

72), including the State's antidegradation policy.

**Oil Spill Requirements.** Section 311 of the Act, 33 U.S.C. 1321, prohibits the discharge of oil and hazardous materials in harmful quantities. Discharges authorized under the Beaufort and Chukchi general permits are excluded from the provisions of CWA Section 311, 33 U.S.C. 1321. However, the Beaufort and Chukchi general permits will not preclude the institution of legal action, or relieve the permittees from any responsibilities, liabilities, or penalties for other unauthorized discharges of oil and hazardous materials, which are covered by Section 311.

**Endangered Species Act.** Section 7 of the Endangered Species Act (ESA), 16 U.S.C. 1531–1544, requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service (USFWS) if their actions have the potential to either beneficially or adversely affect any threatened or endangered species, or designated critical habitat. On March 30, 2012 and April 11, 2012, EPA received concurrences from USFWS and NMFS, respectively, that exploration discharges authorized by the general permits are not likely to adversely affect endangered, threatened, and candidate and proposed species and designated critical habitat areas.

**Essential Fish Habitat.** The Magnuson-Stevens Fishery Conservation and Management Act requires EPA to consult with NMFS when a proposed discharge has the potential to adversely affect an Essential Fish Habitat (EFH). EPA's EFH assessments conclude that the discharges authorized by the Beaufort and Chukchi general permits will not adversely affect EFH or those species regulated under a Federal Fisheries Management Plan.

**Coastal Zone Management Act.** As of July 1, 2011, there is no longer a Coastal Zone Management Act (CZMA) program in Alaska. Consequently, federal agencies are no longer required to provide the State of Alaska with CZMA consistency determinations.

**Paperwork Reduction Act.** The information collection requirements of the Beaufort and Chukchi general permits are consistent with the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 et seq.

**Regulatory Flexibility Act.** 5 U.S.C. 601 et seq., requires that EPA prepare a regulatory flexibility analysis on rules subject to the requirements of 5 U.S.C. 553(b) that have a significant impact on a substantial number of small entities.

However, NPDES general permits are not “rules” and are therefore not subject to the Regulatory Flexibility Act (RFA).

**Unfunded Mandates Reform Act.** Section 201 of the Unfunded Mandates Reform Act (UMRA), Public Law 104–4, generally requires federal agencies to assess the effects of their “regulatory actions” (defined to be the same as “rules” subject to the RFA) on tribal, state, and local governments and the private sector. However, the Beaufort and Chukchi general permits are not “rules” subject to the RFA, and are therefore not subject to the UMRA.

**Appeal of Permit.** Any interested person may appeal the Beaufort and Chukchi general permits in the Federal Court of Appeals in accordance with section 509(b)(1) of the Clean Water Act, 33 U.S.C. 1369(b)(1). This appeal must be filed within 120 days of the permit issuance date. Persons affected by the permit may not challenge the conditions of the permit in further EPA proceedings (see 40 CFR 124.19). Instead, they may either challenge the permits in court or apply for an individual NPDES permit.

**Authority:** This action is taken under the authority of Section 402 of the Clean Water Act, 33 U.S.C. 1342. I hereby provide public notice of the final permit action in accordance with 40 CFR 124.15(b).

Dated: October 23, 2012.

**Christine Psyk,**

*Associate Director, Office of Water and Watersheds, Region 10.*

[FR Doc. 2012–26518 Filed 10–26–12; 8:45 am]

**BILLING CODE 6560–50–P**

## **EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

### **Agency Information Collection Activities**

**AGENCY:** Equal Employment Opportunity Commission.

**ACTION:** Notice of Information Collection—Extension Without Change: Elementary-Secondary Staff Information Report (EEO–5).

**SUMMARY:** In accordance with the Paperwork Reduction Act (PRA), the Equal Employment Opportunity Commission (EEOC or Commission) announces that it intends to submit to the Office of Management and Budget (OMB) a request for a three-year extension of the Elementary-Secondary Staff Information Report (EEO–5). On July 2, 2012, the EEOC published a notice stating it was requesting OMB approval for a revision to the previously approved EEO–5 under the PRA's emergency processing procedures. 77

FR 39238 (July 2, 2012). At that time, EEOC requested approval to revise the race and ethnicity categories on the EEO–5 report to conform to OMB's *Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity*. The Office of Management and Budget (OMB) has approved the revised EEO–5 through February 2013. EEOC is now requesting a regular extension without change of the revised EEO–5.

**DATES:** Written comments on this notice must be submitted on or before December 28, 2012. Pursuant to 42 U.S.C. 2000e–8(c), a public hearing concerning the EEO–5 will be held at a place and time to be announced. Persons wishing to present their views orally should notify the Commission of their desire to do so in writing no later than November 28, 2012. The request to present views orally at a public hearing should include a written summary of the remarks to be offered.

**ADDRESSES:** Comments should be sent to Bernadette Wilson, Acting Executive Officer, Executive Secretariat, Equal Employment Opportunity Commission, 131 M Street NE., Washington, DC 20507. As a convenience to commenters, the Executive Secretariat will accept comments totaling six or fewer pages by facsimile (“FAX”) machine. This limitation is necessary to assure access to the equipment. The telephone number of the fax receiver is (202) 663–4114. (This is not a toll-free number). Receipt of FAX transmittals will not be acknowledged, except that the sender may request confirmation of receipt by calling the Executive Secretariat staff at (202) 663–4070 (voice) or (202) 663–4074 (TTD). (These are not toll-free telephone numbers.) Instead of sending written comments to EEOC, 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. All comments received through this portal will be posted without change, including any personal information you provide. Copies of comments submitted by the public to EEOC directly or through the Federal eRulemaking Portal will be available for review, by advance appointment only, at the Commission's library between the hours of 9:00 a.m. and 5 p.m. or can be reviewed at <http://www.regulations.gov>. To schedule an appointment to inspect the comments at EEOC's library, contact the library staff at (202) 663–4630 (voice) or (202) 663–4641 (TTY). (These are not toll-free numbers.)

