Reservation (Ruby and Brown 1986:179). However, many Samish chose to remain in their old village sites. In 1996, the Samish Indian Tribe was re-recognized by the Federal Government.

Officials of the University of Washington, Department of Anthropology, have determined, pursuant to 25 U.S.C. 3001(9), that the human remains described above represent the physical remains of one individual of Native American ancestry. Lastly, officials of the Washington State Department of Natural Resources and the University of Washington, Department of Anthropology, have determined, pursuant to 25 U.S.C. 3001(2), that there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and the Lummi Tribe of the Lummi Reservation, Washington; Samish Indian Tribe, Washington; and the Swinomish Indians of the Swinomish Reservation, Washington.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains should contact Maurice Major, Cultural Resource Specialist, Washington State Department of Natural Resources; PO Box 47000, 1111 Washington St. SE., Olympia, WA 98504–7000, telephone (360) 902–1298, before March 18, 2011. Repatriation of the human remains to the Samish Indian Tribe, Washington, may proceed after that date if no additional claimants come forward.

The Washington State Department of Natural Resources is responsible for notifying the Lummi Tribe of the Lummi Reservation, Washington; Samish Indian Tribe, Washington; and the Swinomish Indians of the Swinomish Reservation, Washington, that this notice has been published.

Dated: February 11, 2011.

David Tarler,

Acting Manager, National NAGPRA Program.

[FR Doc. 2011–3522 Filed 2–15–11; 8:45 am]

BILLING CODE 4312–50–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Air Act

Notice is hereby given that on February 10, 2011 a proposed Consent Decree ("proposed Decree") in *United States* v. *CEMEX, Inc. and CEMEX Construction Materials Atlantic, LLC,* Civil Action No. 3:11–cv–00037, was lodged with the United States District Court for the Southern District of Ohio.

In this action under Sections 113(b) and 167 of the Clean Air Act, 42 U.S.C. 7413(b) and 7477, the United States seeks injunctive relief and civil penalties for violations of the Prevention of Significant Deterioration ("PSD") provisions of the Clean Air Act, 42 U.S.C. 7470–7492, and the PSD regulation incorporated into the federally enforceable Ohio State Implementation Plan ("Ohio SIP"), and Title V of the Clean Air Act, 42 U.S.C. 7661–7661f, and Title V's implementing federal and Ohio regulations, at a portland cement manufacturing plant located in Greene County, Ohio.

The proposed Decree resolves the United States' claims against CEMEX, Inc. and CEMEX Construction Materials Atlantic, LLC ("Defendants") by requiring Defendants to install and operate appropriate emission controls at their kiln, and requires Defendants to pay a civil penalty of $1,400,000, two-thirds of which will go to the United States and one-third of which will go to the Plaintiff Intervener, the State of Ohio.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to *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 *United States* v. *CEMEX, Inc. and CEMEX Construction Materials Atlantic, LLC,* D.J. Ref. No. 90–5–2–1–08990.

The proposed Decree may be examined at the office of the United States Attorney for the Southern District of Ohio, Room 602, Federal Building, 200 West Second Street, Dayton, Ohio 45402, and at the United States Environmental Protection Agency (Region 5) Records Center, Room 714, 77 West Jackson Boulevard, Chicago, Illinois 60604. During the public comment period, the proposed Decree may also be examined on the following Department of Justice Web site: *http://www.usdoj.gov/enrd/ConsentDecrees.html.* A copy of the proposed Decree may also be obtained via U.S. mail by making a written request to 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*), fax number (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 $17.75 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if requesting by e-mail or fax, please forward a check in that amount to the Consent Decree Library at the stated address.

Maureen Katz,

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

[FR Doc. 2011–3473 Filed 2–15–11; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF LABOR

Comment Request for Information Collection for the Unemployment Insurance (UI) Facilitation of Claimant Reemployment Employment and Training Administration 9047 Report, Extension Without Revision

AGENCY: Employment and Training Administration (ETA).

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that the 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 on respondents can be properly assessed. Currently, the Employment and Training Administration is soliciting comments concerning the collection of data about the proposed extension of the UI Facilitation of Claimant Reemployment (current expiration date is July 31, 2011).

A copy of the proposed information collection request (ICR) can be obtained by contacting the office listed below in the addressee section of this notice.

DATES: Written comments must be submitted to the office listed in the addressee's section below on or before April 18, 2011.

ADDRESSES: Submit comments to Andrew W. Spisak, Office of Workforce Security, Employment and Training Administration, U. S. Department of Labor, Room S–4519, 200 Constitution Avenue, NW., Washington, DC 20210; *telephone:* 202–693–3196 (this is not a toll-free number); *fax:* 202–693–3975; *e-mail: spisak.andrew@dol.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Required by Congress under the Government Performance and Results Act of 1993 (GPRA), the Department's Strategic Plan is an integral part of the budget process. Among the purposes of the GPRA are to improve Federal program effectiveness and public accountability by focusing on program results, service quality, and customer satisfaction.

