

reduce the emission of volatile organic compounds from that tank into the surrounding area.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed 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](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, D.C. 20044-7611, and should refer to *United States v. Rocky Mountain Pipeline System, LLC, et al.*, Civil Action No. 11-CV-1188RPM-CBS, DOJ No. 90-5-2-1-09998.

The Decree may be examined at the Environment and Natural Resources Division Environmental Enforcement Section, United States Department of Justice Denver Field Office located at 999 18th Street, South Terrace—Suite 370, Denver, CO 80202 or at the United States Environmental Protection Agency Region 8 office located at 1595 Wynkoop Street, Denver, Colorado 80202. 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/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy of the Decree 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, exclusive of exhibits and defendants' signatures, please enclose a check in the amount of \$9.50 (25¢ per page reproduction cost) payable to the U.S. Treasury or, if by e-mail or fax, forward a check in that amount to the Consent Decree Library at the stated address.

**Robert Brook,**

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

[FR Doc. 2011-12622 Filed 5-23-11; 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; Green Technologies and Practices (GTP) Survey**

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (DOL) is submitting the Bureau of Labor Statistics (BLS) information collection request (ICR) titled, "Green Technologies and Practices Survey," to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (PRA) of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35).

**DATES:** Submit comments on or before June 23, 2011.

**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 from the *RegInfo.gov* Web site, <http://www.reginfo.gov/public/do/PRAMain>, 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 e-mail to [dol\\_pra\\_public@dol.gov](mailto:dol_pra_public@dol.gov).

Submit comments about this request to the Office of Information and Regulatory Affairs, *Attn:* OMB Desk Officer for the Department of Labor, Bureau of Labor Statistics (BLS), Office of Management and Budget, Room 10235, Washington, DC 20503, *Telephone:* 202-395-6929/*Fax:* 202-395-6881 (these are not toll-free numbers), *e-mail:* [oira\\_submission@omb.eop.gov](mailto:oira_submission@omb.eop.gov).

**FOR FURTHER INFORMATION CONTACT:** Michel Smyth by telephone at 202-693-4129 (this is not a toll-free number) or by e-mail at [dol\\_pra\\_public@dol.gov](mailto:dol_pra_public@dol.gov).

**SUPPLEMENTARY INFORMATION:** The Occupational Employment Statistics (OES) program has been funded to collect and produce objective and reliable information on occupational employment and wages for green jobs at the establishment level. This is to be conducted through a special employer survey. This work is necessary to meet the publication objective outlined in the FY2010 Congressional Appropriation. The GTP Survey will collect information on jobs within firms that use green technologies and practices as a part of business operations, regardless of the products or services produced.

OMB clearance is being sought for the "BLS Green Technologies and Practices Survey." The goal of the BLS and its OES program is to produce economic statistics on employment related to the use of environmentally friendly technologies and practices across the U.S. economy. Using its business establishment register, the OES program intends to survey establishments about these green activities and the associated employment. The survey will identify employers performing green activities, determine whether they have any employees performing tasks associated with these activities, gather information to classify those employees according to the Standard Occupational Classification (SOC) system, and collect wage rate information.

This proposed 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 if the collection of information does not display a valid OMB control number. See 5 CFR 1320.5(a) and 1320.6. For additional information, see the related notice published in the **Federal Register** on February 3, 2011 (76 FR 6161).

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 the publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should reference ICR Reference Number 121103-1220-003. *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;
- 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 submissions of responses.

*Agency:* Bureau of Labor Statistics (BLS).

*Title of Collection:* Green Technologies and Practices Survey.

*Type of Review:* New Collection (Request for a new OMB Control Number).

*ICR Reference Number:* 201103–1220–003.

*Affected Public:* Private Sector—Businesses or other for-profits and not-for-profit institutions; Federal Government; State, Local, and Tribal Governments.

*Total Estimated Number Responses:* 27,001.

*Total Estimates Annual Burden Hours:* 9,001.

*Total Estimated Annual Costs Burden:* \$0.

Dated: May 17, 2011.

