

officials will use the form which will be filled out entirely at the site during the normal course of the pool and spa inspection. Using the form, the inspectors will collect information regarding the pool or spa facility; identify the type, location and features of the pool or spa; describe the drain covers, anti-entrapment device/systems, sump or equalizer lines at the site; and report on whether any actions are necessary to bring the pool or spa into compliance.

In the **Federal Register** of September 21, 2009, (74 FR 48064), the CPSC published a 60-day notice requesting public comment on the proposed collection of information. Seven comments were received. Several commenters suggested the time burden allotted for the pool operators to participate in the pool inspection was insufficient.

Based on the public comments and CPSC staff's experience inspecting 1,200 pools and spas, the estimated burden hours for pool operators have been increased from 0.5 hours to 3.0 hours.

One commenter recommended that State or local officials use the proposed compliance form during the inspections to ensure consistency. In addition, the commenter stated that CPSC staff should accept findings by State or local officials and not re-inspect the pool.

CPSC staff is working with State and local officials to avoid a duplication of effort regarding pool inspections. State and local officials are conducting a limited number of pool and spa inspections to determine if the requirements of the Pool and Spa Safety Act have been met. CPSC staff will follow up with the pool owner or operator if corrective action is needed.

One commenter recommended an additional requirement for pool operators to state how the facility will monitor the security of the drain cover (*i.e.*, insure it stays fastened in place) and note the expiration date for the cover. Another commenter suggested that the pool operators provide documentation that drain covers and/or SVRS were correctly installed.

CPSC staff is aware of the importance of ensuring the security of the drain cover, but those are policies for the facility to implement, and are not a part of the inspection. However, CPSC staff will request that the pool owner or operator provide the expiration date for the drain covers in the compliance form.

One commenter suggested that, in order to minimize the burden, an electronic form should be used and the pool owners/operators should fill it out before the inspection. A few commenters requested additional

questions, or the use of different terms in the compliance form.

The purpose of the compliance form is to ensure that the CPSC inspection and data collection procedures are completed by CPSC staff or the designated State or local government official. The compliance form is not intended to be filled out by the pool owner or operator. Based on the CPSC staff's experience with the compliance form to date, the information obtained through the form adequately identifies drain covers at pools and spas that do not meet the requirements of ASME/ANSI A112.19.8, and except for the inclusion of the expiration date of the drain cover, we will not otherwise revise the compliance form at this time.

One commenter recommended that CPSC partner with local departments of health, industry, or a non-profit so it can inspect a more representative sample of pools.

CPSC is contracting with State and local officials to conduct pool inspections that follow guidelines provided by CPSC for inspecting pools for compliance with the Pool and Spa Safety Act. The State and local officials can conduct the pool inspections when they do their regular visits to these pools. CPSC staff will follow up with the pool owner or operator if corrective action is needed.

**Burden Estimates:** The CPSC staff estimates that there may be approximately 700 facilities inspected annually. Because the investigators will be talking to either the pool owner/operator or pool staff at the time of the inspection and asking questions to help complete the form, the CPSC staff estimates that the burden hours for pool owners or pool staff to respond to the questions will be approximately 3 hours per inspection. Thus, the estimated total annual burden hours for respondents are approximately 2,100 hours (700 inspections × 3 hours per inspection). Although respondents may include either junior or senior pool staff, CPSC staff based the annualized cost to respondents based on the compensation for management-level employees, since such employees may be the most knowledgeable of the pool or spa used. The CPSC staff estimates that the annualized cost to all respondents is approximately \$99,624 based on an hourly wage of \$47.44 per hour (\$47.44 × 2,100) (Bureau of Labor Statistics ("BLS"), December 2008, all workers, service, management, professional, and related).

The CPSC staff estimates that it will take an average of 2.5 hours to review the information collected from the oral communications with pool owners/

operators or staff. The annual cost to the Federal government of the collection of information in these regulations is estimated to be \$19,361. This is based on an average wage rate of \$55.97 (the equivalent of a GS-14 Step 5 employee). This represents 70.1 percent of total compensation with an additional 29.9 percent coming from benefits (BLS, September 2008, percentage total benefits for all civilian management, professional, and related employees), or \$79.84 × 242.5 hours.