Outcome Goal 1.3 in the Department's fiscal year (FY) 2011—2016 Strategic Plan—Help workers who are in low-wage jobs or out of the labor market find a path into middle-class jobs—focuses on improving the operational performance and effectiveness of the federal/state UI program. This goal is supported in part by the performance measure:

Percent of UI claimants reemployed by the end of the first quarter after the quarter in which they received their first payment.

ETA collects the data to measure the facilitation of reemployment of UI benefit recipients through the ETA 9047 report. OMB approved the Department's request to begin collecting UI reemployment data through the ETA 9047 report on July 26, 2005. This data collection was renewed in 2008 through July 31, 2011.

ETA has also included UI reemployment as a performance measure for UI Performs, the Department of Labor's performance management system. Per UI Program Letter (UIPL) No. 17–08 (May 14, 2008), Acceptable Levels of Performance (ALP)—the minimum performance criteria for UI Performs Core Measures—are set annually for each state. The ALPs take into account the state's total unemployment rate and the percentage of UI claimants who are exempt from active work search or Employment Service registration requirements because they are job attached. Analyses of the data indicate that UI reemployment is strongly related to these two factors.

Data Collection

Each calendar quarter, states report on the ETA 9047 report separate counts for individuals receiving their first UI payments who are exempt from work search/employment service registration ("exempt"), in most cases because they are job-attached with definite recall dates, and those who must conduct work search or register with the employment service ("nonexempt"). States also report on the ETA 9047 report the number of those first payment recipients for whom intrastate or out-of-state employers reported wages in the subsequent quarter. States obtain these counts by running computer crossmatches of the Social Security Numbers (SSNs) of the claimants who received a first UI payment with the UI wage records for the subsequent calendar quarter. ETA issued instructions on obtaining out-of-state reemployment data through matching the SSNs of UI first payment recipients with UI wage records in the National Directory of New Hires in UIPL No. 1–06, Change 1 (August 2, 2006).

UI Reemployment GPRA and UI Performs Measures

The UI reemployment GPRA and UI Performs measures are defined as the percentage of all UI claimants receiving a first payment in a calendar quarter who were paid wages in the following calendar quarter that appear in UI wage records.

ETA believes that this measure encourages the agencies that administer UI–which share responsibility with all Workforce Investment partners in facilitating the reemployment of UI beneficiaries—to be innovative in the steps they take to facilitate these individuals' reemployment.

The following table summarizes GPRA targets and performance for the UI reemployment measure.

GPRA Targets and Performance

Goal and indicator	FY 2010 target	FY 2010 actual	FY 2011 target	FY 2012 target
Facilitate Reemployment: Percent of UI claimants who were reemployed by the end of the first quarter after the quarter in which they received their first payment.	58.6%	53.1%*	54.4%	56.40%

* Based on UI reemployment for the period July 2009 to June 2010, which is the most recent data available.

ETA's analyses of the UI reemployment data show that state performance in reemployment of UI benefit recipients is influenced by forces outside the control of the agency administering the state UI law, most notably by the economic conditions in the state, as measured by the total unemployment rate, and the percent of UI benefit recipients that are on temporary layoff, as measured by the percent of claimants who are not required to search for work or register with the state employment service. State ALPs for the UI Performs Core Measure reflect state-specific data for these two factors. State ALPs and performance for the performance period January to December 2009 are available at *http://www.oui.doleta.gov/unemploy/pdf/alp.pdf.*

II. Review Focus

The Department of Labor is particularly interested in comments which:

- 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.

III. Current Actions

Type of Review: Extension without change.

Title: Unemployment Insurance Facilitation of Claimant Reemployment.

OMB Number: 1205–0452.

Affected Public: State Workforce Agencies (SWAs).

Form: ETA 9047 Reemployment of UI Benefit Recipients.

Total Annual Respondents: 53 SWAs.

Annual Frequency: Quarterly.

Total Annual Responses: 212 per year (53 SWAs × 4 quarterly reports per year).

Average Time per Response: 10 hours.

Estimated Total Annual Burden Hours: 2,120 hours.

Total Annual Burden Cost for Respondents: $86,517 (approximately $1,633 per SWA). This is an established data collection for which no changes are proposed; there are no startup costs.

Comments submitted in response to this request will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: February 10, 2011.

Jane Oates,

Assistant Secretary, Employment and Training Administration.

[FR Doc. 2011–3469 Filed 2–15–11; 8:45 am]

BILLING CODE 4510–FT–P

NATIONAL SCIENCE FOUNDATION

National Science Board; Sunshine Act Meetings; Impromptu Notice of Change (Addition of Agenda Item)

The National Science Board's (NSB) Audit & Oversight (A&O) Committee, pursuant to NSF regulations (45 CFR part 614), the NSF Act, as amended (42 U.S.C. 1862n–5), and the Government in the Sunshine Act (5 U.S.C. 552b), hereby gives notice of an *Impromptu Change* in regard to the addition of an agenda item that will be discussed during the closed session of the A&O Committee meeting scheduled for February 16, 2011, at 9:15 a.m., as follows:

ORIGINAL DATE AND TIME: No change.

