

relating to the Settlement Agreement. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *In re Asarco, LLC*, No. 05-21207 (Bankr. S.D. Tex.), Department of Justice Case Number 90-11-3-08633.

During the public comment period, the Settlement Agreement may be examined at the Office of the United States Attorney, Southern District of Texas, 800 North Shoreline Blvd, #500, Corpus Christi, TX 78476-2001. The Settlement Agreement may also be examined on the following Department of Justice Web site, [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy of the Settlement Agreement 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 \$2.75 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Maureen Katz,**

*Assistant Section Chief.*

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BILLING CODE 4410-15-P

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA-2010-0050]

#### Storage and Handling of Anhydrous Ammonia Standard; Extension of the Office of Management and Budget's (OMB) Approval of Information Collection (Paperwork) Requirements

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

**ACTION:** Request for public comments.

**SUMMARY:** OSHA solicits public comments concerning its proposal to extend OMB approval of the information collection requirements specified in the Storage and Handling of Anhydrous Ammonia Standard (29 CFR 1910.111). Paragraphs (b)(3) and (b)(4) of the Standard have paperwork requirements that apply to nonrefrigerated containers and systems

and to refrigerated containers, respectively; employers use these containers and systems to store and transfer anhydrous ammonia in the workplace.

**DATES:** Comments must be submitted (postmarked, sent, or received) by January 18, 2011.

**ADDRESSES:** *Electronically:* 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.

*Facsimile:* If your comments, including attachments, are not longer than 10 pages, you may fax them to the OSHA Docket Office at (202) 693-1648.

*Mail, hand delivery, express mail, messenger, or courier service:* When using this method, you must submit a copy of your comments and attachments to the OSHA Docket Office, Docket No. OSHA-2010-0050, U.S. Department of Labor, Room N-2625, 200 Constitution Avenue, NW., Washington, DC 20210. Deliveries (hand, express mail, messenger, and courier service) are accepted during the Department of Labor's and Docket Office's normal business hours, 8:15 a.m. to 4:45 p.m., e.t.

*Instructions:* All submissions must include the Agency name and OSHA docket number for the Information Collection Request (OSHA-2010-0050). All comments, including any personal information you provide, are placed in the public docket without change, and may be made available online at <http://www.regulations.gov>. For further information on submitting comments see the "Public Participation" heading in the section of this notice titled "SUPPLEMENTARY INFORMATION."

*Docket:* To read or download comments or other material in the docket, go to <http://www.regulations.gov> or the OSHA Docket Office at the address above. All documents in the docket (including this Federal Register notice) are listed in the <http://www.regulations.gov> index; however, some information (e.g., copyrighted material) is not publicly available to read or download through the Web site. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. You also may contact Theda Kenney at the address below to obtain a copy of the ICR.

**FOR FURTHER INFORMATION CONTACT:** Theda Kenney or Todd Owen, Directorate of Standards and Guidance, OSHA, U.S. Department of Labor, Room N-3609, 200 Constitution Avenue, NW.,

Washington, DC 20210; telephone (202) 693-2222.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Department of Labor, as part of its continuing effort to reduce paperwork and respondent (i.e., employer) burden, conducts a preclearance consultation program to provide the public with an opportunity to comment on proposed and continuing information collection requirements in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3506(c)(2)(A)). This program ensures that information is in the desired format, reporting burden (time and costs) is minimal, collection instruments are clearly understood, and OSHA's estimate of the information collection burden is accurate. The Occupational Safety and Health Act of 1970 (the OSH Act) (29 U.S.C. 651 *et seq.*) authorizes information collection by employers as necessary or appropriate for enforcement of the Act or for developing information regarding the causes and prevention of occupational injuries, illnesses, and accidents (29 U.S.C. 657). The OSH Act also requires that OSHA obtain such information with minimum burden upon employers, especially those operating small businesses, and to reduce to the maximum extent feasible unnecessary duplication of efforts in obtaining information (29 U.S.C. 657).

Paragraph (b)(3) of the Standard specifies that systems have nameplates if required, and that these nameplates "be permanently attached to the system (as specified by paragraph (b)(3)(ii)(j)) so as to be readily accessible for inspection \* \* \*" In addition, this paragraph requires that markings on containers and systems covered by paragraphs (c) ("Systems utilizing stationary, nonrefrigerated storage containers"), (f) ("Tank motor vehicles for the transportation of ammonia"), (g) ("Systems mounted on farm vehicles other than for the application of ammonia"), and (h) ("Systems mounted on farm vehicles for the application of ammonia") provide information regarding nine specific characteristics of the containers and systems. Similarly, paragraph (b)(4) of the Standard specifies that refrigerated containers be marked with a nameplate on the outer covering in an accessible place which provides information regarding eight specific characteristics of the container.

