

There are four vessel pumpout facilities available in the Jamaica Bay. Three of those are land-based pumpout facilities operated by NYCDEP, and the fourth is a 24-foot sewage pumpout vessel operated by New York/New Jersey Baykeeper, that serves vessels

docked or anchored throughout the Bay. All four facilities provide the pumpout services free of charge. Given that approximately 1,500 recreational vessels use the Bay, the pumpout-to-vessel ratio for those vessels is 1:375 (*i.e.*, 4 facilities for 1,500 boats). Therefore, the pumpout

facilities in Jamaica Bay satisfy the Clean Vessel Act criterion of 1 pumpout per 300–600 vessels.

A list of the facilities, phone numbers, locations, hours of operation, water depth and fee is provided as follows:

LIST OF PUMPOUTS IN THE JAMAICA BAY NDZ PROPOSED AREA AVAILABLE FOR RECREATIONAL VESSELS

Number	Name	Location	Contact information	Dates/days/hours of operation	Water depth (feet)	Cost
1	Hudson River Yacht Club.	Paerdegat Basin	718-251-9791; Channel 71.	May 1–Oct 31; daily, 10 AM–5 PM.	10–14	Free.
2	Coney Island WWTP ...	Shellbank Creek	718-743-0990; Channel 13.	May 1–Oct 31 15; 24 hrs a day.	8–10	Free.
3	Rockaway WWTP	Jamaica Bay	718-474-3663; Channel 68.	May 1–Oct 31 15; 24 hrs a day.	10–14	Free.
4	NY/NJ Baykeeper's 24 foot sewage-pumpout vessel.	Jamaica Bay	732-337-9262; Channel 9.	Memorial Day to Labor Day; Sunrise to sunset.	N/A	Free.

Based on the above, EPA hereby proposes to make an affirmative determination that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are available for the open waters and tributaries of the Jamaica Bay of the New York City metropolitan area.

A 30-day period for public comment has been established on this matter, and EPA invites any comments relevant to its proposed determination.

Dated: July 21, 2011.

Judith A. Enck,

Regional Administrator, Region 2.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-9447-8]

Notice of Utah Adoption by Reference of the Pesticide Container Containment Rule

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice is provided to formally acknowledge the State of Utah's adoption by reference of the federal Pesticide Container Containment (PCC) Rule regulations. In accordance with State of Utah Agricultural Code, the Utah Department of Agriculture and Food adopted the applicable portions of 40 CFR part 152, subpart A, § 152.3, and Part 165, subparts A through E. The State did not request any modification to the federal PCC rules, and with this notice, the EPA Region 8, is formally

announcing the adoption by reference with no modifications.

FOR FURTHER INFORMATION CONTACT: VelRey Lozano, EPA Region 8, *telephone number:* (303) 312-6128; *e-mail address:* lozano.velrey@epa.gov or Clark Burgess, Utah Department of Agriculture and Food (UDAF), *telephone number:* (801) 538-7188; *e-mail address:* cburgess@utah.gov.

Authority: 7 U.S.C. 136 et seq. (1996).

Dated: July 21, 2011.

James B. Martin,

Regional Administrator, Region 8.

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EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Agency Information Collection Activities: Notice of Submission for OMB Review; Comment Request

AGENCY: Equal Employment Opportunity Commission.

ACTION: Notice of Information Collection—Uniform Guidelines on Employee Selection Procedures—Extension Without Change.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Equal Employment Opportunity Commission gives notice of its intent to submit to the Office of Management and Budget (OMB) a request for renewal of the information collection described below.

DATES: Written comments on this notice must be submitted on or before October 3, 2011.

ADDRESSES: You may submit comments by any of the following methods:

- By mail to Stephen Llewellyn, Executive Officer, Executive Secretariat, Equal Employment Opportunity Commission, 131 M Street, NE., Washington, DC 20507.

- By facsimile ("FAX") machine to (202) 663-4114. (There is no toll free FAX number.) Only comments of six or fewer pages will be accepted via FAX transmittal, in order to assure access to the equipment. Receipt of FAX transmittals will not be acknowledged, except that the sender may request confirmation of receipt by calling the Executive Secretariat staff at (202) 663-4070 (voice) or (202) 663-4074 (TTD). (These are not toll free numbers).

