

For the Nuclear Regulatory Commission.

**Roy P. Zimmerman,**

*Director, Office of Enforcement.*

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## OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

### Proposed Information Collection; Comment Request

**AGENCY:** Occupational Safety and Health Review Commission.

**ACTION:** Notice of request for public comment and submission to OMB of proposed collection of information.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501 *et seq.*), on April 4, 2012 (77 FR 20442), the Occupational Safety and Health Review Commission (OSHRC) published a 60-day notice in the **Federal Register** soliciting public comment on the proposed information collection described below.

In further compliance with the PRA, OSHRC now publishes this second notice announcing the submission of its proposed collection to the Office of Management and Budget (OMB) for review and notifying the public about how to submit comments on the proposed collection to OMB during the 30-day comment period.

**DATES:** Comments must be submitted to OMB on or before August 1, 2012.

**ADDRESSES:** Submit all comments to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Occupational Safety and Health Review Commission, Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: (202) 395-6929/Fax: (202) 395-6881 (these are not toll-free numbers), email:

*OIRA\_submission@omb.eop.gov.*

### FOR FURTHER INFORMATION CONTACT:

Requests for information or copies of the proposed information collection instrument should be directed to John X. Cerveney, Deputy Executive Secretary, Occupational Safety and Health Review Commission, 1120 20th Street NW., Ninth Floor, Washington, DC 20036-3457; Telephone (202) 606-5706; email address: *pracomment@oshrc.gov*.

**SUPPLEMENTARY INFORMATION:** OSHRC's Settlement Part program, codified at 29 CFR 2200.120, is designed to encourage settlements on contested citations issued by the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) and to reduce litigation costs. The program requires employers who receive job safety or

health citations that include proposed penalties of \$100,000 or more in total to participate in formal settlement talks presided over by an OSHRC Administrative Law Judge. If settlement efforts fail, the case would continue under OSHRC's conventional proceedings, usually before a judge other than the one who presided over the settlement proceedings.

OSHRC previously submitted for OMB review a proposed information collection from participants in the Settlement Part program. A copy of that information collection request (ICR), reference number 201202-3202-001, with applicable supporting documentation, may be obtained from the RegInfo.gov Web site, <http://www.reginfo.gov/public/do/PRAMain>, or by contacting John X. Cerveney, Deputy Executive Secretary, Occupational Safety and Health Review Commission, 1120 20th Street NW., Ninth Floor, Washington, DC 20036-3457; Telephone (202) 606-5706; email address: *pracomment@oshrc.gov*.

OSHRC proposes to conduct a second voluntary survey of employer, Department of Labor (OSHA) personnel (decision makers), Authorized Employee Representatives, and their representatives, including attorneys, who personally participated in OSHRC cases between February 15, 2011 and June 30, 2012, where a total proposed penalty between \$50,000 and \$99,999 was involved and where OSHRC Settlement Part Process procedures were not used. The cases would include those settled by the parties without an OSHRC judge conducting a face-to-face settlement proceeding, as well as any cases within the above dollar range that went to a trial on the merits. These cases would be considered part of a control group. Participant responses will be used for comparative purposes and to facilitate our understanding of the efficacy of the Settlement Part program. The proposed information collection instrument is a written survey consisting of a series of questions to determine participants' level of satisfaction with OSHRC processes and outcomes. They are intended to take a respondent no more than 30 minutes to complete. The respondents may skip any questions that they do not feel comfortable answering, and are permitted to comment further on their experiences at the end of the questionnaire.

OSHRC has submitted this second proposed information collection to OMB for review, as required by the PRA. OSHRC invites comments to be submitted to OMB on: (1) Whether the proposed collection of information is

necessary for the proper performance of the agency's functions, including whether the information will have practical utility; (2) 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; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

**OMB Control Number:** Not applicable, new request.

**Form Number:** Not applicable.

**Type of Review:** Regular submission (new information collection).

**Title:** Survey of Participants in OSHRC Conventional Proceedings where between \$50,000 and \$99,999 is at issue.

**Description:** Information collection required to evaluate the Review Commission's Settlement Part process.

**Affected Public:** Employer and Department of Labor (OSHA) personnel (decision makers), Authorized Employee Representatives, and their representatives, including attorneys, who have personally participated in OSHRC cases between February 15, 2011 and June 30, 2012, where a total proposed penalty between \$50,000 and \$99,999 was involved and where OSHRC Settlement Part Process procedures were not used.

**Estimated Number of Respondents:** 300.

**Estimated Time per Response:** 30 minutes.

**Estimated Total Reporting Burden:** 150 hours.

**Obligation to respond:** Voluntary.

Dated: June 26, 2012.

**Debra Hall,**

*Executive Director.*

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## POSTAL REGULATORY COMMISSION

[Docket No. CP2012-39; Order No. 1382]

### Express Mail Rates

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission is noticing a recently-filed Postal Service request to implement prices for a new Express Mail Padded Flat Rate Envelope. This notice addresses procedural steps associated with these filings.

**DATES:** *Comments are due:* July 9, 2012.

**ADDRESSES:** Submit comments electronically via the Commission's Filing Online system at <http://www.prc.gov>. Commenters who cannot submit their views electronically should contact the person identified in **FOR FURTHER INFORMATION CONTACT** by telephone for advice on alternatives to electronic filing.

