

relief concerning Plant Miller alleged by the United States and Alabama Environmental Council, Inc. in their respective complaints would be resolved, and APC would be required to (1) Commence continuous year-round operation of Selective Catalytic Reduction ("SCR") technology at each of Plant Miller Units 3 and 4 for control of nitrogen oxide ("NO<sub>x</sub>") emissions on a year-round basis beginning in 2008, and thereafter achieve and maintain specified NO<sub>x</sub> emission rates from those units; (2) install and begin year-round operation of Flue Gas Desulfurization ("FGD" or "scrubber") technology at each of Plant Miller Units 3 and 4 for control of sulfur dioxide ("SO<sub>2</sub>") emissions by December 31, 2011, and thereafter maintain a specified SO<sub>2</sub> emission removal efficiency for those units; (3) achieve by December 31, 2006, and thereafter maintain a specified emission rate for particulate matter ("PM") emissions from Plant Miller Units 3 and 4; and (4) install and operate by December 31, 2008, and thereafter report to EPA data collected from, a mercury continuous emissions monitoring system ("Mercury CEMS") at Plant Miller Units 3 and 4. In addition, the Consent Decree would require APC to purchase and permanently retire \$4.9 million worth of vintage 2007 SO<sub>2</sub> emissions allowances, restrict APC's right to transfer any surplus SO<sub>2</sub> emissions allowances it may generate from Plant Miller Units 3 and 4 after the year 2020, and require APC to pay a civil penalty of \$100,000.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the above-described Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States, et al. v. Alabama Power Company*, D.J. Ref. No. 90-5-2-1-06994.

During the public comment period, the proposed Consent Decree may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the proposed 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

\$14.50 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Bruce S. Gelber,**

*Chief, Environmental Enforcement Section,  
Environment and Natural Resources Division.*  
[FR Doc. 06-4167 Filed 5-2-06; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601 Through 9675

Notice is hereby given that on April 21, 2006, a proposed consent decree ("decree") in *CoZinCo, Inc. v. The United States Environmental Protection Agency, et al.*, Civil Action No. 98-K-1724 (Consolidated with 98-K-2110), was lodged with the United States District Court for the District of Colorado.

In this action the United States sought past and future response costs pursuant to sections 107(a) and 113(g)(2) of CERCLA, 42 U.S.C. 9607(a) and 9613(g)(2), for groundwater contamination allegedly relating to CoZinCo's facility located on Operable Unit 3 of the Smeltertown Superfund Site ("Site") in Salida, Colorado. CoZinCo has pursued reimbursement claims under section 106(b) of CERCLA, 42 U.S.C. 9606(b), claims for attorneys fees, and a counterclaim under the Federal Tort Claims Act against the United States. The proposed consent decree would resolve all claims asserted, or which could be asserted, by CoZinCo against the United States at this Site in exchange for CoZinCo's payment of \$100,000 to the Environmental Protection Agency.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *CoZinCo, Inc. v. The United States Environmental Protection Agency, et al.*, Civil Action No. 98-K-1724 (Consolidated with 98-K-2110), D.J. Ref. No. DJ #90-11-3-1522/A, 1522/2, & 90-11-6-05232.

The decree may be examined at U.S. EPA Region 8, 999 18th Street, Suite 300, Denver, Colorado 80202. During the public comment period, the decree may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.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 \$5.00 payable to the U.S. Treasury.

**Robert D. Brook,**

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

[FR Doc. 06-4168 Filed 5-2-06; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review: Comment Request

April 27, 2006.

The Department of Labor (DOL) has submitted 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, may be obtained by calling the Department of Labor. To obtain documentation contact Ira Mills on 202-693-4122 (this is not a toll-free number) or E-Mail: [Mills.Ira@dol.gov](mailto:Mills.Ira@dol.gov) or access the documents online at <http://www.doleta.gov/OMBControlNumber.cfm>. Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for ETA, Office of Management and Budget, Room 10235, Washington, DC 20503, 202-395-7316 (this is not a toll free number), within 30 days from the date of this publication in the **Federal Register**.

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:* Employment and Training Administration (ETA).

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

*Title:* Placement Verification and Follow-up of Job Corps Participants.

*OMB Number:* 1205-0426.

*Frequency:* On occasion; Other.

