

application takes approximately 300 minutes to complete.

- **Public Safety Officer Educational Assistance Application:** It is estimated that no more than 200 respondents will apply a year. Each application takes approximately 30 minutes to complete.

- **Public Safety Officer Appeal Request Application:** It is estimated that no more than 75 respondents will apply a year. Each application takes approximately 30 minutes to complete.

6. *An estimate of the total public burden (in hours) associated with the collection:*

- **Public Safety Officer Death Benefits Application:** An estimate of the total public burden (in hours) associated with the collection: Total Annual Reporting Burden:  $350 \times 360$  minutes per application = 126,000 minutes/by 60 minutes per hour = 2,100 hours.

- **Public Safety Officer Disability Benefits Application:** An estimate of the total public burden (in hours) associated with the collection: Total Annual Reporting Burden:  $100 \times 300$  minutes per application = 30,000 minutes/by 60 minutes per hour = 500 hours.

- **Public Safety Officer Educational Assistance Application:** The estimated public burden associated with this collection is 100 hours. It is estimated that respondents will take 30 minutes to complete an application. The burden hours for collecting respondent data sum to 100 hours ( $200$  respondents  $\times$   $0.5$  hours = 100 hours).

- **Public Safety Officer Appeal Request Application:** An estimate of the total public burden (in hours) associated with the collection: Total Annual Reporting Burden:  $75 \times 30$  minutes per application = 2,250 minutes/by 60 minutes per hour = 37.5 hours.

*If additional information is required contact:* Hope D. Janke, Director, Public Safety Officers' Benefits Office, Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice, 810 7th Street NW., Washington, DC 20531.

Dated: June 15, 2017.

**Melody Braswell,**

*Department Clearance Officer for PRA, U.S. Department of Justice.*

[FR Doc. 2017-12778 Filed 6-19-17; 8:45 am]

BILLING CODE 4410-18-P

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Consent Decree Under the Clean Water Act

On June 15, 2017, the Department of Justice lodged a proposed Consent Decree with the United States District

Court for the District of New Jersey in the lawsuit entitled *United States v. NVR, Inc.*, Civil Action No. 2:17-cv-04346.

The United States, on behalf of the United States Environmental Protection Agency, filed a Complaint against NVR, Inc., alleging NVR violated the Clean Water Act. NVR engages in residential home construction in a number of states, including New Jersey and New York. The Complaint alleges that NVR discharged pollutants in storm water without permit coverage in violation of the Clean Water Act and failed to comply with the conditions of permits (state general permits) issued under Clean Water Act at a number of construction sites in New Jersey and New York.

The proposed Consent Decree provides for NVR to perform injunctive relief consisting of a nationwide management, inspection, reporting and training program to improve compliance with storm water requirements at NVR's current and future construction sites. The Consent Decree also provides for NVR to pay a civil penalty of \$425,000.

The publication of this notice opens a period for public comment on the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. NVR, Inc.*, D.J. Ref. No. 90-5-1-1-10429. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	Send them to:
By email .....	<a href="mailto:pubcomment-ees.enrd@usdoj.gov">pubcomment-ees.enrd@usdoj.gov</a> .
By mail .....	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

During the public comment period, the proposed Consent Decree may be examined and downloaded at this Justice Department Web site: <https://www.justice.gov/enrd/consent-decrees>. We will provide a paper copy of the proposed Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Please enclose a check or money order for \$21.75 (25 cents per page

reproduction cost) payable to the United States Treasury.

**Robert E. Maher, Jr.,**

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

[FR Doc. 2017-12835 Filed 6-19-17; 8:45 am]

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## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

#### Proposed Revision of Information Collection Request Submitted for Public Comment; Draft Model Non-Quantitative Treatment Limitations Form

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

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (the Department), in accordance with the Paperwork Reduction Act of 1995 (PRA 95), provides the general public and Federal agencies with an opportunity to comment on proposed and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the reporting burden on the public and helps the public understand the Department's information collection requirements and provide the requested data in the desired format. Currently, the Employee Benefits Security Administration is soliciting comments on a revision of the Notices under the Mental Health Parity and Addiction Equity Act of 2008 information collection request (ICR) to add a model form participants and authorized representatives can use to request certain information from their health plans that is discussed below.

A copy of the information collection request (ICR) may be obtained by contacting the office listed in the **ADDRESSES** section of this notice. The ICR is also available on the Department's Web site at: <https://www.dol.gov/agencies/ebsa>.

**DATES:** Written comments must be submitted to the office shown in the Addresses section on or before September 1, 2017.