The required markings ensure that employers use only properly designed and tested containers and systems to store anhydrous ammonia, thereby, preventing accidental release of, and exposure of workers to, this highly toxic

and corrosive substance. In addition, these requirements provide the most efficient means for an OSHA compliance officer to ensure that the containers and systems are safe.

## II. Special Issues for Comment

OSHA has a particular interest in comments on the following issues:

- Whether the proposed information collection requirements are necessary for the proper performance of the Agency's functions, including whether the information is useful;
- The accuracy of OSHA's estimate of the burden (time and costs) of the information collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information collected; and
- Ways to minimize the burden on employers who must comply; for example, by using automated or other technological information collection and transmission techniques.

## III. Proposed Actions

OSHA is requesting that OMB extend its approval of the information collection requirements specified in the Anhydrous Ammonia Standard (29 CFR 1910.111). The Agency is requesting that it retain its previous estimate of 345 burden hours associated with this Standard. The Agency will summarize the comments submitted in response to this notice, and will include this summary in the request to OMB.

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

*Title:* Anhydrous Ammonia (29 CFR 1910.111).

*OMB Number:* 1218-0208.

*Affected Public:* Farms.

*Number of Respondents:* 2,030.

*Frequency:* On Occasion.

*Total Responses:* 2,030.

*Average Time per Response:* 10 minutes (.17 hour) for a worker to replace or revise markings on ammonia containers.

*Estimated Total Burden Hours:* 345.

*Estimated Cost (Operation and Maintenance):* \$0.

## IV. Public Participation—Submission of Comments on This Notice and Internet Access to Comments and Submissions

You may submit comments in response to this document as follows:

(1) Electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal; (2) by facsimile (fax); or (3) by hard copy. All comments, attachments, and other material must identify the Agency name and the OSHA docket number for this

ICR (Docket No. OSHA-2010-0050). You may supplement electronic submissions by uploading document files electronically. If you wish to mail additional materials in reference to an electronic or a facsimile submission, you must submit them to the OSHA Docket Office (see the section of this notice titled "ADDRESSES"). The additional materials must clearly identify your electronic comments by your name, date, and docket number so the Agency can attach them to your comments.

Because of security procedures, the use of regular mail may cause a significant delay in the receipt of comments. For information about security procedures concerning the delivery of materials by hand, express delivery, messenger or courier service, please contact the OSHA Docket Office at (202) 693-2350, (TTY) (877) 889-5627).

Comments and submissions are posted without change at <http://www.regulations.gov>. Therefore, OSHA cautions commenters about submitting personal information such as social security numbers and date of birth. Although all submissions are listed in the <http://www.regulations.gov> index, some information (e.g., copyrighted material) is not publicly available to read or download through this Web site. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Information on using the <http://www.regulations.gov> Web site to submit comments and access the docket is available at the Web site's "User

Tips" link. Contact the OSHA Docket Office for information about materials not available through the Web site, and for assistance in using the Internet to locate docket submissions.

## V. Authority and Signature

David Michaels, PhD, MPH, Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506 *et seq.*) and Secretary of Labor's Order No. 4-2010 (75 FR 55355).

Signed at Washington, DC on this 15th day of November 2010.

**David Michaels,**

*Assistant Secretary of Labor for Occupational Safety and Health.*

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**BILLING CODE 4510-26-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-71,806]

#### Actel Corporation, Currently Known as Microsemi Corporation, Including On-Site Leased Workers From ATR International, Accountants, Inc. and Accountant Temps Mountain View, CA; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended ("Act"), 19 U.S.C. 2273, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on September 17, 2009, applicable to workers of Actel Corporation, including on-site leased workers from ATR International, Accountants, Inc., and Accountant Temps, Mountain View, California. The notice was published in the **Federal Register** November 5, 2009 (74 FR 57338).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The workers are engaged in the production of field programmable arrays.

New information shows that on November 2, 2010, Actel Corporation was purchased by Microsemi Corporation and is currently known as Microsemi Corporation. Workers separated from employment at Actel Corporation had their wages reported under a separate unemployment insurance (UI) tax account under the name Microsemi Corporation.

Accordingly, the Department is amending this certification to properly reflect this matter.

The intent of the Department's certification is to include all workers of the Actel Corporation, currently known as Microsemi Corporation, who were adversely affected by a shift in the production of field programmable arrays to China.

The amended notice applicable to TA-W-71,806 is hereby issued as follows:

All workers of Actel Corporation, currently known as Microsemi Corporation, including on-site leased workers from ATE International, Accountants, Inc., and Accountant Temps, Mountain View, California, who became totally or partially separated from employment on or after July 23, 2008 through September 17, 2011, and all workers in the group threatened with total or partial separation from employment on date of certification through two years from the date of certification, are eligible to apply for