

obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for "sixty days" until December 24, 2012. This process is conducted in accordance with 5 CFR 1320.10.

If you have comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact George Mazza, (202) 305-3146, Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice, 810 Seventh Street NW., Washington, DC 20531.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the function 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.

**Overview of This Information**

(1) *Type of Information Collection:* New collection.

(2) *Title of the Form/Collection:* Certification Form: Compliance with the Equal Employment Opportunity Plan (EEO) Requirements and EEO Short Form.

(3) *Agency form number, if any, and the applicable component of the U.S. Department of Justice sponsoring the collection:* Office for Civil Rights, Office of Justice Programs, United States Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief*

*abstract: Primary:* State, and local, government instrumentalities. Other: For-profit Institutions. Federal regulation, 28 CFR part 42, subpt. E authorizes the Department of Justice to collect information regarding employment practices from State or Local units of government; agencies of State and Local governments; and Private entities, institutions or organizations to which the Office of Justice Programs, the Office on Community Oriented Policing Services, or the Office on Violence Against Women extend Federal financial assistance.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply:* There are approximately 17,865 respondents. It will take all these respondents one quarter hour to complete and submit the certification to the Office of Justice Programs. It is estimated that it will take 3,286 respondents receiving a grant of \$500,000 or more four hours to complete the Equal Employment Opportunity Plan Short Form and submit it to the Office of Justice Programs. The estimated time to complete and submit the Certification is one quarter hour.

(6) *An estimate of the total public burden (in hours) associated with the collection:* For the EEO Short Form and the Certification form it will take a total estimated 17,610 burden hours.

If additional information is required, contact Jerri Murray, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., Room 2E-508, Washington, DC 20530.

Dated: October 22, 2012.

**Jerri Murray,**

*Department Clearance Officer for PRA, United States Department of Justice.*

[FR Doc. 2012-26278 Filed 10-24-12; 8:45 am]

**BILLING CODE 4410-18-P**

**DEPARTMENT OF JUSTICE**

**Amended Notice of Lodging of Proposed Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act**

This Notice amends and replaces the original notice published on October 19,

2012, 77 FR 64353-64354. Notice is hereby given that on October 10, 2012, the Department of Justice lodged a proposed consent decree with the United States District Court for the Central District of California in the lawsuit entitled *City of Colton v. American Promotional Events, Inc., et al.*, Civil Action No. CV 09-01864 PSG [Consolidated with Case Nos. CV 09-6630 PSG (SSx), CV 09-06632 PSG (SSx), CV 09-07501 PSG (SSx), CV 09-07508 PSG (SSx), CV 10-824 PSG (SSx) and CV 05-01479 PSG (SSx)].

In this action, the United States filed a complaint under Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9607, ("CERCLA"), to recover past response costs incurred and other relief in connection with the B.F. Goodrich Superfund Site located approximately 60 miles east of Los Angeles in San Bernardino County, California. The consent decree requires Pyro Spectaculars, Inc., Astro Pyrotechnics, Inc., Trojan Fireworks Company, Peters Parties, Stonehurst Site, LLC, and related entities, to pay a combined \$5,663,000 to the United States, San Bernardino County, the City of Colton, and the City of Rialto. Of this amount, the United States shall receive \$4,330,000; Colton shall receive \$500,000; Rialto shall receive \$500,000; and San Bernardino County shall receive \$333,000. In return, the United States provides covenants not to sue pursuant to Sections 106 and 107(a) of CERCLA and Section 7003 of the Resource Conservation and Recovery Act. A hearing will be held on the proposed settlement if requested in writing within the public comment period.

The publication of this notice opens a period for public comment on the consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *City of Colton v. American Promotional Events, Inc., et al.*, D.J. Ref. No. 90-11-2-09952. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	Send them to:
By email .....	<a href="mailto:pubcomment-ees.enrd@usdoj.gov">pubcomment-ees.enrd@usdoj.gov</a> .
By mail .....	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

During the public comment period, the consent decree may be examined and downloaded at this Justice Department Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). We will provide a paper copy of the consent decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for \$15.50 (25 cents per page reproduction cost) payable to the United States Treasury.