**ADDRESSES:** Direct all written comments regarding the information collection request and burden estimates to the Office of Policy and Research, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue NW., Room N-5718, Washington, DC 20210. Telephone:

(202) 693-8410; Fax: (202) 219-4745. These are not toll-free numbers. Comments may also be submitted electronically to the following Internet email address: [ebbsa.opr@dol.gov](mailto:ebbsa.opr@dol.gov).

#### SUPPLEMENTARY INFORMATION:

### I. Background

The Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA) was enacted on October 3, 2008 and amended by the Affordable Care Act and the 21st Century Cures Act (Cures Act). Generally, MHPAEA requires that the financial requirements and treatment limitations imposed on mental health and substance use disorder (MH/SUD) benefits cannot be more restrictive than the predominant financial requirements and treatment limitations that apply to substantially all medical and surgical benefits. As discussed below, MHPAEA includes several disclosure requirements for group health plans and health insurance issuers.

The Cures Act<sup>1</sup> was enacted on December 13, 2016. Among its requirements, the Cures Act contains provisions that are intended to improve compliance with MHPAEA by requiring the Departments to solicit feedback from the public on how to improve the process for group health plans and issuers to disclose the information required under MHPAEA and other laws.

The statutory MHPAEA provisions and implementing regulations expressly provide that a plan or issuer must disclose the criteria for medical necessity determinations with respect to MH/SUD benefits to any current or potential participant, beneficiary, or contracting provider upon request and must disclose the reason for any denial of reimbursement or payment for services with respect to MH/SUD benefits to the participant or beneficiary.

On October 27, 2016, the Departments of Labor, Health and Human Services, and the Treasury (the Departments) issued Affordable Care Act Implementation FAQs Part 34, which, among other things, solicited feedback regarding disclosures with respect to MH/SUD benefits under MHPAEA and other laws. In the FAQs, the Departments indicated that they had received questions and suggestions regarding disclosures with respect to Nonquantitative Treatment Limitation (NQTls) applicable to medical/surgical and MH/SUD benefits under the plan. The feedback also included requests

from various stakeholders for model forms that group health plan participants, beneficiaries, covered individuals in the individual market, or persons acting on their behalf could use to request relevant disclosures. Stakeholders also requested guidance on other ways in which disclosures, or the process for requesting disclosures, could be more uniform, streamlined, or otherwise simplified.

In addition, the Departments indicated that they had received requests to explore ways to encourage uniformity among State reviews of health insurance issuers' compliance with the NQTL standards. Various stakeholders stated that model forms to report NQTL information will help facilitate uniform implementation and enforcement of MHPAEA, and relieve some complexity that MHPAEA compliance poses for issuers operating in multiple States. Furthermore, other stakeholders highlighted that the use of such model forms may also benefit consumers, as consumers will be entitled to request the analysis performed to complete the model forms.

The Cures Act requires the Departments, by June 13, 2017, to solicit feedback from the public on how the disclosure request process for documents containing information that health plans and health insurance issuers are required under Federal or State law to disclose to participants, beneficiaries, contracting providers or authorized representatives to ensure compliance with existing mental health parity and addiction equity requirements can be improved while continuing to ensure consumers' rights to access all information required by Federal or State law to be disclosed.<sup>2</sup> The Cures Act requires the Departments to make this feedback publicly available by December 13, 2017.<sup>3</sup>

The Departments recently issued Affordable Care Act Implementation FAQs Part 38, which again solicited comments on FAQs Part 34 as required by the Cures Act. The Departments also solicited comments on a draft model form that participants, enrollees, or their authorized representatives could use to

request information from their health plan or issuer regarding NQTls that may affect their MH/SUD benefits, or to obtain documentation after an adverse benefit determination involving MH/SUD benefits to support an appeal. The draft model form is an information collection subject to the PRA. The model form and instructions are available at <https://www.dol.gov/agencies/ebbsa>.

### II. Current Actions

This notice requests public comment on the draft model form discussed above. The Department notes that an agency may not conduct or sponsor, and a person is not required to respond to, an information collection unless it displays a valid OMB control number. A summary of the ICR and the current burden estimates follows:

*Type of Review:* Revised Collection.

*Agency:* DOL-EBSA.

*Title:* Notices under the Mental Health Parity and Addiction Equity Act of 2008—Draft Model Non-Qualitative Treatment Limitations Form.

*OMB Numbers:* 1210-0138.

*Affected Public:* Private Sector—Not for profit organizations; businesses or other for profits.

*Total Respondents:* 1,204,215 (combined with Treasury the total is 2,404,430).

*Total Responses:* 1,204,215 (combined with Treasury the total is 2,404,430).

*Frequency of Response:* On occasion.

*Estimated Total Annual Burden Hours:* 26,295 (combined with Treasury the total is 52,590 hours).

