

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: September 11, 2019.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2019-20023 Filed 9-16-19; 8:45 am]

**BILLING CODE 7020-02-P**

**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Proposed Consent Decree Under the Clean Air Act**

On August 23, 2019, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Middle District of Florida in the lawsuit entitled *United States of America v. Southeastern Grocers, Inc., BI-LO, LLC, and Winn-Dixie Stores, Inc.*, Civil Action No. 3:19-cv-00988-MMH-MCR.

The United States filed this lawsuit under the Clean Air Act. The United States' complaint seeks injunctive relief and civil penalties for violations of the regulations governing the service and repair of commercial refrigeration appliances that use ozone-depleting refrigerant and for violations of the recording keeping regulations. The consent decree requires Defendants to perform injunctive relief related to refrigeration equipment at approximately 576 stores and pay a \$300,000 civil penalty.

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 of America v. Southeastern Grocers, Inc., BI-LO, LLC, and Winn-Dixie Stores, Inc.*, D.J. Ref. No. 90-5-2-1-11839. 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:

<i>To submit comments:</i>	<i>Send them to:</i>
By email .....	<i>pubcomment-ees.enrd@usdoj.gov.</i>
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 website: <https://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 \$20.00 (25 cents per page reproduction cost) payable to the United States Treasury. For a paper copy without the appendix and signature pages, the cost is \$11.00.

**Henry Friedman,**

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

[FR Doc. 2019-20001 Filed 9-16-19; 8:45 am]

**BILLING CODE 4410-15-P**

**DEPARTMENT OF LABOR**

**Bureau of Labor Statistics**

**Data Users Advisory Committee; Request for Nominations**

**AGENCY:** Bureau of Labor Statistics (BLS), Department of Labor.

**ACTION:** Request for nominations to the BLS Data Users Advisory Committee.

**SUMMARY:** The BLS is soliciting new members for its Data Users Advisory Committee (DUAC). The current membership expired on January 15, 2018. The DUAC provides advice to the Bureau of Labor Statistics from the points of view of data users from various sectors of the U.S. economy, including the labor, business, research, academic, and government communities, on matters related to the analysis, dissemination, and use of the Bureau's statistics, on its published reports, and on gaps between or the need for new Bureau statistics. The Committee will consist of 20 members and will be chosen from a cross-section of individuals who represent a balance of expertise across a broad range of BLS program areas, including employment and unemployment statistics,

occupational safety and health statistics, compensation measures, price indexes, and productivity measures; or other areas related to the subject matter of BLS programs. BLS invites persons interested in serving on the DUAC to submit their names for consideration for committee membership.

**DATES:** Nominations for the DUAC membership should be postmarked October 17, 2019.

**ADDRESSES:** Nominations for the DUAC membership should be sent to: Commissioner William W. Beach, U.S. Bureau of Labor Statistics, 2 Massachusetts Avenue NE, Room 4040, Washington, DC 20212, or as email attachments to [DUACnominations@bls.gov](mailto:DUACnominations@bls.gov). If submitting electronically, please submit in Word or PDF format.

**FOR FURTHER INFORMATION CONTACT:**

Kathy Mele, Deputy Associate Commissioner, U.S. Bureau of Labor Statistics, 2 Massachusetts Avenue NE, Office of Publications and Special Studies, Room 2850, Washington, DC 20212. Telephone: (202)691-6102. This is not a toll free number.

**SUPPLEMENTARY INFORMATION:** BLS intends to renew membership in the DUAC for another three years. The BLS operates over two dozen surveys that measure employment and unemployment, compensation, worker safety, productivity, and consumer and producer price movements. BLS provides a wealth of economic data and analyses to support public and private decision making. The DUAC was established to provide advice to the Commissioner of Labor Statistics on the priorities of data users, suggestions concerning the addition of new programs, changes in emphasis of existing programs or cessation of obsolete programs, and advice on potential innovations in data analysis, dissemination, and presentation.

*Nominations:* BLS is looking for committed DUAC members who have a strong interest in, and familiarity with, BLS data. The Agency is looking for nominees who use and have a comprehensive understanding of economic statistics. The U.S. Bureau of Labor Statistics is committed to bringing greater diversity of thought, perspective, and experience to its advisory committees. Nominees from all races, gender, age, and disabilities are encouraged to apply. Interested persons may nominate themselves or may submit the name of another person who they believe to be interested in and qualified to serve on the DUAC. Nominations may also be submitted by organizations. Nominations should include the name, address, and

telephone number of the candidate. Each nomination should include a summary of the candidate's training or experience relating to BLS data specifically, or economic statistics more generally. BLS will conduct a basic background check of candidates before their appointment to the DUAC. The background check will involve accessing publicly available, internet-based sources.