- By the Federal eRulemaking Portal: <http://www.regulations.gov>. After accessing this Web site, follow its instructions for submitting comments.

Comments need be submitted in only one of the above-listed formats, not all three. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information you provide. Copies of the received comments also will be available for inspection in the EEOC Library, FOIA Reading Room, by advance appointment only, from 9 a.m. to 5 p.m., Monday through Friday, except legal holidays, from October 3, 2011. Persons who schedule an appointment in the EEOC Library, FOIA Reading Room, and need assistance to view the comments will be provided with appropriate aids upon request, such as readers or print magnifiers. To schedule an appointment to inspect the comments at the EEOC Library, FOIA Reading Room, contact the EEOC Library by calling (202) 663-4630 (voice) or (202) 663-4641 (TTY). (These are not toll free numbers).

FOR FURTHER INFORMATION CONTACT:

Kathleen Oram, Senior Attorney, at (202) 663-4681 (voice), or Thomas J. Schlageter, Assistant Legal Counsel, (202) 663-4668 (voice) or (202) 663-7026 (TDD).

SUPPLEMENTARY INFORMATION:**Introduction**

The Equal Employment Opportunity Commission (EEOC or Commission) gives notice of its intent to submit the recordkeeping requirements contained in the Uniform Guidelines on Employee Selection Procedures (UGESP or Uniform Guidelines)¹ to the Office of Management and Budget (OMB) for a three-year extension without change under the Paperwork Reduction Act of 1995 (PRA).

Request for Comments

Pursuant to the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35, and OMB regulation 5 CFR 1320.8(d)(1), the EEOC invites public comments that will enable the agency to:

(1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) 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.

Overview of Collection

Collection Title: Recordkeeping Requirements of the Uniform Guidelines on Employee Selection Procedures, 29 CFR part 1607, 41 CFR part 60-3, 28 CFR part 50, 5 CFR part 300.

OMB Number: 3046-0017.

Type of Respondent: Businesses or other institutions; Federal Government; State or local governments and farms.

North American Industry Classification System (NAICS) Code: Multiple.

Standard Industrial Classification Code (SIC): Multiple.

Description of Affected Public: Any employer, Government contractor, labor

organization, or employment agency covered by the Federal equal employment opportunity laws.

Respondents: 899,580.

Responses: 899,580.

Recordkeeping Hours: 10,783,687 per year.

Number of Forms: None.

Form Number: None.

Frequency of Report: None.

Abstract: The Uniform Guidelines provide fundamental guidance for all Title VII-covered employers about the use of employment selection procedures. The records addressed by UGESP are used by respondents to assure that they are complying with Title VII and Executive Order 11246; by the Federal agencies that enforce Title VII and Executive Order 11246 to investigate, conciliate, and litigate charges of employment discrimination; and by complainants to establish violations of Federal equal employment opportunity laws. While there is no data available to quantify these benefits, the collection of accurate applicant flow data enhances each employer's ability to address any deficiencies in recruitment and selection processes, including detecting barriers to equal employment opportunity.

Burden Statement: There are no reporting requirements associated with UGESP. The burden being estimated is the cost of collecting and storing a job applicant's gender, race, and ethnicity data. The only paperwork burden derives from this recordkeeping.

Only employers covered under Title VII and Executive Order 11246 are subject to UGESP. For the purpose of burden calculation, employers with 15 or more employees are counted. The number of such employers is estimated at 899,580, which combines estimates from private employment,² the public sector,³ colleges and universities,⁴ and referral unions.⁵

This burden assessment is based on an estimate of the number of job

² "Employer Firms, Establishments, Employment, Annual Payroll and Receipts for Small Firm Size Classes, 2007 (<http://www.sba.gov/advo/research/data.html#us>).

³ "Government Employment & Payroll" (statistics on number of federal, state, and local government civilian employees and their gross payrolls for March 2008); "2008 State & Local Government" (data for 50 state governments and all local governments); Individual Government Data File (<http://www.census.gov/govs/apes/index.html-2010>). The number of government entities was adjusted to only include those with 15 or more employees.