Dated: May 19, 2010.

**Todd A. Stevenson,**

*Secretary, Consumer Product Safety Commission.*

[FR Doc. 2010-12605 Filed 5-25-10; 8:45 am]

**BILLING CODE 6355-01-P**

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## DEPARTMENT OF DEFENSE

### Department of the Navy

#### **Notice of Public Meetings of the Draft Environmental Impact Statement for Basing the U.S. Marine Corps Joint Strike Fighter F-35B on the East Coast**

**AGENCY:** Department of the Navy, DoD.

**ACTION:** Notice.

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**SUMMARY:** Pursuant to Section (102)(2)(c) of the National Environmental Policy Act (NEPA) of 1969, and regulations implemented by the Council on Environmental Quality (40 Code of Federal Regulations [CFR] Parts 1500-1508), Department of Navy (DoN) NEPA regulations (32 CFR Part 775), and U.S. Marine Corps (USMC) NEPA directives (Marine Corps Order P5090.2A, changes 1 and 2), DoN has prepared and filed with the U.S. Environmental Protection Agency (EPA) a Draft Environmental Impact Statement (DEIS) that evaluates the potential environmental consequences that may result from the basing of the F-35B Joint Strike Fighter (JSF) on the East Coast of the United States.

With the filing of the DEIS, DoN is initiating a 45-day public comment period and has scheduled five public comment meetings to receive oral and written comments on the DEIS. Federal, state, local agencies, and interested parties are encouraged to provide comments in person at any of the public comment meetings, or in writing anytime during the public comment period. This notice announces the date and location of the public meetings and provides supplementary information about the environmental planning effort.

**DATES:** The DEIS will be distributed to Federal, State, and local agencies, elected officials, and other interested

parties on May 28, 2010, initiating the 45-day public comment period which will end on July 12, 2010. Each of the five public meetings will be conducted as an informational open house. Marine Corps and Navy representatives will be available to clarify information related to the DEIS. All five public comment meetings will be held from 4 p.m. to 7 p.m., on the dates and at the locations indicated below:

(1) June 15, 2010, Havelock Tourist and Event Center, 201 Tourist Center Drive, Havelock, NC 28532.

(2) June 16, 2010, Emerald Isle Community Center, 7500 Emerald Drive, Emerald Isle, NC 28594.

(3) June 17, 2010, Fred A. Anderson Elementary School Cafeteria, 507 Anderson Drive, Bayboro, NC 28515.

(4) June 22, 2010, Holiday Inn Conference Convention Center, 2225 Boundary Street, Beaufort, SC 29902.

(5) June 24, 2010, Long County High School, 1 East Academy Street, Ludowici, GA 31316.

Attendees can submit written comments at all public meetings. A stenographer will also be present to transcribe oral comments. Equal weight will be given to both oral and written comments and all comments (either presented orally through transcription and/or written) submitted during the public review period will become part of the public record on the DEIS and will be responded to in the Final EIS. Written comments may be submitted by regular U.S. mail or electronically as described below.

**ADDRESSES:** A copy of the DEIS is available at the project Web site, <http://www.usmcJSEast.com>, and at the local libraries identified at the end of this notice. Comments on the DEIS can be submitted via the project Web site or in writing by submitting to: USMC F-35B East Coast Basing EIS, P.O. Box 56488, Jacksonville, FL 32241-6488. Mailed comments must be postmarked by July 12, 2010, and electronic comments must be submitted on or before July 12, 2010, to be considered in this environmental review process.

**FOR FURTHER INFORMATION CONTACT:** F-35B EIS Project Manager, Environmental Planning & Conservation Division, Naval Facilities Engineering Command Mid-Atlantic, Code EV21, 9742 Maryland Avenue, Z-144, 1st Floor, Attn: Ms. Linda Blount, Norfolk, VA 23511.

**SUPPLEMENTARY INFORMATION:** A Notice of Intent for the EIS was published in the **Federal Register** on January 15, 2009 (Vol. 74, No. 10, pp. 2514-2515).

