

Commencement Bay Nearshore/ Tideflats (CB N/T) Superfund Site.

The Complaint asserts claims under sections 104, 106, and 107 of the Comprehensive Environmental Response, Compensation and Liability Act, as amended (CERCLA), 42 U.S.C. 9604, 9606, and 9607, and section 7003 of the Resource Conservation and Recovery Act, as amended (RCRA), 42 U.S.C. 6973. The Complaint seeks reimbursement of response costs, a declaration that defendant is liable for all future response costs incurred by the United States, and implementation of an interim remedial action at the Asarco Site.

Pursuant to the Consent Decree, Asarco has agreed to implement the proposed interim remedial action. The estimated cost of this action is approximately \$12 million. Asarco has also agreed to pay \$333,500 in partial reimbursement of EPA's past response costs at the Site and has agreed to compensate EPA for its future response costs incurred in connection with the interim remedial action. The proposed Consent Decree contains a covenant not to sue only for the work to be done and the costs actually reimbursed under the Decree. The United States reserves all rights against Asarco with respect to unreimbursed response costs and other remedial activities.

The Department of Justice will receive written comments relating to the proposed Consent Decree for thirty (30) days from the date of publication of this notice. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, U.S. Department of Justice, Washington, DC 20530, and should refer to *United States v. Asarco, Inc.*, D.J. Ref. No. 90-11-2-698.

The proposed Consent Decree and exhibits may be examined at the office of the United States Attorney, Western District of Washington at Tacoma, 1145 Broadway Plaza, Tacoma, Washington 98402; at the Region 10 Office of EPA, Lynn M. Williams, Administrative Records Coordinator, Superfund Branch, 1200 Sixth Avenue, Seattle, Washington 98101; and at the Environmental Enforcement Section, Environment and Natural Resources Division of the U.S. Department of Justice, room 1515, Ninth Street and Pennsylvania Avenue, NW., Washington, DC 20530.

Simultaneously with this notice, EPA is undertaking a public outreach program to give notice of an Explanation of Significant Differences (ESD) in connection with the interim remedial action which Asarco will perform under the proposed Consent Decree. The ESD provides options for temporary on-site

storage of demolition debris prior to permanent disposal in addition to those included in the Record of Decision for the Asarco Demolition Operable Unit. The United States will withhold final action on the proposed Consent Decree until after EPA has taken final action on the ESD.

The proposed Consent Decree and exhibits may be examined at the following locations: The Region 10 Office of EPA, Lynn M. Williams, Administrative Records Coordinator, Superfund Branch, 1200 Sixth Avenue, Seattle, WA 98101; the Ruston Town Hall, 5117 North Winnifred, Ruston, WA 98407; the Washington Department of Ecology, 4415 Woodview Drive S.E., Olympia, WA 98504; the Tacoma Public Library, Main Branch, 1102 Tacoma Avenue South, Northwest Room, Tacoma, WA 98402; the McCormick Regional Branch Library, 3722 North 26th, Tacoma, WA 98407; the City of Tacoma Environmental Commission, 747 Market Street, suite 345, Tacoma, WA 98402; the Tacoma Pierce County Health Department, 3633 Pacific Avenue, Tacoma, WA 98404; the Pacific Lutheran University Library, 121st and South Park Avenue, Tacoma, WA 98444; and Citizens for a Healthy Bay, 771 Broadway, Tacoma, WA 98402. The complete Administrative Record for the Asarco Site may be reviewed at the EPA Region 10 office in Seattle and at the Main Branch of the Tacoma Public Library.

A copy of the Consent Decree and exhibits (if requested) may be obtained in person or by mail from the Environmental Enforcement Section Document Center, 601 Pennsylvania Avenue, NW., Box 1097, Washington, DC 20004, (202) 347-7829. In requesting copies, please enclose a check in the amount of \$21.25 (without exhibits) or \$41.50 (with exhibits) (25 cents per page reproduction cost) payable to the "Consent Decree Library."

