

should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States, et al. v. AL Solutions, Inc.*, Civil Action No. 5:13-cv-00169-FPS, D.J. Ref. No. 90-5-2-1-10710. 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:

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

During the public comment period, the proposed Settlement Agreement may be examined and downloaded at this Justice Department Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). We will provide a paper copy of the proposed Settlement Agreement 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 \$3.50 (25 cents per page reproduction cost) payable to the United States Treasury.

**Robert Brook,**

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

[FR Doc. 2013-30722 Filed 12-24-13; 8:45 am]

**BILLING CODE 4410-15-P**

**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, et al. v. Chesapeake Appalachia, LLC*, Civil Action No. 5:13-cv-00170-FPS, was lodged with the United States District Court for the Northern District of West Virginia on December 19, 2013.

This proposed Consent Decree concerns a complaint filed by the United States and the State of West Virginia against Chesapeake Appalachia, LLC. The United States asserts claims pursuant to Section 301(a) of the Clean Water Act, 33 U.S.C. 1311(a), to obtain injunctive relief from and impose civil penalties against the

Defendant for violating the Clean Water Act by discharging pollutants without a permit into waters of the United States. The proposed Consent Decree resolves these allegations, as well as the claims asserted by the State of West Virginia, by requiring the Defendant to restore the impacted areas and/or perform mitigation 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 Kenneth C. Amaditz, Environmental Defense Section, United States Department of Justice, P.O. Box 7611, Washington, DC, 20044, and refer to *United States, et al. v. Chesapeake Appalachia, LLC*, DJ # 90-5-1-1-19241.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the Northern District of West Virginia, 1125 Chapline Street, Wheeling, WV 26003. In addition, the proposed Consent Decree may be examined electronically 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 and Natural Resources Division.*

[FR Doc. 2013-30772 Filed 12-24-13; 8:45 am]

**BILLING CODE 4410-15-P**

**DEPARTMENT OF LABOR**

**Office of the Secretary**

**Agency Information Collection Activities; Submission for OMB Review; Comment Request; Occupational Noise Exposure Standard**

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (DOL) is submitting the Occupational Safety and Health Administration (OSHA) sponsored information collection request (ICR) titled, "Occupational Noise Exposure Standard," 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), 44 U.S.C. 3501 et seq.

**DATES:** Submit comments on or before January 27, 2014.

**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/PRAViewICRref\\_nbr=201311-1218-009](http://www.reginfo.gov/public/do/PRAViewICRref_nbr=201311-1218-009) (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 (this is not a toll-free number) or sending an email to [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

Submit comments about this request by mail or courier to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL-OSHA, Office of Management and Budget, Room 10235, 725 17th Street NW., Washington, DC 20503; by Fax: 202-395-6881 (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 (this is not a toll-free number) 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:** The ICR seeks to maintain PRA authority for the information collection requirements specified in regulations 29 CFR 1910.95, the Occupational Noise Exposure Standard, that require a covered employer to monitor worker exposure to noise when it is likely such exposures may equal or exceed 85 decibels measured on the A scale (dBA) on an 8-hour time-weighted average (TWA) (action level); to take action to reduce noise exposures to the 90 dBA permissible exposure limit; and to provide an effective hearing conservation program (HCP) for all workers exposed to noise at a level greater than, or equal to, a TWA of 85 dBA. The HCP contains annual audiometric testing for workers; a provision for providing hearing protection devices to exposed workers; education and training of exposed workers; and maintenance of records pertaining to noise exposure-monitoring and audiometric testing. The Occupational Safety and Health Act authorizes the information collection provisions. See 29 U.S.C. 651, 655m and 657.

The Occupational Noise Exposure Standard information collection requirements are 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 1218-0048.

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 December 31, 2013. 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 July 30, 2013 (78 FR 45981).

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 30 days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1218-0048. 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-OSHA.

*Title of Collection:* Occupational Noise Exposure Standard.  
*OMB Control Number:* 1218-0048.  
*Affected Public:* Private Sector—business or other for-profits.  
*Total Estimated Number of Respondents:* 209,851.  
*Total Estimated Number of Responses:* 13,754,182.  
*Total Estimated Annual Burden Hours:* 2,068,736.  
*Total Estimated Annual Other Costs Burden:* \$26,296,876.

Dated: December 18, 2013.

**Michel Smyth,**

*Departmental Clearance Officer.*

[FR Doc. 2013-30701 Filed 12-24-13; 8:45 am]

**BILLING CODE 4510-26-P**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### **Agency Information Collection Activities; Submission for OMB Review; Comment Request: Definition and Requirements for a Nationally Recognized Testing Laboratory**

**ACTION:** Notice.

**SUMMARY:** On December 31, 2013, the Department of Labor (DOL) will submit the Occupational Safety and Health Administration (OSHA) sponsored information collection request (ICR) revision titled, "Definition and Requirements for a Nationally Recognized Testing Laboratory" to the Office of Management and Budget (OMB) for review and approval for use, in accordance with the Paperwork Reduction Act of 1995 (PRA), 44 U.S.C. 3501 et seq.

**DATES:** Submit comments on or before January 30, 2014.

**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=201312-1218-001](http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201312-1218-001) (this link will only become active on January 1, 2014) or by contacting Michel Smyth by telephone at 202-693-4129 (this is not a toll-free number) or sending an email to [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

Submit comments about this request by mail or courier to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL-OSHA, Office of Management and Budget, Room 10235, 725 17th Street NW., Washington, DC 20503; by Fax: 202-

395-6881 (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:**

Contact Michel Smyth by telephone at 202-693-4129 (this is not a toll-free number) 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:** The ICR seeks to maintain PRA authority for the information collection requirements specified in regulations 29 CFR 1910.7, Definition and Requirements for a Nationally Recognized Testing Laboratory (NRTL), and to revise the collection by adding optional-use standardized forms to facilitate and to simplify the information collection process. A number of OSHA standards contain requirements for equipment, products, or materials. These standards often specify that a covered employer use only equipment, products, or materials tested or approved by a NRTL. This requirement helps to ensure an employer uses safe equipment, products, or materials in complying with the standards. Accordingly, the OSHA promulgated a regulation to specify procedures that an organization must follow to apply for and to maintain OSHA recognition to test and to certify equipment, products, or material for this purpose. The optional forms correspond to the application, expansion, and renewal processes defined in the NRTL Program. The Occupational Safety and Health Act authorizes the information collection provisions. See 29 U.S.C. 651 and 657.

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