### Proposed Action

The Proposed Action would base and operate a total of 13 squadrons of F-35B aircraft on the East Coast of the United States. The F-35B aircraft is the world's first 5th generation Short Takeoff Vertical Landing (STOVL), stealth, supersonic, multi-role, fighter aircraft that would replace legacy Marine Corps air fleets of F/A-18s and AV-8Bs. Specifically, the proposal would base and operate 11 F-35B operational squadrons (which includes one Reserve squadron) with up to 16 aircraft per squadron and the PTC (composed of two Fleet Replacement Squadrons [FRSs]) with 20 aircraft per squadron. The Proposed Action involves replacing seven operational F/A-18 and four AV-8B (three operational squadrons and one FRS) squadrons of 152 authorized aircraft with up to 216 F-35Bs; establishing a PTC with two F-35B FRSs; conducting flight operations to meet the training and combat readiness requirements; transitioning associated military personnel; and constructing and/or demolishing facilities and infrastructure needed to base and operate both the operational F-35B squadrons and the PTC.

### Purpose and Need

The purpose of the Proposed Action is to efficiently and effectively maintain combat capability and mission readiness as the Marine Corps faces increased deployments across a spectrum of conflicts, and a corresponding increased difficulty in maintaining an aging legacy aircraft inventory. The need for the Proposed Action is to replace aging legacy aircraft and integrate the operational and PTC squadrons into the existing Marine Corps command and organizational structure. This action would also ensure that the Marine Corps' aircrews benefit from the aircraft's major technological improvements and enhanced training and readiness requirements.

### Alternatives Considered in the DEIS

The DEIS evaluates the potential environmental impacts of four action alternatives and the No Action Alternative.

- Alternative 1 (Preferred) would base three operational squadrons and the PTC at MCAS Beaufort and eight operational squadrons at MCAS Cherry Point.

- Alternative 2 would base the PTC at MCAS Beaufort and eleven operational squadrons at MCAS Cherry Point.

- Alternative 3 would base eight operational squadrons at MCAS Beaufort and three operational

squadrons and the PTC at MCAS Cherry Point.

- Alternative 4 would base eleven operational squadrons at MCAS Beaufort and the PTC at MCAS Cherry Point.

- Under the No Action Alternative, the Marine Corps would not provide the facilities or functions to support basing or operating F-35B squadrons at these two Air Stations on the East Coast. There would be no transition of F-35B personnel, construction to support the F-35B, or F-35B operations. Existing F/A-18 and AV-8B squadrons would continue to be used at approximately the current levels. The Marine Corps would continue to repair and operate the existing aircraft at greater expense as the F/A-18 and AV-8B aircraft continue to deteriorate until the end of their useful life.

Environmental resources evaluated for potential impacts in the DEIS include airfields and airspace; noise; air quality; hazardous materials, toxic substances, and hazardous wastes; safety; land use; socioeconomic; environmental justice/protection of children; community services; utilities and infrastructure; transportation and ground traffic; biological resources; geology, topography, and soils; water resources; cultural resources; and coastal zone management. The DEIS also analyzes cumulative impacts from other past, present, and reasonably foreseeable future actions occurring at or near MCAS Beaufort and MCAS Cherry Point.

Environmental consequences of the Proposed Action would principally arise from construction and aircraft operations. Under the preferred alternative (Alternative 1), construction would occur at both Air Stations but would not affect any special status species or cultural resources. The noise environment at the two Air Stations would also change as a result of the preferred alternative. The other three alternatives have similar types and levels of impacts. The DEIS presents an array of construction and minimization measures associated with project design and planning that avoids and minimizes most potential impacts. The USMC will fully comply with regulatory requirements for the protection of environmental resources.

**Schedule:** The Notice of Availability publication in the **Federal Register** and local print media starts the 45-day public comment period for the DEIS. The Marine Corps will consider and respond to all written and electronic comments, including email, submitted as described above in preparing the Final EIS. DoN intends to issue the

Final EIS in November 2010, at which time a Notice of Availability will be published in the **Federal Register** and local media. A Record of Decision is expected in December 2010.