⁴ Postsecondary Institutions in the United States: Fall 2007; Degrees and Other Awards Conferred: 2006-07; and 12-Month Enrollment: 2006-07, (<http://nces.ed.gov/pubsearch/pubsinfo.spp?pubid=2008159rev>).

⁵ EEO-3 Reports filed by referral unions in 2008 with EEOC.

applications submitted to all Title VII-covered employers in one year, including paper-based and electronic applications. The total number of job applications submitted every year to covered employers is estimated to be 1,294,042,500, which is based on a National Organizations Survey⁶ average of approximately 35 applications for every hire and a Bureau of Labor Statistics data estimate of 36,731,900 annual hires.⁷ It includes 161,300 applicants for union membership reported on the EEO-3 form for 2008.

The employer burden associated with collecting and storing applicant demographic data is based on the following assumptions: Applicants would need to be asked to provide three pieces of information—sex, race/ethnicity, and an identification number (a total of approximately 13 keystrokes); the employer would need to transfer information received to a database either manually or electronically; and the employer would need to store the 13 characters of information for each applicant. Recordkeeping costs and burden are assumed to be the cost of entering 13 keystrokes.

Assuming that the required recordkeeping takes 30 seconds per record, and assuming a total of 1,294,042,500 paper and electronic applications per year (as calculated above), the resulting UGESP burden hours would be 10,783,687. Based on a wage rate of \$13.65 per hour for the individuals entering the data, the collection and storage of applicant demographic data would come to approximately \$147,197,332 per year for Title VII-covered employers. We expect that the foregoing assumptions are over-inclusive, because many employers have electronic job application processes that should be able to capture applicant flow data automatically.

While the burden hours and costs for the UGESP recordkeeping requirement seem very large, the average burden per employer is quite small. We estimate that UGESP applies to 899,580 employers, approximately 822,000 of which are small firms (entities with 15-500 employees) according to data provided by the Small Business Administration Office of Advocacy.⁸ If we assume that a firm with 250

⁶ The National Organizations Survey is a survey of business organizations across the United States in which the unit of analysis is the actual workplace, (<http://www.icpsr.umich.edu/icpsrweb/ICPSR/studies/04074>).

⁷ Bureau of Labor Statistics Job Openings and Labor Turnover Survey—2010—(<http://www.bls.gov/jlt/data.htm>) adjusted to only include hires by firms with 15 or more employees.

⁸ See Firm Size Data at <http://sba.gov/advo/research/data.html#us>.

¹ 29 CFR part 1607, 41 CFR part 60-3, 28 CFR part 50, 5 CFR part 300.

employees (in the mid-range of the 822,000 small employers) has 20 job openings per year and receives an average of 35 applications per job opening, the burden hours to collect and store applicants' sex and race/ethnicity data would be 5.8 hours per year, and the costs would be \$79.11 per year. Similarly, if we assume that an employer with 1,500 employees has 125 job openings to fill each year, and receives 35 applications per opening, the burden hours would be 36.5 hours per year and the annual costs would be \$498.23.

Dated: July 28, 2011.

Jacqueline A. Berrien,
Chair, Equal Employment Opportunity Commission.

[FR Doc. 2011-19642 Filed 8-2-11; 8:45 am]

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FEDERAL RESERVE SYSTEM

Agency Information Collection Activities: Announcement of Board Approval Under Delegated Authority and Submission to OMB

SUMMARY:

Background

Notice is hereby given of the final approval of proposed information collections by the Board of Governors of the Federal Reserve System (Board) under OMB delegated authority, as per 5 CFR 1320.16 (OMB Regulations on Controlling Paperwork Burdens on the Public). Board-approved collections of information are incorporated into the official OMB inventory of currently approved collections of information. Copies of the Paperwork Reduction Act Submission, supporting statements and approved collection of information instruments are placed into OMB's public docket files. The Federal Reserve may not conduct or sponsor, and the respondent is not required to respond to, an information collection that has been extended, revised, or implemented on or after October 1, 1995, unless it displays a currently valid OMB control number.