Barry M. Hartman,
Acting Assistant Attorney General,
Environment and Natural Resources Division.
[FR Doc. 92-492 Filed 1-8-92; 8:45 am]
BILLING CODE 4410-01-M

William C. Dixon et al.; Lodging of Consent Decree Under the Clean Air Act

In accordance with Department policy, 28 CFR 50.7, notice is hereby given that on the 3 day of December 1991, two proposed Consent Decrees in *United States v. William C. Dixon, et al.*, C-91-0043 JP, were lodged with the United States District Court for the Northern District of California. The

Compliant sought civil penalties and injunctive relief against William C. Dixon and Patrick McCormick, pursuant to sections 111 and 112 of the Clean Air Act ("Act"), 42 U.S.C. 7411 and 7412, and the National Emissions Standards for Hazardous Air Pollutants (NESHAP) for asbestos at 40 CFR part 61.

The proposed Consent Decree relating to William C. Dixon requires that he pay \$6,000 in settlement of the United States' claims for civil penalties. The defendant, William Dixon, is subject to a three year injunction against violation of the Act and/or the NESHAP for asbestos. The decree requires payment of stipulated penalties in the event of violation of certain notice requirements and work performance standards applicable to renovations involving removal of asbestos.

The proposed Consent Decree relating to Patrick McCormick requires that he pay \$2,000 in settlement of the United States claims.

For thirty (30) days from the date of publication of this notice, the Department of Justice will receive written comments relating to the Consent Decrees from persons who are not parties to the action. Comments should be addressed to the Chief, Environmental Enforcement Section, Environment and Natural Resources Division, Department of Justice, Washington DC 20530 and should refer to *United States v. William C. Dixon, et al.*, D.J. Ref. No. 90-5-2-1489.

The proposed Consent Decrees may be examined at the Region IX office of the U.S. Environmental Protection Agency, 75 Hawthorne Street, San Francisco, California 94105.

Copies of the Consent Decrees also may be examined at the Environmental Enforcement Section Document Center, 601 Pennsylvania Avenue, NW., Box 1097, Washington, DC 20004, telephone number (202) 347-2072. A copy of either of the Consent Decrees may be obtained in person or by mail from the Environmental Enforcement Section Document Center. In requesting a copy, please tender a check in the amount of \$2.00 for the McCormick Decree and/or \$4.75 for the Dixon Decree (25 cents per page reproduction charge) payable to "Consent Decree Library."

John C. Cruden,

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

[FR Doc. 92-405 Filed 1-8-92; 8:45 am]

BILLING CODE 4410-01-M

Bureau of Justice Assistance**State Reimbursement Program for Incarcerated Mariel Cubans**

AGENCY: Office of Justice Programs, Bureau of Justice Assistance (BJA).

ACTION: Notice of issuance of solicitation for applications to reimburse States for partial expenses incurred by the incarceration of certain Mariel Cubans.

SUMMARY: The Department of Justice Appropriations Act, 1992, title I of Public Law 102-140, allocates up to \$4.963 million to implement the State Reimbursement Program for Incarcerated Mariel Cubans. The State Reimbursement Program for Incarcerated Mariel Cubans provides assistance to the States to defray expenses associated with the incarceration of Mariel Cubans in State facilities. Mariel Cubans affected by the Act are those individuals incarcerated after conviction of a felony, following their parole by the Attorney General, during the influx of Cubans leaving the Port of Mariel in 1980. One of the serious consequences of the 1980 Mariel Cuban Boatlift was the added burden placed upon the criminal justice systems of many states. The Mariel Boatlift included a minority of extremely violent offenders released from Cuban prisons. Many were subsequently convicted of felonies, and were incarcerated in State prisons in the United States. As a result, these States have been burdened with the additional costs of incarceration. The period of incarceration for reimbursement purposes is October 1, 1991, to September 30, 1992.

DATES: The State applications (S.F. 424) must be postmarked no later than February 1, 1992. All inmate data shall be electronically transmitted by the applicant to the Bureau of Justice Assistance for verification purposes no later than February 1, 1992.

ADDRESSES: Bureau of Justice Assistance, Special Programs Division, 633 Indiana Avenue, NW., room 1058, Washington, DC 20531.

FOR FURTHER INFORMATION CONTACT: Louise Lucas, BJA, 202/307-1065.

