

**DEPARTMENT OF JUSTICE****Notice of Lodging of Proposed Consent Judgment Under the Resource Conservation and Recovery Act**

On August 1, 2016, the Department of Justice lodged a proposed Consent Judgment with the United States District Court for the Eastern District of New York in the lawsuit entitled *United States v. Nedjet Yetim, et al.*, Civil Action No. 14-0847.

The proposed consent judgment will resolve the United States' claims under Section 9006 of the Resource Recovery and Conservation Act, as amended, on behalf of the U.S. Environmental Protection Agency, against the following defendants: Rachelann Yetim, Black Realty, Inc., Fast Gasoline Station, Inc., TAG Gasoline, Inc., NGRV Realty Co., Inc., and Venus Bukey Realty, Inc. (the "Rachelann Defendants"). The United States alleges that the Rachelann Defendants violated the regulations set forth at 40 CFR part 280, governing underground storage tanks ("USTs"), at three facilities—automobile fueling stations with USTs—that the Rachelann Defendants have owned and/or operated at the following locations:

1. 653 Hempstead Turnpike, Elmont, New York
2. 725 Wyandanch Ave, North Babylon, New York
3. 4305 Austin Blvd., Island Park, New York

The consent judgment requires the Rachelann Defendants to pay a civil penalty of \$60,000, which was calculated after conducting an ability-to-pay analysis. The consent judgment also provides for injunctive relief, which will consist of maintaining compliance with the UST regulations and submission of reports demonstrating such compliance, to be implemented over the next three years at the Rachelann Defendants' facilities.

The publication of this notice opens a period for public comment on the proposed Consent Judgment. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Nedjet Yetim, et al.*, D.J. Ref. No. 90-7-1-10743. 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>

To submit comments:	Send them to:
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 Judgment 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 Judgment 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 \$9.00 (25 cents per page reproduction cost) payable to the United States Treasury.

**Robert E. Maher, Jr.**,  
*Assistant Section Chief, Environmental Enforcement Section.*

[FR Doc. 2016-18603 Filed 8-4-16; 8:45 am]

**BILLING CODE 4410-15-P**

**DEPARTMENT OF JUSTICE****Notice of Lodging of Consent Decree Under the Clean Air Act**

On August 1, 2016, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Eastern District of Missouri in *United States and the State of Missouri v. Lone Star Industries, Inc.*, Civil Action No. 16-206.

The Consent Decree settles claims brought by the United States and the State of Missouri for violations of the Clean Air Act, federal regulations promulgated thereunder, and various state regulations and permits at Defendant's cement manufacturing facility located in Cape Girardeau, Missouri. Under the Consent Decree, Defendant will undertake measures to correct the alleged violations, pay a civil penalty of \$60,000 to the United States and State of Missouri, and perform a project to mitigate excess emissions associated with the violations.

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 et al. v. Lone Star Industries, Inc.*, D.J. Ref. No. 90-5-2-1-09889/1. 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 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 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 \$12.5 (25 cents per page reproduction cost) payable to the United States Treasury.

**Susan M. Akers,**

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

[FR Doc. 2016-18561 Filed 8-4-16; 8:45 am]

**BILLING CODE 4410-15-P**

**DEPARTMENT OF LABOR****Employment and Training Administration**

**Agency Information Collection Activities; Comment Request; ETA 5130, Benefit Appeals Report; Extension With Revision (OMB Control No. 1205-0172). This Report Has Removed All Occurrences of Federal Emergency Unemployment Compensation Program, Which Expired on January 1, 2014**

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (DOL), Employment and Training Administration, is soliciting comments concerning a proposed extension for the authority to conduct the information collection request (ICR) titled, "Benefits Appeals Report." This comment request is part of continuing Departmental efforts to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995 (PRA), 44 U.S.C. 3501 *et seq.*

**DATES:** Consideration will be given to all written comments received by October 4, 2016.

**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 by contacting Stephanie Garcia by telephone at (202) 693-3207 (*this is not a toll-free number*) or by email at [Garcia.Stephanie@dol.gov](mailto:Garcia.Stephanie@dol.gov).