FOR FURTHER INFORMATION CONTACT:

Acting Federal Reserve Board Clearance Officer—Cynthia Ayouch—Division of Research and Statistics, Board of Governors of the Federal Reserve System, Washington, DC 20551 (202-452-3829). Telecommunications Device for the Deaf (TDD) users may contact (202-263-4869), Board of Governors of the Federal Reserve System, Washington, DC 20551.

OMB Desk Officer—Shagufta Ahmed—Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, Washington, DC 20503.

Final approval under OMB delegated authority of the extension for three years, without revision, of the following reports:

Report title: Notifications Related to Community Development and Public Welfare Investments of State Member Banks.

Agency form number: FR H-6.

OMB control number: 7100-0278.

Frequency: Event-generated.

Reporters: State member banks.

Estimated annual reporting hours: 11 hours.

Estimated average hours per response: Post Notification, 2 hours; Application (Prior Approval) 2 hours; and Extension of divestiture period, 5 hours.

Number of respondents: Post Notification, 2; Application (Prior Approval), 1; and Extension of divestiture period, 1.

General description of report: This information collection is required to obtain a benefit (12 U.S.C. 338a, and 12 CFR 208.22). Individual respondent data generally are not regarded as confidential, but information that is proprietary or concerns examination ratings would be considered confidential pursuant to Freedom of Information Act (FOIA) Exemption 8. In addition, if the respondent can establish the potential for substantial competitive harm, such information would be protected from disclosure pursuant to FOIA Exemption 4. The confidentiality status would be determined on a case-by-case basis.

Abstract: Regulation H requires state member banks that want to make community development or public welfare investments to comply with the Regulation H notification requirements: (1) If the investment does not require prior Board approval, a written notice must be sent to the appropriate Federal Reserve Bank; (2) if certain criteria are not met, a request for approval must be sent to the appropriate Federal Reserve Bank; and, (3) if the Board orders divestiture but the bank cannot divest within the established time limit, a request or requests for extension of the divestiture period must be submitted to the appropriate Federal Reserve Bank.

Current Actions: On May 10, 2011, the Federal Reserve published a notice in the **Federal Register** (76 FR 27054) requesting public comment for 60 days on the extension, without revision, of the FR H-6. The comment period for

this notice expired on July 11, 2011. The Federal Reserve did not receive any comments.

2. *Report title:* Application for Membership in the Federal Reserve System.

Agency form number: FR 2083, 2083A, 2083B, and 2083C.

OMB control number: 7100-0046.

Frequency: On occasion.

Reporters: Newly organized banks that seek to become state member banks, or existing banks or savings institutions that seek to convert to state member bank status.

Estimated annual reporting hours: 168 hours.

Estimated average hours per response: 4 hours.

Number of respondents: 42

General description of report: This information collection is authorized by Section 9 of the Federal Reserve Act (12 U.S.C. 321, 322, and 333) and is required to obtain or retain a benefit. Most individual respondent data are not considered confidential. Applicants may, however, request that parts of their membership applications be kept confidential, but in such cases the Applicant must justify its request by demonstrating how an exemption under the Freedom of Information Act (FOIA) is satisfied. The confidentiality status of the information submitted will be judged on a case-by-case basis.

Abstract: The application for membership is a required one-time submission that collects the information necessary for the Federal Reserve to evaluate the statutory criteria for admission of a new or existing state bank into membership in the Federal Reserve System. The application collects managerial, financial, and structural data.

Current Actions: On May 10, 2011, the Federal Reserve published a notice in the **Federal Register** (76 FR 27054) requesting public comment for 60 days on the extension, without revision, of the FR 2083, 2083A, 2083B and FR 2083C. The comment period for this notice expired on July 11, 2011. The Federal Reserve did not receive any comments.

3. *Report title:* Applications for Subscription to, Adjustment in the Holding of, and Cancellation of Federal Reserve Bank Stock.

Agency form number: FR 2030, FR 2030a, FR 2056, FR 2086, FR 2086a, FR 2087.

OMB control number: 7100-0042.

Frequency: On occasion.

Reporters: National, state member, and nonmember banks.

Estimated annual reporting hours: FR 2030: 10 hours; FR 2030a: 16 hours; FR