SUPPLEMENTARY INFORMATION: On October 18, 1991, a survey to determine the feasibility of establishing an electronic data entry system for the Mariel Cuban Reimbursement Program was mailed to all State Departments of Corrections. Based on the completed surveys from 46 States, it was determined that the electronic data entry system would enhance the operation of the program as well as

reduce the paper flow of documents from the States. BJA, under separate cover, will provide to the States the necessary information to access the automated data entry system.

I. General Provisions*Eligible Applicants*

All States are eligible to apply for and receive grants. "State" means any State of the United States and includes the District of Columbia and the Commonwealth of Puerto Rico.

Participating States

It is expected that the 39 States that participated in the State Reimbursement Program last year will participate again this year. Those States participating in 1991 included: Alaska, Arkansas, Arizona, California, Colorado, Connecticut, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Virginia, Washington, West Virginia and Wisconsin. There is the possibility that a few additional States will participate in 1992.

II. Allocations and Use of Funds*Fund Availability*

The Act provides a total of \$4.963 million for the purpose of making grants to States. Awards will be calculated by taking the aggregate number of verified inmate months from all applications submitted and dividing the months into the appropriation. The verified number of months for each application will then be multiplied by the average inmate cost per month. The amount of reimbursement per prisoner, per annum, shall not exceed \$12,000.

Fund Use

The intent of the public law is to reimburse the States for partial expenses incurred by reason of Mariel Cubans having to be incarcerated in State facilities. Therefore, a budget or expenditure plan is not required, as the award will be used solely for reimbursement purposes. Matching funds are not required.

III. Application Content

(a) All State applicants must submit Standard Form 424 (Application for Federal Assistance), and a certified listing of incarcerated Mariel Cuban prisoners. The certified listing shall be a "hard copy" of the electronically

transmitted inmate data to BJA. The automated data entry system is designed to include information in the following sequence:

- (1) Name (last name first).
 - (2) AKA (also known as).
 - (3) Alien Identification Number (e.g., A24 456 789).
 - (4) Inmate Number.
 - (5) Date of Birth.
 - (6) Incarceration Date.
 - (7) Probable Earliest Release Date.
- Submission of Mariel Cuban data in an alternative format must be approved by BJA prior to submission of an application.

(b) The certified listing must be signed by the Governor or one of his or her authorized representatives.

(c) The period of incarceration for reimbursement purposes is October 1, 1991, to September 30, 1992. The computation of funds will be based on an aggregate total of certified prisoners incarcerated for a 12-month period (e.g., if two prisoners are incarcerated for six months during the period, the State will be reimbursed the full amount for one year).

(d) The Act is specific in that the prisoner must have been paroled into the United States by the Attorney General during the 1980 influx of Mariel Cubans. This means those Cubans who Entered Without Inspection (EWI), earlier arrivals (preboatlift), and/or later arrivals (post-boatlift) will not be included and, thus, expenses incurred will not be reimbursed.

(e) State will prevail when a determination is required as to what constitutes a State facility and/or a State prisoner.

IV. Review of State Applications

State applications must be submitted in the required format and at the time prescribed.

(a) The application and certified listing will be reviewed by BJA and a cross-check verification of prisoners will be made by the Immigration and Naturalization Service of the U.S. Department of Justice. This review will be completed no later than April 1, 1992, and grants will be made to the States immediately thereafter.

(b) Compliance is required with Executive Order 12372, "Intergovernmental Review of Federal Programs." This program is covered by Executive Order 12372 and Department of Justice implementing regulations 28 CFR part 30. At the same time applications (S.F. 424) are submitted to BJA, States must submit grant applications to the State's Single Point of Contact, if there is a Single Point of

Contact, and if this program has been selected for coverage by the State process. State processes have 60 days starting from the application deadline to comment on applications.

(c) Compliance is required with Executive Order 12549, Debarment and Suspension, 34 CFR part 85, § 85.510, Participants' Responsibilities, which requires a certification regarding debarment, suspension, ineligibility, and voluntary exclusion (OJP Form 4061/2) from all recipients of Federal funds. This form should be submitted by the State as part of its application.

(e) Upon completion of a review of State applications, BJA will notify the applicant, in writing, of any specific reasons for disapproval of the application, in whole or in part.

