

**DEPARTMENT OF JUSTICE****Notice of Lodging Proposed Consent Decree**

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States v. Triad Mining, Inc.*, Civil Action No. 1:12-cv-0026, was lodged with the United States District Court for the Southern District of Indiana on January 11, 2012.

This proposed Consent Decree concerns a complaint filed by the United States against the Defendant, pursuant to Sections 309(b) and (d) of the Clean Water Act (“CWA”), 33 U.S.C. 1319(b) and (d), to obtain injunctive relief from and impose civil penalties against the Defendant for the discharge of pollutants into waters of the United States without authorization by the United States, in violation of CWA Section 301(a), 33 U.S.C. 1311(a). The proposed Consent Decree resolves these allegations by requiring the Defendant to restore and/or mitigate the impacted areas and to pay a civil penalty.

The Department of Justice will accept written comments relating to this proposed Consent Decree for thirty (30) days from the date of publication of this Notice. Please address comments to Perry Rosen, Attorney, P.O. Box 7611, Washington, DC 20044 and refer to *United States v. Triad Mining, Inc.*, DJ# 90-5-1-1-18796.

The proposed Consent Decree may be examined at the Clerk’s Office, United States District Court for the Southern District of Indiana, 46 East Ohio Street Room 105, Indianapolis, Indiana, 46204. In addition, the proposed Consent Decree may be viewed at [http://www.justice.gov/enrd/Consent\\_Decrees.html](http://www.justice.gov/enrd/Consent_Decrees.html).

**Cherie L. Rogers,**

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

[FR Doc. 2012-914 Filed 1-18-12; 8:45 am]

**BILLING CODE P**

**DEPARTMENT OF JUSTICE****Foreign Claims Settlement Commission**

**[F.C.S.C. Meeting and Hearing Notice No. 01-12]**

**Sunshine Act Meeting**

The Foreign Claims Settlement Commission, pursuant to its regulations (45 CFR 503.25) and the Government in the Sunshine Act (5 U.S.C. 552b),

hereby gives notice in regard to the scheduling of open meetings as follows:

Wednesday, January 25, 2012: 9 a.m.—Issuance of Proposed Decisions in claims against Libya.

10 a.m.—Oral hearings on Objections to Commission’s Proposed Decisions in Claim Nos. LIB-II-094; 11 a.m.—LIB-II-006; 11:45 a.m.—LIB-II-011; 2 p.m.—LIB-II-132, LIB-II-087.

*Status:* Open.

All meetings are held at the Foreign Claims Settlement Commission, 600 E Street NW., Washington, DC. Requests for information, or advance notices of intention to observe an open meeting, may be directed to: Judith H. Lock, Executive Officer, Foreign Claims Settlement Commission, 600 E Street NW., Suite 6002, Washington, DC 20579. Telephone: (202) 616-6975.

**Jaleh F. Barrett,**

*Chief Counsel.*

[FR Doc. 2012-1065 Filed 1-17-12; 4:15 pm]

**BILLING CODE 4410-BA-P**

**DEPARTMENT OF LABOR****Proposed Information Collection Request (ICR) for the Mining Voice in the Workplace Survey; Comment Request**

**AGENCY:** Office of the Assistant Secretary for Policy, Department of Labor.

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (DOL or the Department), 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 (PRA) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that required 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. The Department notes that a Federal agency cannot conduct or sponsor a collection of information unless it is approved by the Office of Management and Budget (OMB) under the PRA and the related materials display a currently valid OMB control number. Also, notwithstanding any other provisions of law, no person shall be subject to penalty for failing to comply with a

collection of information if the related materials do not display a currently valid OMB control number. See 5 CFR 1320.5(a) and 1320.6.

A copy of the proposed ICR can be obtained by contacting the office listed below in the addressee section of this notice.

**DATES:** Written comments must be received by the office listed in the addressee section below on or before March 19, 2012.

**ADDRESSES:** Send comments to Celeste Richie, U.S. Department of Labor, Chief Evaluation Office, Office of the Assistant Secretary for Policy, 200 Constitution Avenue NW., Frances Perkins Bldg., Room S-2312, Washington, DC 20210, telephone number (202) 693-5959 (this is not a toll-free number). Email address is [richie.celeste.j@dol.gov](mailto:richie.celeste.j@dol.gov) and fax number is (202) 693-5960.

**SUPPLEMENTARY INFORMATION:****1. Background**

The U.S. Department of Labor (DOL) is performing a pilot study to determine how to measure workers’ voice in mining workplaces under the jurisdiction of DOL’s Mine Safety and Health Administration (MSHA). DOL’s working definition for voice in the workplace is the “workers’ ability to access information on their rights in the workplace, their understanding of those rights, and their ability to exercise these rights without fear of discrimination or retaliation.” Voice in the workplace is a key outcome goal for the Secretary of Labor and part of her vision of good jobs for everyone. A separate concurrent effort will measure workers’ voice in workplaces under the jurisdiction of DOL’s Wage and Hour Division (WHD) and Occupational Safety and Health Administration (OSHA). Measuring voice among miners, however, poses unique data collection challenges, including implementing a survey in a setting that feels non-threatening to mine workers, and asking questions in a format that reflects mining community cultures and practices. Thus, DOL is performing a pilot study to investigate the efficacy of different data collection methods and to develop a survey instrument that is appropriate for the mining community. The primary research question is “What measures of voice and perceived non-compliance, combined with what modes of data collection, could be best used to track MSHA’s worker protection outreach activity?” This submission covers a set of 2-3 small-scale pilot data collections.