**Authority:** This notice was prepared in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. 2, the Secretary of Labor has determined that the Bureau of Labor Statistics Data Users Advisory Committee is in the public interest in connection with the performance of duties imposed upon the Commissioner of Labor Statistics by 29 U.S.C. 1 and 2. This determination follows consultation with the Committee Management Secretariat, General Services Administration.

Signed at Washington, DC, this 11th day of September 2019.

**Mark Staniorski,**

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

[FR Doc. 2019-20022 Filed 9-16-19; 8:45 am]

**BILLING CODE 4510-24-P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA-2006-0028]

#### **MET Laboratories, Inc.: Grant of Expansion of Recognition and Modification to the NRTL Program's List of Appropriate Test Standards**

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Notice.

**SUMMARY:** In this notice, OSHA announces the final decision to expand the scope of recognition for MET Laboratories, Inc., as a Nationally Recognized Testing Laboratory (NRTL). Additionally, OSHA announces the addition of one test standard to the NRTL Program's List of Appropriate Test Standards.

**DATES:** The expansion of the scope of recognition becomes effective on September 17, 2019.

**FOR FURTHER INFORMATION CONTACT:** Information regarding this notice is available from the following sources:

*Press inquiries:* Contact Mr. Frank Meilinger, Director, OSHA Office of

Communications, U.S. Department of Labor; telephone: (202) 693-1999; email: [meilinger.francis2@dol.gov](mailto:meilinger.francis2@dol.gov).

**General and technical information:** Contact Mr. Kevin Robinson, Director, Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor; telephone: (202) 693-2110; email: [robinson.kevin@dol.gov](mailto:robinson.kevin@dol.gov). OSHA's web page includes information about the NRTL Program (see <http://www.osha.gov/dts/otpca/nrtl/index.html>).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Notice of Final Decision**

OSHA hereby gives notice of the expansion of the scope of recognition of MET Laboratories, Inc. (MET), as a NRTL. MET's expansion covers the addition of one test standard to its scope of recognition. Additionally, OSHA announces the addition of one test standard to the NRTL Program's List of Appropriate Test Standards.

OSHA recognition of a NRTL signifies that the organization meets the requirements specified by 29 CFR 1910.7. Recognition is an acknowledgment that the organization can perform independent safety testing and certification of the specific products covered within the scope of recognition and is not a delegation or grant of government authority. As a result of recognition, employers may use products properly approved by the NRTL to meet OSHA standards that require testing and certification of the products.

The agency processes applications by a NRTL for initial recognition, or for expansion or renewal of this recognition, following requirements in Appendix A to 29 CFR 1910.7. This appendix requires that the agency publish two notices in the **Federal Register** in processing an application. In the first notice, OSHA announces the application and provides a preliminary finding and, in the second notice, the agency provides the final decision on the application. These notices set forth the NRTL's scope of recognition or modifications of that scope. OSHA maintains an informational web page for each NRTL that details the scope of recognition. These pages are available from the agency's website at <http://www.osha.gov/dts/otpca/nrtl/index.html>.

MET submitted an application, dated November 8, 2016 (OSHA-2006-0028-

0041), to expand its recognition to include four additional test standards. OSHA staff performed a detailed analysis of the application packet and reviewed other pertinent information. OSHA did not perform any on-site reviews in relation to this application.

OSHA previously published a **Federal Register** notice (83 FR 5813) on February 9, 2018, announcing this application, but referenced one of the four standards as being recognized by OSHA when that standard is not currently included in the NRTL Program's List of Appropriate Test Standards. OSHA further published a **Federal Register** notice (83 FR 22291) granting recognition for three of the four additional standards requested in the application. This notice corrects the error in the previous **Federal Register** notice for the one remaining standard.

OSHA published the preliminary notice announcing MET's expansion application and proposed addition to the NRTL List of Appropriate Test Standards in the **Federal Register** on March 12, 2019 (84 FR 8900). The agency requested comments by March 27, 2019, and it received one comment (OSHA-2006-0028-0053) in response to this notice. This comment did not require a response from the agency. OSHA now is proceeding with this final notice to grant expansion of MET's scope of recognition.

To obtain or review copies of all public documents pertaining to MET's application, go to <http://www.regulations.gov> or contact the Docket Office, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue NW, Room N-3653, Washington, DC 20210. Docket No. OSHA-2006-0028 contains all materials in the record concerning MET's recognition.

##### **II. Final Decision and Order**

OSHA staff examined MET's expansion application, the capability to meet the requirements of the test standards, and other pertinent information. Based on a review of this evidence, OSHA finds that MET meets the requirements of 29 CFR 1910.7 for expansion of the recognition, subject to the specified limitation and conditions listed. OSHA, therefore, is proceeding with this final notice to grant expansion of MET's scope of recognition. OSHA limits the expansion of MET's scope of recognition to testing and certification of products for demonstration of conformance to the test standard listed in Table 1.