost) payable to the U.S. Treasury or, if by email or fax, please forward a check in that amount to the Consent Decree Library at the stated address.

**Robert Brook,**

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

[FR Doc. 2011-30054 Filed 11-21-11; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA")

Consistent with Section 122(d)(2) of CERCLA, 42 U.S.C. 9622(d)(2), notice is hereby given that on November 7, 2011, a proposed Consent Decree in *The General Electric Company and United Nuclear Corporation v. United States of America*, Civil Action No. 1:10-cv-404 MCA/RHS, was lodged with the United States District Court for the District of New Mexico.

In this action the United States filed a counterclaim seeking to recover past and future costs incurred and to be incurred by the Environmental Protection Agency (EPA) during the performance of response actions at the Northeast Church Rock Mine Superfund Site in McKinley County, New Mexico.

Under the Consent Decree, the Defendant United Nuclear Corporation will reimburse the Hazardous Substance Superfund in the amount of \$1,905,166.60 for EPA's response costs at the Site incurred through July 31, 2010 and interest incurred through May 5, 2011.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Consent Decree. Comments should be addressed to the Assistant Attorney General,

Environment and Natural Resources Division, and either emailed 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 *The General Electric Company and United Nuclear Corporation v. United States of America*, Civil Action No. 1:10-cv-404 MCA/RHS (D. N.M.), DOJ Ref. # 90-11-3-10077.

During the public comment period, the Consent 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 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 emailing 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 refer to *The General Electric Company and United Nuclear Corporation v. United States of America*, Civil Action No. 1:10-cv-404 MCA/RHS (D. N.M.), DOJ Ref. # 90-11-3-10077, and enclose a check in the amount of \$4.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Henry S. Friedman,**

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

[FR Doc. 2011-30131 Filed 11-21-11; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA-2011-0059]

### Occupational Exposure to Hazardous Chemicals in Laboratories Standard; Extension of the Office of Management and Budget's (OMB) Approval of Information Collection (Paperwork) Requirements

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Request for public comments.

**SUMMARY:** OSHA solicits public comments concerning its proposal to extend OMB approval of the information collection requirements specified in the Standard on Occupational Exposure to Hazardous Chemicals in Laboratories (29 CFR 1910.1450).

**DATES:** Comments must be submitted (postmarked, sent, or received) by January 23, 2012.

**ADDRESSES:** *Electronically:* You may submit comments and attachments electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the instructions online for submitting comments.

*Facsimile:* If your comments, including attachments, are not longer than 10 pages, you may fax them to the OSHA Docket Office at (202) 693-1648.

*Mail, hand delivery, express mail, messenger, or courier service:* When using this method, you must submit your comments and attachments to the OSHA Docket Office, Docket No. OSHA-2011-0059, U.S. Department of Labor, Occupational Safety and Health Administration, Room N-2625, 200 Constitution Avenue NW., Washington, DC 20210. Deliveries (hand, express mail, messenger, and courier service) are accepted during the Department of Labor's and Docket Office's normal business hours, 8:15 a.m. to 4:45 p.m., e.t.

*Instructions:* All submissions must include the Agency name and OSHA docket number (OSHA-2011-0059) for the Information Collection Request (ICR). All comments including any personal information you provide, are placed in the public docket without change, and may be made available online at <http://www.regulations.gov>. For further information on submitting comments, see the "Public Participation" heading in the section of this notice titled **SUPPLEMENTARY INFORMATION**.

*Docket:* To read or download comments or other material in the docket, go to <http://www.regulations.gov> or the OSHA Docket Office at the address above. All documents in the docket (including this **Federal Register** notice) are listed in the <http://www.regulations.gov> index; however, some information (e.g., copyrighted material) is not publicly available to read or download from the Web site. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. You also may contact Theda Kenney at the address below to obtain a copy of the ICR.

**FOR FURTHER INFORMATION CONTACT:** Theda Kenney or Todd Owen, Directorate of Standards and Guidance, OSHA, U.S. Department of Labor, Room N-3609, 200 Constitution Avenue NW., Washington, DC 20210; telephone (202) 693-2222.

