

6. An estimate of the total public burden (in hours) associated with the collection: 1,350 total annual burden hours (0.5 hours × 2,700 respondents + 1,350 total 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., 3E.405B, Washington, DC 20530.

Dated: May 12, 2015.

**Jerri Murray,**

*Department Clearance Officer for PRA, U.S. Department of Justice.*

[FR Doc. 2015-11733 Filed 5-14-15; 8:45 am]

**BILLING CODE 4410-AT-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Consent Decree Under the Clean Air Act, Clean Water Act, and Emergency Planning and Community Right to Know Act

On May 11, 2015, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Western District of New York in the lawsuit entitled *United States and State of New York v.*

*Tonawanda Coke Corporation*, Civil Action No. 1:15-cv-00420-WMS.

The Consent Decree resolves the claims of the United States and the State of New York set forth in the complaint against Tonawanda Coke Corporation for violations of the Clean Air Act, the Clean Water Act, and the Emergency Planning and Community Right to Know Act, in connection with its facility located in Tonawanda, New York. Under the Consent Decree, Tonawanda Coke Corporation has agreed to pay a civil penalty of \$2,750,000. Of that penalty, \$1,750,000 will be paid to the United States and \$1,000,000 will be paid to the State of New York. Tonawanda Coke Corporation will also perform a wetlands preservation supplemental environmental project valued at \$357,143 and fund a \$1,000,000 state-led environmental benefit project fund. In addition, Tonawanda Coke Corporation will perform the injunctive relief required under the Consent Decree.

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 *United States and State of New York v.*

*Tonawanda Coke Corporation*, D.J. Ref. No. 90-5-2-1-09994. 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.justice.gov/enrd/consent-decrees>. 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 \$29.50 (25 cents per page reproduction cost) payable to the United States Treasury. For a paper copy without the exhibits and signature pages, the cost is \$20.50.

**Maureen Katz,**

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

[FR Doc. 2015-11764 Filed 5-14-15; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF LABOR

### Bureau of Labor Statistics

#### Proposed Collection, Comment Request

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance 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 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. The Bureau of Labor Statistics (BLS) is soliciting comments concerning the proposed extension of the International Price Program U.S. Import and Export Price Indexes. A copy of the proposed information collection request (ICR) can be obtained by contacting the individual listed below in the Addresses section of this notice.

**DATES:** Written comments must be submitted to the office listed in the **ADDRESSES** section of this notice on or before July 14, 2015.

**ADDRESSES:** Send comments to Nora Kincaid, BLS Clearance Officer, Division of Management Systems, Bureau of Labor Statistics, Room 4080, 2 Massachusetts Avenue NE., Washington, DC 20212. Written comments also may be transmitted by fax to 202-691-5111 (this is not a toll free number).

**FOR FURTHER INFORMATION CONTACT:** Nora Kincaid, BLS Clearance Officer, 202-691-7628 (this is not a toll free number). (See **ADDRESSES** section.)

#### SUPPLEMENTARY INFORMATION

##### I. Background

The U.S. Import and Export Price Indexes, produced by the Bureau of Labor Statistics' International Price Program (IPP), measure price change over time for all categories of imported and exported products, as well as selected services. The IPP has produced the U.S. Import Price Indexes continuously since 1973 and the U.S. Export Price Indexes continuously since 1971. The Office of Management and Budget has listed the Import and Export Price Indexes as a Principal Federal Economic Indicator since 1982. The indexes are widely used in both the public and private sectors. The primary public sector use is the deflation of the U.S. monthly Trade Statistics and the quarterly estimates of U.S. Gross Domestic Product; the indexes also are used in formulating U.S. trade policy and in trade negotiations with other countries. In the private sector, uses of the Import Price Indexes include market analysis, inflation forecasting, contract escalation, and replacement cost accounting.

The IPP indexes are closely followed statistics, and are viewed as a key indicator of the economic environment. The U.S. Department of Commerce uses the monthly statistics to produce monthly and quarterly estimates of inflation-adjusted trade flows. Without continuation of data collection, it would be extremely difficult to construct accurate estimates of the U.S. Gross Domestic Product. In fact, DOL—BLS'

attempt to curtail publication of the export price indexes beginning in FY15 was met with resistance from the Commerce Department who explained that a viable substitute is not available. The *Beyond the Numbers* article “Analyzing alternatives to export price indexes” (<http://www.bls.gov/opub/btn/volume-3/analyzing-alternatives-to-export-price-indexes.htm>) explores alternatives to using IPP’s export price indexes to deflate the U.S. Gross Domestic Product and explains why there are currently no comparable replacements.