Submit written comments about, or request a copy of, this ICR by mail or courier to the U.S. Department of Labor, Employment and Training Administration, Room S-4524, 200 Constitution Avenue NW., Washington, DC 20210; or by email to [Garcia.Stephanie@dol.gov](mailto:Garcia.Stephanie@dol.gov).

**Authority:** 44 U.S.C. 3506(c)(2)(A).

**SUPPLEMENTARY INFORMATION:** The DOL, as part of continuing efforts to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collections of information before submitting them to the OMB for final approval. This program helps to ensure requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements can be properly assessed.

### I. Background

The ETA-5130, Benefit Appeals Report, contains information on the number of unemployment insurance appeals and the resultant decisions classified by program, appeals level, cases filed and disposed of (workflow), and decisions by level, appellant, and issue. The data on this report are used by the Department of Labor to monitor the benefit appeals process in the State Workforce Agencies (SWAs) and to develop any needed plans for remedial action. The data are also needed for workload forecasts and to determine administrative funding. If this information were not available, developing problems might not be discovered early enough to allow for timely solutions and avoidance of time consuming and costly corrective action.

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.

Interested parties are encouraged to provide comments to the contact shown in the **ADDRESSES** section. Comments must be written to receive consideration, and they will be summarized and included in the request for OMB approval of the final ICR. In order to help ensure appropriate consideration, comments should mention OMB 1205-0172.

Submitted comments will also be a matter of public record for this ICR and posted on the Internet, without redaction. The DOL encourages commenters not to include personally identifiable information, confidential business data, or other sensitive statements/information in any comments.

The DOL 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;

- \* 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 automated collection techniques or other forms of information technology.

*Type of Review:* Extension with revision.  
*Agency:* Employment and Training Administration.

*Title of Collection:* Benefit Appeals Report.  
*Agency Form Number:* ETA 5130.  
*OMB Control Number:* 1205-0172.  
*Affected Public:* State Workforce Agencies.  
*Estimated Number of Respondents:* 53.  
*Frequency:* Monthly.

*Total Responses:* 53 respondents × 12 responses per year = 636 responses for the regular program, 53 respondents × 12 responses per year = 636 responses for the Federal-State extended benefit program for an estimated total of 1,272 responses.

*Estimated Total Burden Hours:* 1 hour.  
*Total Burden Cost (capital/startup):* \$0.  
*Total Burden Cost (operating/maintaining):* \$0.

*Total Annual Estimated Burden Hours:* 1,272 hours (636 hours for the ETA 5130

Regular report + 636 hours for the ETA 5130 Federal-State Extended Benefits report).

**Portia Wu,**

*Assistant Secretary for Employment and Training Administration.*

[FR Doc. 2016-18659 Filed 8-4-16; 8:45 am]

**BILLING CODE 4510-FW-P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA-2016-0002]

### Federal Advisory Council on Occupational Safety and Health (FACOSH)

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Request for nominations to serve on FACOSH.

**SUMMARY:** The Assistant Secretary of Labor for Occupational Safety and Health invites interested individuals to submit nominations for membership on FACOSH.

**DATES:** You must submit (postmark, send, transmit, deliver) nominations by October 31, 2016.

**ADDRESSES:** You may submit nominations and supporting materials using one of the following methods:

*Electronically:* You may submit materials, including attachments, electronically at <http://www.regulations.gov>, the Federal eRulemaking Portal. Follow the online instructions for making submissions;

*Facsimile (FAX):* If your submission, including attachments, does not exceed 10 pages, you may FAX it to the OSHA Docket Office at (202) 693-1648; or

*Mail, express delivery, hand delivery, or messenger/courier service:* You may submit nominations and supporting materials to the OSHA Docket Office, Docket No. OSHA-2016-0002, Room N-2625, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210; telephone (202) 693-2350 (OSHA TTY (877) 889-5627). Deliveries (hand, express mail, messenger/courier service) are accepted during the Department's and the OSHA Docket Office's normal business hours, 8:15 a.m.-4:45 p.m., weekdays.

*Instructions:* Your nominations and supporting materials must include the agency/organization name and docket number for this **Federal Register** notice. Due to security-related procedures, receipt of submissions by regular mail may result in a significant delay. Please contact the OSHA Docket Office for information about security procedures