**Maureen Katz,**

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

[FR Doc. 2012–26250 Filed 10–24–12; 8:45 am]

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## MERIT SYSTEMS PROTECTION BOARD

### Privacy Act of 1974; Amendment of Privacy Act System of Records

**AGENCY:** Merit Systems Protection Board.

**ACTION:** Notice of amendment to system of records.

**SUMMARY:** The Merit Systems Protection Board (MSPB) is issuing public notice of its intent to amend a Government-wide system of records that it maintains subject to the Privacy Act of 1974 (5 U.S.C. 552a). MSPB/GOVT–1, “Appeals and Case Records,” is being amended to reflect that its location is in the Office of the Clerk of the Board.

Also, the purpose(s) under the authority for maintenance of the system was amended to reflect that these records may be used to document and adjudicate appeals and other matters arising under the Board’s appellate and original jurisdiction; locate appeal documents and files, physical or electronic; provide statistical data for reports, staff productivity, and other management functions; and provide information to support other statutory functions of the Board, such as studies of the civil service under 5 U.S.C. 1204(a)(3), and review of regulations of the Office of Personnel Management (OPM) under 5 U.S.C. 1204(f), and reporting under 5 U.S.C. 1206. The MSPB is also adding a routine use: release to the public, including via the agency’s Web site following issuance of a decision.

## MSPB/GOVT–1

### SYSTEM NAME:

Appeals and Case Records.

### SYSTEM LOCATION:

Office of the Clerk of the Board, Merit Systems Protection Board (MSPB), Suite 500, 1615 M Street NW., Washington, DC 20419, and MSPB regional and field offices (see list of office addresses in the Appendix).

### CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

a. Current and former Federal employees, applicants for employment, annuitants, and other individuals who have filed appeals with MSPB or its predecessor agency, or with respect to whom the Office of Special Counsel (OSC) or another Federal agency has petitioned MSPB concerning any matter over which MSPB has jurisdiction.

b. Current and former employees of State and local governments who have been investigated by OSC and have had an appeal before MSPB concerning possible violation of the Hatch Act.

### CATEGORIES OF RECORDS IN THE SYSTEM:

a. These records contain information or documents such as briefs, pleadings, motions, exhibits, hearing transcripts, and MSPB decisions, which comprise the administrative records of appeals and other matters arising under the adjudicatory authority of the Board. These records may also contain individual appellants’ names, social security numbers, home addresses, veterans’ status, race, sex, national origin, and disability status data.

b. This system also includes the Board’s case processing system (CPS). The CPS was designed to manage all documents created by the Board during the processing of a case, as well as documents that are received electronically from the parties. At the present time, the CPS includes: a document assembly system to create documents; a document management system to manage and store documents; a case management system to record activities in cases, track the location of case files, and produce statistical reports on cases; and an electronic filing and electronic publishing system to allow the parties to send and receive case documents electronically.

Note: This system includes records and documents compiled by Federal agencies in processing adverse actions and actions based on unacceptable performance, covered by OPM/GOVT–3, when such actions are appealed to MSPB.

### AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 1204.

Purpose(s):

These records may be used to:

- a. Document and adjudicate appeals and other matters arising under the Board’s appellate and original jurisdiction;
- b. Locate appeal documents and files, whether physical or electronic;
- c. Provide statistical data for reports, staff productivity, and other management functions; and
- d. Provide information to support other statutory functions of the Board, such as studies of the civil service under 5 U.S.C. 1204(a)(3), review of regulations of the Office of Personnel Management under 5 U.S.C. 1204(f), and reporting under 5 U.S.C. 1206.

### ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Information from the record may be disclosed:

- a. To officials of the Equal Employment Opportunity Commission (EEOC) or a Special Panel convened under authority of 5 U.S.C. 7702 when requested in connection with the performance of their authorized duties;
- b. To officials of the Office of Personnel Management (OPM), the Federal Labor Relations Authority (FLRA), EEOC, and OSC in connection with the performance of their authorized duties;
- c. To the Government Accountability Office (GAO) in response to an official inquiry or investigation;
- d. To provide information to a Congressional office from the record of an individual in response to an inquiry from that Congressional office made at the request of that individual;
- e. To an appropriate Federal or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order where there is an indication of a violation or potential violation of civil or criminal law or regulation;
- f. To the Office of Management and Budget (OMB) at any stage in the legislative process in connection with private relief legislation as set forth in OMB Circular No. A–19;
- g. To the Department of Justice (DOJ) when:
  - (1) The Board, or any component thereof; or
  - (2) Any employee of the Board in the employee’s official capacity; or
  - (3) Any employee of the Board in the employee’s individual capacity where the Department of Justice (DOJ) has agreed to represent the employee; or
  - (4) The United States is a party to litigation or has an interest in such