**Michel Smyth,**

*Departmental Clearance Officer.*

[FR Doc. 2011–12643 Filed 5–23–11; 8:45 am]

BILLING CODE 4510–24–P

## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

#### Proposed Extension of Information Collection Request Submitted for Public Comment; Consent To Receive Employee Benefit Plan Disclosure Electronically; Prohibited Transaction Exemption 86–128; Furnishing Documents to the Secretary of Labor on Request under ERISA Section 104(a)(6)

**AGENCY:** Employee Benefits Security Administration, Department of Labor.

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (the Department), in accordance with the Paperwork Reduction Act of 1995 (PRA 95) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. The Employee Benefits Security Administration (EBSA) is soliciting comments on the proposed extension of

the information collection requests (ICRs) contained in the documents that are described below. The Department is not proposing to make any changes to the ICRs at this time. A copy of the ICRs may be obtained by contacting the office listed in the **ADDRESSES** section of this notice. ICRs also are available at [reginfo.gov](http://www.reginfo.gov/public/do/PRAMain) (<http://www.reginfo.gov/public/do/PRAMain>).

**DATES:** Written comments must be submitted to the office shown in the Addresses section on or before July 25, 2011.

**ADDRESSES:** G. Christopher Cosby, Department of Labor, Employee Benefits Security Administration, 200 Constitution Avenue, NW., N–5718, Washington, DC 20210, (202) 693–8410, FAX (202) 693–4745 (these are not toll-free numbers).

**SUPPLEMENTARY INFORMATION:** This notice requests public comment on the Department's request for extension of the Office of Management and Budget's (OMB) approval of ICRs contained in the rules described below. The Department is not proposing any changes to the existing ICRs at this time. An agency may not conduct or sponsor, and a person is not required to respond to, an information collection unless it displays a valid OMB control number. A summary of the ICRs and the current burden estimates follows:

*Agency:* Employee Benefits Security Administration, Department of Labor.

*Title:* Consent to Receive Employee Benefit Plan Disclosure Electronically.

*Type of Review:* Extension without change of a currently approved collection of information.

*OMB Number:* 1210–0121.

*Affected Public:* Business or other for-profit; Not-for-profit institutions.

*Respondents:* 50,000.

*Responses:* 3,400,000.

*Estimated Total Burden Hours:* 7,000.

*Estimated Total Burden Cost (Operating and Maintenance):* \$170,000.

*Description:* The Department established a safe harbor pursuant to which all pension and welfare benefit plans covered by Title I of ERISA may use electronic media to satisfy disclosure obligations under Title I of ERISA (29 CFR 2520.104b-1). Employee benefit plan administrators will be deemed to satisfy their disclosure obligations when furnishing documents electronically only if a participant who does not have access to the employer's electronic information system in the normal course of his duties, or a beneficiary or other person entitled to documents, has affirmatively consented to receive disclosure documents. Prior to consenting, the participant or

beneficiary must also be provided with a clear and conspicuous statement indicating the types of documents to which the consent would apply, that consent may be withdrawn at any time, procedures for withdrawing consent and updating necessary information, the right to obtain a paper copy, and any hardware and software requirements. In the event of a hardware or software change that creates a material risk that the individual will be unable to access or retain documents that were the subject of the initial consent, the individual must be provided with information concerning the revised hardware or software, and an opportunity to withdraw a prior consent. The Department published a Request for Information regarding electronic disclosure in the Federal Register on April 7, 2011 (75 Fed. Reg. 19285), which is unrelated to this notice. The ICR is scheduled to expire on August 31, 2011.

*Agency:* Employee Benefits Security Administration, Department of Labor.

*Title:* Prohibited Transaction Class Exemption 86–128.

*Type of Review:* Extension without change of a currently approved collection of information.

*OMB Number:* 1210–0059.

*Affected Public:* Business or other for-profit; Not-for-profit institutions.

*Respondents:* 4,200.

*Responses:* 1,168,529.

*Estimated Total Burden Hours:* 59,072.

*Estimated Total Burden Cost (Operating and Maintenance):* \$711,630.

*Description:* Prohibited Transaction Class Exemption 86–128 permits persons who serve as fiduciaries for employee benefit plans to effect or execute securities transactions on behalf of employee benefit plans. The exemption also allows sponsors of pooled separate accounts and other pooled investment funds to use their affiliates to effect or execute securities transactions for such accounts in order to recapture brokerage commissions for the benefit of employee benefit plans whose assets are maintained in pooled separate accounts managed by insurance companies. This exemption provides relief from certain prohibitions in section 406(b) of the Employee Retirement Income Security Act of 1974 (ERISA) and from the taxes imposed by section 4975(a) and (b) of the Internal Revenue Code of 1986 (the Code) by reason of Code section 4975(c)(1)(E) or (F).

In order to insure that the exemption is not abused, that the rights of participants and beneficiaries are