Additionally, Federal policymakers in the Department of Treasury, the Council of Economic Advisers, and the Federal Reserve Board utilize these statistics on a regular basis to improve these agencies’ formulation and evaluation of monetary and fiscal policy and evaluation of the general business environment.

**II. Current Action**

Office of Management and Budget clearance is being sought for the U.S. Import and Export Price Indexes. The IPP continues to modernize data collection and processing to permit more timely release of its indexes, and to reduce reporter burden. The IPP has expanded the use of its web application, introduced in 2003 to allow respondents to update their data online and more rapidly than using a paper-based form. Through March 2015, 89 percent of IPP respondents were providing prices via the web application or had agreed to start using this repricing method. Field

Economists currently offer web repricing to all new respondents and at initiation, it is the preferred method of collection offered to companies. IPP continues to reduce burden for web respondents through system enhancements.

IPP has also facilitated the registration process for respondents who are currently using web repricing to provide prices for the Producer Price Index and who have also been initiated to provide prices (online) for IPP. The new process allows these multi-program respondents to self-register following the steps outlined in a pamphlet. Under the old process, IPP staff had to work with PPI staff on technical changes before multi-program respondents could set up and begin web repricing for IPP. Respondents therefore had to wait (multiple days) for an IPP staff member to contact them and walk them through the web repricing set-up.

The Program also continues its multi-year effort to develop a more effective sampling and collection strategy for companies that are considered major importers or exporters. Research has shown that, while hundreds of thousands of companies import and export goods into and from the United States each year, the volume of trade (in terms of dollar value) is heavily concentrated on a very small percentage of these companies. IPP is developing a plan for conducting a pilot for a limited set of major companies for the selected alternative resampling strategy. This approach would reduce burden by

avoiding continual visits that are part of the current resampling strategy.

**III. Desired Focus of Comments**

The Bureau of Labor Statistics 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.

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

*Agency:* Bureau of Labor Statistics.  
*Title:* International Price Program (IPP) U.S. Import and Export Price Indexes.

*OMB Number:* 1220–0025.

*Affected Public:* Private Sector, Business or other for-profits.

**ESTIMATED TOTAL BURDEN HOURS**

Form	Total respondents	Frequency	Total responses	Average time per response	Estimated total burden
Form 3008		Annually			
Imports	1800		1800	1.0 hour	1800 hours.
Exports	1200		1200	1.0 hour	1200 hours.
Total	3000		3000		3,000 hours.
Form 3007D		Monthly			
Imports	3000	8.8 <sup>1</sup>	26400	.4260 <sup>2</sup> hours	11246 hours.
Exports	1950	9.0 <sup>1</sup>	17550	.4022 <sup>3</sup> hours	7059 hours.
Total	4950		43950		18305.
Totals			46950		21305.

<sup>1</sup> During initiation, the respondent determines how many months he/she will need to supply data in a given year based upon how often the company changes its pricing information. The average company is requested to supply information 9.0 months per year for exports and 8.8 months per year for imports.

<sup>2</sup> Time to reprice is based upon 5 minutes of response time per item × 5.113 items = 25.565 minutes/60 = .4260 hours.

<sup>3</sup> Time to reprice is based upon 5 minutes of response time per item × 4.826 items = 24.130 minutes/60 = .4022 hours.

*Total Burden Cost (capital/startup):* \$0.

*Total Burden Cost (operating/maintenance):* \$0.

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

Signed at Washington, DC, this 12th day of May 2015.

**Kimberly D. Hill,**

*Chief, Division of Management Systems,  
Bureau of Labor Statistics.*

[FR Doc. 2015-11737 Filed 5-14-15; 8:45 am]

**BILLING CODE 4510-24-P**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Petitions for Modification of Application of Existing Mandatory Safety Standards

**AGENCY:** Mine Safety and Health Administration, Labor.

**ACTION:** Notice.

**SUMMARY:** Section 101(c) of the Federal Mine Safety and Health Act of 1977 and Title 30 of the Code of Federal Regulations, 30 CFR part 44, govern the application, processing, and disposition of petitions for modification. This notice is a summary of petitions for modification submitted to the Mine Safety and Health Administration (MSHA) by the parties listed below.