Copies of the DEIS are available for public review at the following libraries in North Carolina:

- Havelock-Craven County Public Library, 301 Cunningham Boulevard, Havelock;
- Bogue Banks Public Library, 320 Salter Path Rd., Suite W Pine Knoll Shores;
- Carteret County Public Library, 1702 Live Oak Street, Suite 100, Beaufort;
- Emerald Isle Library, 100 Leisure Lane, Emerald Isle; Western Carteret Public Library, 230 Taylor Notion Road, Cape Carteret;
- Newport Public Library, 210 Howard Boulevard, Newport;
- Pamlico County Library, 603 Main Street, Bayboro;
- New Bern-Craven County Public Library, 400 Johnson Street, New Bern; and
- Onslow County Public Library, 58 Doris Avenue East, Jacksonville.

In South Carolina, copies of the DEIS are available at:

- Beaufort County Library, 311 Scott Street, Beaufort;
- Hilton Head Island Library, 11 Beach City Road, Hilton Head Island;
- Beaufort County Library, 1862 Trask Parkway, Lobecko; and
- Bluffton Community Library, 42 Bamberg Drive, Bluffton.

In Georgia, copies of the DEIS are available at:

- Ida Hilton Public Library, 1105 Wayne Street, Darien;
- Long County Public Library, 28 S Main Street, Ludowici; and
- Brunswick Glynn County Regional Library, 208 Gloucester Street, Brunswick, GA.

Dated: May 20, 2010.

**A. M. Vallandingham,**

*Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.*

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**BILLING CODE 3810-FF-P**

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## DEPARTMENT OF EDUCATION

### Submission for OMB Review; Comment Request

**AGENCY:** Department of Education.

**SUMMARY:** The Acting Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of

Management invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995.

**DATES:** Interested persons are invited to submit comments on or before June 25, 2010.

**ADDRESSES:** Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Education Desk Officer, Office of Management and Budget, 725 17th Street, NW., Room 10222, New Executive Office Building, Washington, DC 20503, be faxed to (202) 395-5806 or e-mailed to [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov) with a cc: to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov).

**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Acting Director, Information Collection Clearance Official, Regulatory Information Management Services, Office of Management, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g. new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment.

Dated: May 21, 2010.

**James Hyler,**

*Acting Director, Information Collection Clearance Official, Regulatory Information Management Services, Office of Management.*

### Office of Innovation and Improvement

*Type of Review:* Extension.

*Title:* Open Innovation Web Portal.

*Frequency:* On Occasion.

*Affected Public:* Businesses or other for-profit; Federal Government; Individuals or household; Not-for-profit institutions; State, Local, or Tribal Gov't, SEAs or LEAs.

Reporting and Recordkeeping Hour Burden:

*Responses:* 4,850.

*Burden Hours:* 12,327.

*Abstract:* The U.S. Department of Education's (ED) Office of Innovation and Improvement (OII) has developed a Web-based platform, the Open Innovation Web Portal (Portal), to support communication and collaboration among a wide range of key education stakeholders, including practitioners, funders, and the general public. This platform, which is currently operating under emergency clearance, allows geographically dispersed but like-minded entities to discover each other and work together to address some of the most intractable challenges in education. OII promotes this platform as a tool for use with the Investing in Innovation grant program (i3), which was established as the "Innovation Fund" in the "American Recovery and Reinvestment Act of 2009" (ARRA), signed into law by the President on February 17, 2009. This new program will provide \$650,000,000 in competitive grants to Local Education Agencies (LEAs), non-profit organizations working in collaboration with LEAs, or non-profit organizations working in collaboration with a consortium of schools. The Department must obligate funds to i3 grantees before the end of the fiscal year 2010, September 30, 2010. The Department also plans for the Portal to remain operational after i3 funding is awarded so that there is an ongoing community that focuses on innovation in education. Part of our intent in implementing the i3 program is to identify innovative new approaches proposed by individuals and organizations that have previously had limited experience in obtaining grants in the education sector yet have promising evidence-based ideas for improving American education. These applicants in particular face challenges in identifying schools or LEAs with which to partner given their limited experience in the field. Further, organizations without existing relationships in education may find it difficult to secure the private sector matching funds required of all grantees under ARRA. Receiving OMB's approval for an extension Receiving OMB's approval for an extension of the PRA clearance will allow continued operation of the Portal, which currently has over 3000 members, and support improved student achievement through school improvement and reform, a key departmental goal.

Requests for copies of the information collection submission for OMB review