*Affected Public:* Individuals or Households.

*Type of Response:* Reporting.

*Number of Respondents:* 81,191.

*Annual Responses:* 81,191.

*Average Response Time:* 15 minutes.

*Total Annual Burden Hours:* 17,123.

*Total Annualized Capital/Startup Costs:* 0.

*Total Annual Costs (operating/maintaining systems or purchasing services):* \$179,989.

*Description:* This submission requests approval of three primary and two secondary data collection instruments that will be used to collect follow-up data on individuals who are no longer actively participating in Job Corps. The instruments are comprised of modules that include questions designed to obtain the following information: re-verification of initial job and/or school placements; employment and educational experiences; job search activities of those who are neither working nor in school; information about former participants' satisfaction with the services provided by Job Corps, and confirmation of contact information for purposes of further follow-up. The secondary instruments are used to secure placement verification from employers and educational institutions when the individuals cannot be contacted directly.

**Ira L. Mills,**

*Departmental Clearance Officer/Team Leader.*

[FR Doc. E6-6663 Filed 5-2-06; 8:45 am]

**BILLING CODE 4510-30-P**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review: Comment Request

April 23, 2006.

The Department of Labor (DOL) has submitted the following public

information collection requests (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 each ICR, with applicable supporting documentation, may be obtained by contacting Darrin King on 202-693-4129 (this is not a toll-free number) or e-mail: [king.darrin@dol.gov](mailto:king.darrin@dol.gov).

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Employment Standards Administration (ESA), Office of Management and Budget, Room 10235, Washington, DC 20503, 202-395-7316 (this is not a toll-free number), within 30 days from the date of this publication in the **Federal Register**.

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:* Employment Standards Administration.

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

*Title:* Economic Survey Schedule.

*OMB Number:* 1215-0028.

*Form Number:* WH-1.

*Frequency:* Biennially.

*Type of Response:* Reporting.

*Affected Public:* Business or other for-profit and State, Local, or Tribal Government.

*Number of Respondents:* 67.

*Annual Responses:* 67.

*Average Response Time:* 45 minutes.

*Total Annual Burden Hours:* 50.

*Total Annualized capital/startup costs:* \$0.

*Total Annual Costs (operating/maintaining systems or purchasing services):* \$0.

*Description:* Fair Labor Standards Act (FLSA), 29 U.S.C. 201 *et seq.*, §§ 5,

6(a)(3) and 8 provide that covered, non-exempt employees in American Samoa may be paid at minimum wage rates established by a Special Industry Committee, in lieu of the general federal minimum wage specified in section 6(a)(1) of the Act. The FLSA requires the Committee to recommend to the Secretary of Labor the highest minimum wage rate—not to exceed the rate required under FLSA section 6(a)(1)—that it determines, having due regard to economic and competitive conditions, will not substantially curtail employment in the industry and will not give any industry in American Samoa a competitive advantage over any industry in the U.S. outside of American Samoa. The Committee must consider competitive conditions as affected by transportation, living and production costs; the wages established by collective bargaining agreements in various industries; and wages paid by employers who voluntarily maintain minimum wage standards.

FLSA section 5(d) requires the Secretary of Labor to provide data on the matters the Committee will consider. Regulations 29 CFR 511.6 and 511.11 require that the Administrator of the Wage and Hour Division (WHD) of the U.S. Department of Labor (DOL) prepare for the Committee an economic report containing data pertinent to establishing industry minimum wage rates in American Samoa.

The WHD uses Form WH-1, Economic Survey Schedule, to gather the information necessary to prepare the economic report. The WHD asks all FLSA-covered employers in American Samoa to provide data. Respondents covered by the FLSA in American Samoa may voluntarily provide data concerning business operations and employment on the form. This information is essential to enable the Administrator to prepare the economic report and provide the data cited above for the Committee to use in determining minimum wage rates for the various industries in American Samoa.

*Agency:* Employment Standards Administration.

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

*Title:* Statement of Recovery Forms.

*OMB Number:* 1215-0200.

*Form Number:* CA/EN-1108, SOL/EN-1108, and CA/EN-1122.

*Frequency:* On occasion.

*Type of Response:* Reporting.

*Affected Public:* Business or other for-profit and individuals or households.

*Number of Respondents:* 3,200.