**FOR FURTHER INFORMATION CONTACT:** Stephen L. Sharfman, General Counsel at 202-789-6820.

**SUPPLEMENTARY INFORMATION:** On June 22, 2012, the Postal Service filed notice with the Commission of changes in rates of general applicability and concomitant classification changes for a competitive product pursuant to 39 CFR 3015.2.<sup>1</sup> The Postal Service seeks to implement prices for a new Express Mail Padded Flat Rate Envelope. The prices would be the same as the existing Express Mail Regular and Legal Flat Rate Envelopes. The Postal Service represents that because these changes are only establishing another type of Express Mail Flat Rate Envelope at the same prices as the existing Express Mail Regular and Legal Flat Rate Envelopes, they will have no effect on the ability of the Express Mail product as a whole to cover its costs or make an appropriate contribution to institutional costs.

The Postal Service includes three attachments with its Notice in support of its proposal to add new prices:

- Decision of the Governors of the United States Postal Service on Establishment of Rate and Class of General Applicability for Express Mail Padded Flat Rate Envelope (Governors' Decision No. 12-01);
- Management Analysis: Express Mail Padded Flat Rate Envelope; and
- Proposed Mail Classification Schedule language.

The Commission establishes Docket No. CP2012-39 for consideration of matters related to the Postal Service's filing.

Interested persons may submit comments on whether the Postal Service's Notice and other filings are consistent with the policies of 39 U.S.C. 3632, 3633 and 3642 as well as 39 CFR parts 3015 and 3020. Comments are due no later than July 9, 2012. The Postal Service's Notice can be accessed via the Commission's Web site (<http://www.prc.gov>).

The Commission appoints Natalie Rea Ward to serve as Public Representative in this proceeding.

*It is ordered:*

1. The Commission establishes Docket No. CP2012-39 for consideration of matters raised by the Postal Service's Notice.

2. Comments by interested persons in this proceeding are due no later than July 9, 2012.

3. Pursuant to 39 U.S.C. 505, Natalie Rea Ward is appointed to serve as the officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding.

4. The Secretary shall arrange for publication of this order in the **Federal Register**.

By the Commission.

**Ruth Ann Abrams,**

*Acting Secretary.*

[FR Doc. 2012-16055 Filed 6-29-12; 8:45 am]

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## POSTAL REGULATORY COMMISSION

[Docket Nos. MC2012-27 and CP2012-36; Order No. 1379]

### Product List Changes

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission is noticing a recently-filed Postal Service request to add First-Class Package Service Contract 8 to the competitive product list. The Postal Service has also filed a related contract. This notice addresses procedural steps associated with these filings.

**DATES:** *Comments are due:* July 3, 2012.

**ADDRESSES:** Submit comments electronically via the Commission's Filing Online system at <http://www.prc.gov>. Commenters who cannot submit their views electronically should contact the person identified in **FOR FURTHER INFORMATION CONTACT** by telephone for advice on alternatives to electronic filing.

**FOR FURTHER INFORMATION CONTACT:** Stephen L. Sharfman, General Counsel at 202-789-6820.

**SUPPLEMENTARY INFORMATION:**

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### I. Introduction

In accordance with 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.*, the Postal Service filed a formal request and associated supporting information to add First-Class Package Service Contract

8 to the competitive product list.<sup>1</sup> The Postal Service asserts that First-Class Package Service Contract 8 is "a competitive product not of general applicability within the meaning of 39 U.S.C. 3632(b)(3)." *Id.* at 1. The Request has been assigned Docket No. MC2012-27.

The Postal Service contemporaneously filed a redacted contract related to the proposed new product. *Id.* Attachment B. The instant contract has been assigned Docket No. CP2012-36.

*Request.* To support its Request, the Postal Service filed the following six attachments:

- Attachment A—a redacted version of Governors' Decision No. 11-6 and accompanying analysis. An explanation and justification is provided in the Governors' Decision and analysis filed in the unredacted version under seal;
- Attachment B—a redacted version of the instant contract;
- Attachment C—the proposed changes in the Mail Classification Schedule with the addition underlined;
- Attachment D—a Statement of Supporting Justification as required by 39 CFR 3020.32;
- Attachment E—a certification of compliance with 39 U.S.C. 3633(a)(1), (2), and (3); and
- Attachment F—an application for non-public treatment of the materials filed under seal. The materials filed under seal are the unredacted version of the instant contract and the required cost and revenue data.

In the Statement of Supporting Justification, Dennis R. Nicoski, Manager, Field Sales Strategy and Contracts, asserts that the instant contract will cover its attributable costs, make a positive contribution to cover institutional costs, and increase contribution toward the requisite 5.5 percent of the Postal Service's institutional costs. *Id.* Attachment D at 1. Mr. Nicoski contends that there will be no issue of subsidization of market dominant products by competitive products as a result of the instant contract. *Id.*

*Instant contract.* The Postal Service included a redacted version of the instant contract with the Request. *Id.* Attachment B. It is scheduled to become effective on the day the Commission issues all necessary regulatory approvals (Effective Date). *Id.* at 2. It will expire 3 years from the Effective Date unless,

<sup>1</sup> Request of the United States Postal Service to Add First-Class Package Service Contract 8 to Competitive Product List and Notice of Filing (Under Seal) of Unredacted Governors' Decision, Contract, and Supporting Data, June 21, 2012 (Request).

<sup>1</sup> Notice of the United States Postal Service of Changes in Rates of General Applicability for a Competitive Product, Established in Governors' Decision No. 12-1, June 22, 2012 (Notice).