Data collection for this effort will employ 2-3 strategies: (1) Submission of

paper questionnaires to be filled out by individual mine workers during offsite mining-related training sessions, (2) recruitment of miners through use of radio and paper advertisements, and (3) a mail or phone survey. DOL is currently assessing the feasibility of each method prior to implementation. For example, implementation of a phone or mail survey will depend on the availability of a valid list of miners. A maximum of 125 respondents will be surveyed under each collection mode for a total of 375 maximum respondents for the overall effort.

## 2. Desired Focus of Comments

Currently, the Department of Labor is soliciting comments concerning the above data collection. Comments are requested 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 information collection on those who are to respond, including 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.

## 3. Current Actions

Pursuant to the PRA implementing regulations at 5 CFR 1320.8(d)(1), this notice requests comments on the proposed information collection request discussed above in the Background section of this notice. Interested parties are encouraged to provide comments to the individual list in the **ADDRESSES** section above.

*Agency:* Office of the Assistant Secretary for Policy.

*Type of Review:* New Collection.

*Title of Collection:* Miners' Voice in the Workplace Survey.

*OMB Control Number:* [Insert OMB Control Number].

*Affected Public:* Individuals or households.

*Estimated Number of Respondents:* 375 (maximum 125 respondents each collection mode).

*Estimated Time per Response:* 12–15 minutes.

*Estimated Total Annual Burden Hours:* 94 (based on 375 respondents at 15 minutes each).

*Estimated Total Annual Other Cost to Public:* \$0.

Comments submitted in response to this request will be summarized and/or included in the request for OMB approval; they will also become a matter of public record.

Signed: at Washington, DC, this 11th day of January, 2012.

**Megan Uzzell,**

*Deputy Assistant Secretary, Office of the Assistant Secretary for Policy.*

[FR Doc. 2012–941 Filed 1–18–12; 8:45 am]

**BILLING CODE 4510–22–P**

## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

#### Exemptions From Certain Prohibited Transaction Restrictions

**AGENCY:** Employee Benefits Security Administration, Labor.

**ACTION:** Grant of Individual Exemptions.

**SUMMARY:** This document contains exemptions issued by the Department of Labor (the Department) from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (ERISA or the Act) and/or the Internal Revenue Code of 1986 (the Code). This notice includes the following: PTE 2012–01, D–11676, The Kemper Corporation Pension Plan (the Plan); PTE 2012–02, D–11683, First Federal Bancshares of Arkansas, Inc. Employees' Savings and Profit Sharing Plan (the Plan); PTE 2012–03, L–11647, R+L Carriers Shared Services, LLC, *et al.*

**SUPPLEMENTARY INFORMATION:** A notice was published in the **Federal Register** of the pendency before the Department of a proposal to grant such exemption. The notice set forth a summary of facts and representations contained in the application for exemption and referred interested persons to the application for a complete statement of the facts and representations. The application has been available for public inspection at the Department in Washington, DC. The notice also invited interested persons to submit comments on the requested exemption to the Department. In addition the notice stated that any interested person might submit a written request that a public hearing be held (where appropriate). The applicant has represented that it has complied with the requirements of the notification to interested persons. No requests for a hearing were received by the

Department. Public comments were received by the Department as described in the granted exemption.

The notice of proposed exemption was issued and the exemption is being granted solely by the Department because, effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978, 5 U.S.C. App. 1 (1996), transferred the authority of the Secretary of the Treasury to issue exemptions of the type proposed to the Secretary of Labor.

### Statutory Findings

In accordance with section 408(a) of the Act and/or section 4975(c)(2) of the Code and the procedures set forth in 29 CFR part 2570, subpart B (55 FR 32836, 32847, August 10, 1990) and based upon the entire record, the Department makes the following findings:

(a) The exemption is administratively feasible;

(b) The exemption is in the interests of the plan and its participants and beneficiaries; and

(c) The exemption is protective of the rights of the participants and beneficiaries of the plan.

### The Kemper Corporation Pension Plan (the Plan) Located in Chicago, Illinois

[Prohibited Transaction Exemption 2012–01; Exemption Application Number D–11676]

#### Exemption

The restrictions of section 406(a)(1)(A) and (D), and 406(b)(1) and (2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1)(A), (D) and (E) of the Code, shall not apply, effective September 1, 2011, to the one-time, in-kind contribution (the Contribution) of shares of the common stock of Intermec, Inc. (the Stock) to the Kemper Corporation Pension Plan (the Plan)<sup>1</sup> by the Kemper Corporation (Kemper or the Applicant), a party in interest with respect to the Plan, provided that the following conditions are satisfied:

(a) The Applicant makes cash contributions to the Plan to the extent that the cumulative proceeds from the sale of the Stock at each contribution due date (determined under section 303(j) of the Act) are less than the cumulative cash contributions the Applicant would have been required to make to the Plan, in the absence of the Contribution. Such cash contributions shall be made until all of the Stock contributed to the Plan is sold;

(b) The Applicant contributes to the Plan such cash amounts as are needed

<sup>1</sup> Prior to August 25, 2011, the Plan was known as the Unitrin, Inc. Pension Plan.