**DATES:** All comments on the petitions must be received by the Office of Standards, Regulations, and Variances on or before June 15, 2015.

**ADDRESSES:** You may submit your comments, identified by "docket number" on the subject line, by any of the following methods:

1. *Electronic Mail:* [zzMSHA-comments@dol.gov](mailto:zzMSHA-comments@dol.gov). Include the docket number of the petition in the subject line of the message.

2. *Facsimile:* 202-693-9441.

3. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209-3939, Attention: Sheila McConnell, Acting Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk on the 21st floor. Individuals may inspect copies of the petitions and comments during normal business hours at the address listed above.

MSHA will consider only comments postmarked by the U.S. Postal Service or proof of delivery from another delivery service such as UPS or Federal Express on or before the deadline for comments.

#### FOR FURTHER INFORMATION CONTACT:

Barbara Barron, Office of Standards, Regulations, and Variances at 202-693-9447 (Voice), [barron.barbara@dol.gov](mailto:barron.barbara@dol.gov) (Email), or 202-693-9441 (Facsimile). [These are not toll-free numbers.]

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. That the application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, the regulations at 30 CFR 44.10 and 44.11 establish the requirements and procedures for filing petitions for modification.

##### II. Petitions for Modification

*Docket Number:* M-2015-011-C.

*Petitioner:* GCC Energy, LLC, 6473 County Road 120, Hesperus, Colorado 81326.

*Mine:* King II Mine, MSHA I.D. No. 05-04864, located in La Plata County, Colorado.

*Regulation Affected:* 30 CFR 77.1403 (Daily examination of hoisting equipment).

*Modification Request:* The petitioner requests a modification of the existing standard that requires examinations of hoists and elevators as it applies to a new limited use/limited application wheelchair lift elevator system. The petitioner states that:

1. This wheelchair lift will not carry miners into the mine on regularly scheduled shifts.

2. The wheelchair lift is located on the South end of our two-story bathroom next to the stairs accessing the second floor where Engineering and Superintendent offices are located. GCC Energy LLC is in a new building located on the surface area of an underground mine site. A new two-stop limited use/limited application elevator system has been installed. The purpose and intent

of the hoist is for handicap access to the offices on the second floor of the bathroom.

3. The wheelchair lift is installed and designed to comply with the Americans with Disabilities Act.

4. Title 30 CFR 77.1403 requires daily examinations of hoists and elevators, and 30 CFR 77.1404 requires that the person making the examination certify that the examination has been made. The records are to be kept for one year.

5. The Colorado Department of Labor and Employment, Division of Oil and Public Safety (OPS), Conveyance Program protects the riding public and industry personnel in the State of Colorado from the hazards of dangerous conveyances. To achieve this mission, the OPS requires the following:

(a) That all elevators, escalators, dumbwaiters, wheelchair lifts, APM and other regulated conveyances located in Colorado be registered with OPS.

(b) The installation, alteration, maintenance, testing, and annual inspection of regulated conveyances be completed according to the Colorado conveyance regulations, industry code and standard adopted in statute and regulation.

(c) That all conveyance contractors, mechanics, and inspectors maintain a current license issued by OPS and that the installation, alteration, maintenance, and examinations of regulated conveyances are completed by licensed and qualified personnel.

6. The petitioner states that GCC Energy does not employ a licensed OPS inspector. Accordingly, GCC seeks relief from the requirements of daily examination and recordkeeping of hoisting equipment. GCC Energy changes light bulbs in the cabin and records the phase 1 fire tests done monthly in the cabin. The control panel or inspection covers are not opened by GCC, and GCC does not perform any service or maintenance on the lift. Every five years a witness test with a licensed mechanic must be performed.

7. The elevator is a wheelchair lift with a single hydraulic cylinder traveling approximately 12 feet, not to exceed 30 feet per minute, that is roped so as not to allow over-extension. The cabin is attached to the cylinder. There are no wire ropes, sheave wheels, sheaves, or thimbles that must be examined daily for wear, and no damaged or worn bearings or broken wires.

8. GCC Energy, LLC is petitioning to allow the licensed inspectors to do the examinations and the licensed mechanics to do all repairs.

The petitioner asserts that the proposed alternative method will