SUBJECT MATTER (AGENDA ITEM ADDED): 5 minute update on Cyber issues at NSF.

STATUS: No change.

LOCATION: No change.

UPDATES AND POINT OF CONTACT: Please refer to the National Science Board Web site *http://www.nsf.gov/nsb* for additional information and schedule updates (time, place, subject matter or status of meeting) may be found at *http://www.nsf.gov/nsb/notices/.* Point of contact for this meeting is: Jennie Moehlmann, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230. *Telephone:* (703) 292–7000.

Daniel A. Lauretano,

Counsel to the National Science Board.

[FR Doc. 2011–3585 Filed 2–14–11; 11:15 am]

BILLING CODE 7555–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2009–0187]

Notice of Availability of Final Environmental Impact Statement for the AREVA Enrichment Services LLC Proposed Eagle Rock Enrichment Facility in Bonneville County, ID

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of Availability of Final Environmental Impact Statement.

SUMMARY: Notice is hereby given that the U.S. Nuclear Regulatory Commission (NRC) has published the Final Environmental Impact Statement (EIS) for the AREVA Enrichment Services LLC (AES) Proposed Eagle Rock Enrichment Facility (EREF). On December 30, 2008, AES submitted a license application to the NRC that proposes the construction, operation, and decommissioning of a gas centrifuge-based uranium enrichment facility on a presently undeveloped site near Idaho Falls in Bonneville County, Idaho (the "proposed action"). This application is for a license to possess and use byproduct material, source material, and special nuclear material at the proposed uranium enrichment facility. The application included an Environmental Report (ER) regarding the proposed action.

AES subsequently submitted revisions to the license application on April 23, 2009 (Revision 1), and April 30, 2010 (Revision 2), which included ER Revision 1 and ER Revision 2, respectively. License application Revision 1 addresses the expansion of the proposed EREF to increase its production capacity from 3.3 million Separative Work Units (SWUs) per year to 6.6 million SWUs per year; and ER Revision 1 includes information on the environmental impacts of the proposed 6.6-million-SWU-per-year EREF. Revision 2 to the license application and the ER incorporates into Revision 1 additional information that AES previously provided the NRC in response to NRC staff requests for additional information for its safety and environmental reviews, as well as supplemental information on a proposed electrical transmission line required to power the proposed EREF.

On June 17, 2009, AES submitted a request for an exemption from certain NRC regulations so that it could commence certain preconstruction activities (e.g., site preparation) on the proposed EREF site prior to the NRC's decision on whether to grant or deny a license. On March 17, 2010, the NRC granted an exemption authorizing AES to conduct the requested preconstruction activities.

The Final EIS is being issued as part of the NRC's process to decide whether to issue a license to AES, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) parts 30, 40, and 70, to construct and operate the proposed uranium enrichment facility. Specifically, AES proposes to use gas centrifuge technology to enrich the uranium-235 isotope found in natural uranium to concentrations up to 5 percent by weight. The enriched uranium would be used to manufacture nuclear fuel for commercial nuclear power reactors. In the Final EIS, the NRC staff assessed the potential environmental impacts from the preconstruction, construction, operation, and decommissioning of the proposed EREF project.

The Final EIS was prepared in compliance with the *National Environmental Policy Act of 1969,* as amended (NEPA), and the NRC's regulations for implementing NEPA in 10 CFR part 51. The NRC staff assessed the impacts of the proposed action on land use, historic and cultural resources, visual and scenic resources, air quality, geology and soils, water resources, ecological resources, noise, transportation, public and occupational health, waste management, socioeconomics, and environmental justice. Additionally, the NRC staff analyzed and compared the benefits and costs of the proposed action. In preparing this Final EIS, the NRC staff also reviewed, considered, evaluated, and addressed the public comments received on the Draft EIS.

In addition to the proposed action, the NRC staff considered the no-action alternative and other alternatives. Under the no-action alternative, the NRC would deny AES's request to construct and operate a uranium enrichment facility at the EREF site. The no-action alternative serves as a baseline for comparison of the potential environmental impacts of the proposed action. Other alternatives the NRC staff considered but eliminated from further analysis include: (1) Alternative sites for the EREF; (2) alternative sources of enriched uranium; and (3) alternative technologies for uranium enrichment. These alternatives were eliminated from further analysis due to economic, environmental, national security, technological maturity, or other reasons. The Final EIS also discusses alternatives for the disposition of depleted uranium hexafluoride (UF_6) resulting from enrichment operations over the lifetime of the proposed EREF.