**SUPPLEMENTARY INFORMATION:**

### I. Background

The Department of Labor, as part of its continuing effort to reduce paperwork and respondent (i.e., employer) burden, conducts a preclearance consultation program to provide the public with an opportunity to comment on proposed and continuing information collection requirements in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3506(c)(2)(A)). This program ensures that information is in the desired format, reporting burden (time and costs) is minimal, collection instruments are clearly understood, and OSHA's estimate of the information collection burden is accurate. The Occupational Safety and Health Act of 1970 (the OSH Act) (29 U.S.C. 651 *et seq.*) authorizes information collection by employers as necessary or appropriate for enforcement of the OSH Act or for developing information regarding the causes and prevention of occupational injuries, illnesses, and accidents (29 U.S.C. 657). The OSH Act also requires that OSHA obtain such information with minimum burden upon employers, especially those operating small businesses, and to reduce to the maximum extent feasible unnecessary duplication of efforts in obtaining information (29 U.S.C. 657).

The Standard on Occupational Exposure to Hazardous Chemicals in Laboratories applies to laboratories that use hazardous chemicals in accordance with the Standard's definitions for "laboratory use of hazardous chemicals" and "laboratory scale." The Standard requires that these laboratories maintain worker exposures at or below the permissible exposure limits specified for the hazardous chemicals in 29 CFR Part 1910, Subpart Z. They do so by developing a written Chemical Hygiene Plan (CHP) that describes standard operating procedures for using hazardous chemicals; hazard-control techniques; equipment-reliability measures; worker information-and-training programs; conditions under which the employer must approve operations, procedures, and activities before implementation; and medical consultations and examinations. The CHP also designates personnel responsible for implementing the CHP and specifies the procedures used to provide additional protection to workers exposed to particularly hazardous chemicals.

Other information collection requirements of the Standard include documenting exposure monitoring results; notifying workers in writing of these results; presenting specified information and training to workers;

establishing a medical surveillance program for overexposed workers; providing required information to the physician; obtaining the physician's written opinion on using proper respiratory equipment; and establishing, maintaining, transferring, and disclosing exposure monitoring and medical records. These collection of information requirements, including the CHP, control worker overexposure to hazardous laboratory chemicals thereby preventing serious illnesses and death among workers exposed to such chemicals.

### II. Special Issues for Comment

OSHA has a particular interest in comments on the following issues:

- Whether the proposed information collection requirements are necessary for the proper performance of the Agency's functions to protect workers, including whether the information is useful;
- The accuracy of OSHA's estimate of the burden (time and costs) of the information collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information collected; and
- Ways to minimize the burden on employers who must comply; for example, by using automated or other technological information collection and transmission techniques.

### III. Proposed Actions

OSHA is proposing to extend the information collection requirements contained in the Standard on Occupational Exposure to Hazardous Chemicals in Laboratories (29 CFR 1910.1450). The Agency is proposing to increase its current burden hour estimate from 281,086 hours to 293,373 hours (an increase of 12,287 burden hours). This increase is primarily a result of an increase in the number of facilities being monitored.

*Type of Review:* Extension of a currently approved collection.

*Title:* Occupational Exposure to Hazardous Chemicals in Laboratories (29 CFR 1910.1450)

*OMB Number:* 1218-0131.

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

*Number of Respondents:* 48,461.

*Frequency:* Varies from 3 minutes (.05 hour) to replace the safe practice manual to 1 hour to develop a new manual.

*Total Responses:* 911,113.

*Average Time per Response:* Annually; monthly; quarterly; semi-annually; on occasion.

*Estimated Total Burden Hours:* 293,373.

*Estimated Cost (Operation and Maintenance):* \$41,271,276.

#### IV. Public Participation—Submission of Comments on This Notice and Internet Access to Comments and Submissions

You may submit comments in response to this document as follows: (1) Electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal; (2) by facsimile (fax); or (3) by hard copy. All comments, attachments, and other material must identify the Agency name and the OSHA docket number for this ICR (Docket No. OSHA–2011–0059). You may supplement electronic submissions by uploading document files electronically. If you wish to mail additional materials in reference to an electronic or a facsimile submission, you must submit them to the OSHA Docket Office (see the section of this notice titled **ADDRESSES**). The additional materials must clearly identify your electronic comments by your name, date, and docket number, so the Agency can attach them to your comments.

Because of security procedures, the use of regular mail may cause a significant delay in the receipt of comments. For information about security procedures concerning the delivery of materials by hand, express delivery, messenger or courier service, please contact the OSHA Docket Office at (202) 693–2350, (TTY) (877) 889–5627.

Comments and submissions are posted without change at <http://www.regulations.gov>. Therefore, OSHA cautions commenters about submitting personal information, such as social security numbers and dates of birth. Although all submissions are listed in the <http://www.regulations.gov> index, some information (e.g., copyrighted material) is not publicly available to read or download through this Web site. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Information on using the <http://www.regulations.gov> Web site to submit comments and access the docket is available at the Web site's "User Tips" link. Contact the OSHA Docket Office for information about materials not available through the Web site and for assistance in using the Internet to locate docket submissions.