**FOR FURTHER INFORMATION CONTACT:**

Ronald Edwards, Director, Program Research and Surveys Division, 131 M Street NE., Room 4SW30F, Washington, DC 20507; (202) 663-4949 (voice) or (202) 663-7063 (TTY).

**SUPPLEMENTARY INFORMATION:** Pursuant to the Paperwork Reduction Act of 1995 and OMB regulations 5 *CFR*

1320.8(d)(1), the Commission solicits public comment to enable it to:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the Commission's functions, including whether the information will have practical utility;

(2) Evaluate the accuracy of the Commission's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information 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 submission of responses.

**Overview of Information Collection**

*Collection Title:* Elementary-Secondary Staff Information Report (EEO-5).

*OMB-Number:* 3046-0003.

*Frequency of Report:* Biennial.

*Type of Respondent:* Certain public elementary and secondary school districts.

*Description of Affected Public:* Certain public elementary and secondary school districts.

*Number of Responses:* 6,190.

*Estimated Burden Hours:* 15,475.

*Cost to the Respondents:* \$0.

*Federal Cost:* \$190,000.

*Number of Forms:* 1.

*Form Number:* EEOC Form 168A.

*Abstract:* Section 709(c) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e-8(c), requires employers to make and keep records relevant to a determination of whether unlawful employment practices have been or are being committed, to preserve such records, and to produce reports as the Commission prescribes by regulation or order. Accordingly, the EEOC issued regulations prescribing the reporting requirements for elementary and secondary public school districts. The EEOC uses EEO-5 data to investigate charges of employment discrimination against elementary and secondary public school districts. The

data also are used for research. The data are shared with the Department of Education (Office for Civil Rights) and the Department of Justice. Pursuant to Section 709(d) of Title VII of the Civil Rights Act of 1964, as amended, EEO-5 data also are shared with state and local Fair Employment Practices Agencies (FEPAs).

When the EEO-5 form was previously approved by OMB in April 2012, it utilized the following race and ethnicity categories: White, Black, Hispanic, Asian or Pacific Islander, and American Indian or Alaska Native. OMB has recently approved use of a revised EEO-5 form through February 2013. The revised form utilizes the following race and ethnicity categories: Hispanic or Latino; White; Black or African American; Asian; Native Hawaiian or Other Pacific Islander; American Indian or Alaska Native; and Two or More Races. EEOC is now requesting a regular extension without change of the revised EEO-5 Form.

*Burden Statement:* The estimated number of respondents included in the biennial EEO-5 survey is 6,190 public elementary and secondary school districts. The form is estimated to impose 15,475 burden hours biennially.

Dated: October 23, 2012.

For the Commission.

**Jacqueline A. Berrien,**  
*Chair.*

[FR Doc. 2012-26501 Filed 10-26-12; 8:45 am]

**BILLING CODE 6570-01-P**

**EXPORT-IMPORT BANK OF THE U.S.**

**[Public Notice 2012-122]**

**Agency Information Collection  
Activities: Final Collection; Comment  
Request**

**AGENCY:** Export-Import Bank of the U.S.

**ACTION:** Submission for OMB Review and Comments Request.

*Form Title:* Application for Approved Finance Provider (EIB 10-06).

**SUMMARY:** The Export-Import Bank of the United States (Ex-Im Bank), as a part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal Agencies to comment on the proposed information collection, as required by the Paperwork Reduction Act of 1995.

Ex-Im Bank has made the following changes to this form:

Under Approved Finance Provider add the following programs:  
Master Guarantee Agreement—

Working Capital Guarantee Credits  
Global Credit Express—Originating  
Lender  
Other (please specify)

Under Required Supplemental Information paragraph d—changed to read:

d. Description of Applicant's trace finance and or commercial lending or asset based lending experience and a description of said experience of each member of senior management and each person who will be responsible for the Ex-Im Bank relationship, including each person who will sign the MGA (if one is being requested) or other documents to be submitted to Ex-Im Bank.

Updated all Certifications and Notices as needed.

The Application for Approved Finance Provider will be used to determine if the finance provider has the financial strength and administrative staff to originate, administer, collect, and if needed, restructure international loans. This application will also improve Ex-Im Bank's compliance with the Open Government initiative by providing transparency into specific information used to determine if an applicant is qualified to use our loan guarantee programs. Export-Import Bank potential finance providers will be able to submit this form on paper. In the future, we will consider allowing the submission of this information electronically.

This application can be viewed at [www.exim.gov/pub/pending/EIB10\\_06.pfd](http://www.exim.gov/pub/pending/EIB10_06.pfd).

**DATES:** Comments should be received on or before December 28, 2012.

**ADDRESSES:** Comments maybe submitted electronically on

[WWW.REGULATIONS.GOV](http://WWW.REGULATIONS.GOV) or by mail to Jeffrey Abramson, Export-Import Bank of the United States, 811 Vermont Ave. NW., Washington, DC 20571.

**SUPPLEMENTARY INFORMATION:**

*Titles and Form Number:* EIB 10-06 Application for Approved Finance Provider.

*OMB Number:* 3048-0032.

*Type of Review:* Regular.

*Need and Use:* The Application for Approved Finance Provider will be used to determine the financial and administrative capabilities of a financial provider who will arrange, fund and administer international loans.

*Annual Number of Respondents:* 50.

*Estimated Time per Respondent:* 3 hours.

*Total Respondent time:* 150 hours.

*Government Annual Burden Hours:* 100 hours.

*Frequency of Reporting or Use:* Yearly.