*Estimated Total Annual Burden Cost:* \$3,424,759 (combined with Treasury the total is \$6,849,519).

### III. Desired Focus of Comments

The Department of Labor (Department) is particularly interested in comments that:

- 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

<sup>2</sup> Cures Act section 13001(c)(1).

<sup>3</sup> Cures Act section 13001(c)(2). The Departments must also share this feedback with the National Association of Insurance Commissioners (NAIC) to the extent the feedback includes recommendations for the development of simplified information disclosure tools to provide consistent information to consumers. Such feedback may be taken into consideration by the NAIC and other appropriate entities for the voluntary development and voluntary use of common templates and other sample standardized forms to improve consumer access to plan information. See Cures Act section 13001(c)(3).

<sup>1</sup> Public Law 114-255.

other forms of information technology, e.g., by permitting electronic submissions of responses.

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

Dated: June 9, 2017.

**Joseph S. Piacentini,**

*Director, Office of Policy and Research,  
Employee Benefits Security Administration.*

[FR Doc. 2017-12773 Filed 6-19-17; 8:45 am]

**BILLING CODE 4510-29-P**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### **Agency Information Collection Activities; Submission for OMB Review; Comment Request; Representative of Miners, Notification of Legal Identity, and Notification of Commencement of Operations and Closing of Mines**

**AGENCY:** Office of the Secretary, Department of Labor.

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (DOL) is submitting the Mine Safety and Health Administration (MSHA) sponsored information collection request (ICR) titled, "Representative of Miners, Notification of Legal Identity, and Notification of Commencement of Operations and Closing of Mines," to the Office of Management and Budget (OMB) for review and approval for continued use, without change, in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

**DATES:** The OMB will consider all written comments that agency receives on or before July 20, 2017.

**ADDRESSES:** A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the *RegInfo.gov* Web site at [http://www.reginfo.gov/public/do/PRAViewICR?ref\\_nbr=201608-1219-002](http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201608-1219-002) (this link will only become active on the day following publication of this notice) or by contacting Michel Smyth by telephone at 202-693-4129, TTY 202-693-8064, (these are not toll-free numbers) or by email at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

Submit comments about this request by mail to the Office of Information and Regulatory Affairs, Attn: OMB Desk

Officer for DOL-MSHA, Office of Management and Budget, Room 10235, 725 17th Street NW., Washington, DC 20503; by Fax: 202-395-5806 (this is not a toll-free number); or by email: [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov). Commenters are encouraged, but not required, to send a courtesy copy of any comments by mail or courier to the U.S. Department of Labor-OASAM, Office of the Chief Information Officer, Attn: Departmental Information Compliance Management Program, Room N1301, 200 Constitution Avenue NW., Washington, DC 20210; or by email: [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

#### **FOR FURTHER INFORMATION CONTACT:**

Michel Smyth by telephone at 202-693-4129, TTY 202-693-8064, (these are not toll-free numbers) or by email at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

**Authority:** 44 U.S.C. 3507(a)(1)(D).

**SUPPLEMENTARY INFORMATION:** This ICR seeks to extend PRA authority for the Representative of Miners, Notification of Legal Identity, and Notification of Commencement of Operations and Closing of Mines information collection. Identification of the miner representative, notification of mine owner and operator legal identity, and notification of commencement of operations and closing of mines provide information to help ensure the health and safety of mine workers by identifying responsibility for mining operations. Federal Mine Safety and Health Act of 1977 section 103(h) authorizes this information collection. See 30 U.S.C. 813(h).

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. See 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Number 1219-0042.

OMB authorization for an ICR cannot be for more than three (3) years without renewal, and the current approval for this collection is scheduled to expire on August 31, 2017. The DOL seeks to extend PRA authorization for this information collection for three (3) more years, without any change to existing requirements. The DOL notes that existing information collection

requirements submitted to the OMB receive a month-to-month extension while they undergo review. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on March 7, 2017 (82 FR 12853).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within thirty (30) days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1219-0042. The OMB is particularly interested in comments that:

- 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:* DOL-MSHA.

*Title of Collection:* Representative of Miners, Notification of Legal Identity, and Notification of Commencement of Operations and Closing of Mines.

*OMB Control Number:* 1219-0042.

*Affected Public:* Private Sector—businesses or other for-profits.

*Total Estimated Number of Respondents:* 10,481.

*Total Estimated Number of Responses:* 10,481.

*Total Estimated Annual Time Burden:* 2,027 hours.

*Total Estimated Annual Other Costs Burden:* \$842.

Dated: June 14, 2017.

**Michel Smyth,**

*Departmental Clearance Officer.*

[FR Doc. 2017-12774 Filed 6-19-17; 8:45 am]

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