#### V. Authority and Signature

David Michaels, Ph.D., MPH, Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44

U.S.C. 3506 *et seq.*) and Secretary of Labor's Order No. 4–2010 (75 FR 55355).

Signed at Washington, DC, on November 17, 2011.

**David Michaels,**

*Assistant Secretary of Labor for Occupational Safety and Health.*

[FR Doc. 2011–30076 Filed 11–21–11; 8:45 am]

**BILLING CODE 4510–26–P**

### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (11–115)]

#### National Environmental Policy Act; NASA Routine Payloads on Expendable Launch Vehicles

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Finding of No Significant Impact (FONSI).

**SUMMARY:** Pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321, *et seq.*), the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA (40 CFR parts 1500–1508), and NASA policy and procedures (14 CFR part 1216 subpart 1216.3), NASA has made a Finding of No Significant Impact (FONSI) with respect to the proposed launch of NASA Routine Payloads on expendable launch vehicles. The proposed launches would occur from existing launch facilities at Cape Canaveral Air Force Station (CCAFS), Florida, Vandenberg Air Force Base (VAFB), California, the United States Army Kwajalein Atoll/Reagan Test Site (USAKA/RTS) in the Republic of the Marshall Islands (RMI), NASA's Wallops Flight Facility (WFF), Virginia, and the Kodiak Launch Complex (KLC), Alaska.

This FONSI summarizes NASA's consideration of environmental impacts for routine payloads being launched at facilities addressed in the draft *Environmental Assessment (EA) for NASA Routine Payloads on Expendable Launch Vehicles dated August 2011*. The final EA updates the *Final Environmental Assessment for Launch of NASA Routine Payloads on Expendable Launch Vehicles from Cape Canaveral Air Force Station Florida and Vandenberg Air Force Base California* published in June 2002 (2002 NRP EA). The final EA and FONSI incorporate by reference the 2002 NRP EA. For completeness, much of the June 2002 NRP EA is restated in this final EA.

The Cooperating Agencies on this final EA include the Federal Aviation Administration, the Air Force Space and Missile System Center, the US Army Space and Missile Defense Command, and the National Oceanic and Atmosphere Administration.

**DATES:** Effective date is November 22, 2011.

**ADDRESSES:** The final Environmental Assessment (EA) that serves as the basis for this FONSI may be viewed at <http://www.nasa.gov/green/nepa/routinepayloaddea.html> or at the following locations:

(a) NASA Headquarters, Library, Room 1J20, 300 E Street SW., Washington, DC 20546 ((202) 358–0167).

(b) Central Brevard Library and Reference Center, 308 Forrest Avenue, Cocoa, FL 32922 ((321) 633–1792).

(c) Jet Propulsion Laboratory, Visitors Lobby, Building 249, 4800 Oak Grove Drive, Pasadena, CA 91109 ((818) 354–5179).

(d) NASA, Goddard Space Flight Visitor's Center, 8463 Greenbelt Road, Greenbelt, MD 20771 ((301) 286–8981).

(e) Lompoc Public Library, 501 E. North Avenue, Lompoc, CA 93436 ((850) 875–8775).

(f) Santa Maria Public Library, 420 South Broadway, Santa Maria, CA 93454–5199 ((805) 925–0994).

(g) Government Information Center, Davidson Library, University of California, Santa Barbara, Santa Barbara, CA 93106–9010 ((805) 893–8803).

(h) Vandenberg Air Force Base Library, 100 Community Loop, Building 10343A, Vandenberg AFB, CA 93437 ((805) 606–6414).

(i) Chincoteague Island Library, 4077 Main Street, Chincoteague, VA 23336 ((757) 336–3460).

(j) NASA WFF Technical Library, Building E–105, Wallops Island, VA 23337 ((757) 824–1065).

(k) Eastern Shore Public Library, 23610 Front Street, Accomac, VA 23301 ((757) 787–3400).

(l) Kodiak Library, 319 Lower Mill Bay Road, Kodiak, AK 99615 ((907) 486–8680).

(m) NASA, Ames Research Center, Moffett Field, CA 94035 ((650) 604–3273).

(n) Grace Sherwood and Roi-Namur Libraries, P.O. Box 23, Kwajalein, Marshall Islands APO, A.P. 96555 ((805) 355–2015).

(o) Alele Public Library, P.O. Box 629, Majuro, Republic of the Marshall Islands 96960. ((692) 625–3372).

(p) Hampton Library, 4207 Victoria Blvd., Hampton, VA 23669 ((757) 727–1154).