V. Civil Rights Assurances

The applying State must specifically assure that it will comply, and that subgrantees and contractors will comply, with all applicable Federal non-discrimination laws and regulations, including the following:

(a) Title VI of the Civil Rights Act of 1964;

(b) Section 809(c) of the Anti-Drug Abuse Act of 1988;

(c) Section 504 of the Rehabilitation Act of 1973, as amended;

(d) Title IX of the Education Amendments of 1972;

(e) The Age Discrimination Act of 1975; and,

(f) The Department of Justice Non-Discrimination Regulations, 28 CFR part 42, subparts C, D, E, and G.

Any application for \$500,000 or more must be accompanied by a copy of the current Equal Employment Opportunity Program of the corrections department in accordance with the provisions of 28 CFR 42.301 *et. seq.* State applicants that previously applied for and received funding under this initiative, and have also received an Office of Justice Programs approval of their Equal Employment Opportunity Program, need only submit a statistical update of the previously approved program.

Gerald (Jerry) P. Regier,

Acting Director, Bureau of Justice Assistance.

[FR Doc. 92-517 Filed 1-8-92; 8:45 am]

BILLING CODE 4410-18-M

Drug Enforcement Administration

[Docket No. 90-51]

Alan H. Olefsky, M.D., Revocation of Registration

On June 7, 1990, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement

Administration (DEA) issued an Order to Show Cause to Alan H. Olefsky, M.D., (Respondent), of 5701 W. Sunrise Blvd., Plantation, Florida 33313, proposing to revoke his DEA Certificate of Registration, B01163257, and to deny any pending applications for renewal of such registration as a practitioner under 21 U.S.C. 823(f). The Order to Show Cause alleged that the Respondent's continued registration would be inconsistent with the public interest, as set forth in 21 U.S.C. 823(f) and 824(a)(4).

Respondent, through counsel, requested a hearing in a letter dated July 25, 1990. The matter was docketed before Administrative Law Judge Mary Ellen Bittner. Following prehearing procedures, a hearing was held in Chicago, Illinois on April 25, 1991. On July 26, 1991, the administrative law judge issued her opinion and recommended ruling, findings of fact, conclusions of law and decision. On August 23, 1991, Respondent submitted exceptions to Judge Bittner's opinion and recommended ruling and on September 6, 1991, Government counsel filed a response to Respondent's exceptions. On September 13, 1991, the administrative law judge transmitted the record of these proceedings, including Respondent's exceptions and the Government's response thereto, to the Administrator. The Administrator has considered the record in its entirety and pursuant to 21 CFR 1316.67 hereby issues his final order in this matter based upon findings of fact and conclusions of law as hereinafter set forth.

The administrative law judge found that on January 4, 1989, Respondent presented two prescriptions for controlled substances at a pharmacy in Fort Lauderdale, Florida. One prescription was for 60 dosage units of Percocet, a Schedule II narcotic controlled substance, and the other was for 30 dosage units of Halcion .25 mg., a Schedule IV controlled substance. Both prescriptions listed the patient as "Chris Pulin" and bore the purported signature and DEA registration number of Evan K. Newman, M.D. The owner and operator of the pharmacy contacted Dr. Newman who stated that he did not issue either prescription, nor did he have a patient named Chris Pulin. The pharmacist then telephoned the police to report that an individual was at the pharmacy and had presented two fraudulent prescriptions for controlled substances.

Accordingly, officers of the Fort Lauderdale Police Department immediately went to the pharmacy. Both the owner of the pharmacy and his son, who was also a pharmacist and was working as a pharmacy clerk, identified

Respondent as the person who presented the prescriptions. Respondent was taken from the pharmacy to the Fort Lauderdale Police Headquarters, where he was interviewed by a detective employed by the Fort Lauderdale Police Department.

During the interview, Respondent insisted that someone else in the pharmacy had tried to present the prescriptions, and that the wrong individual had been arrested. Respondent further said that the incident could jeopardize his life and career, and he refused to reveal his name or birth date. Respondent was subsequently charged in the Circuit/County Court in Broward County, Florida with two counts of obtaining controlled substances by fraud in violation of state law. After the state's witnesses testified, the court directed a verdict of acquittal. The case was dismissed because the information was filed incorrectly as to the charge.

The administrative law judge further found that after Respondent's arrest, his attorney contacted the detective to explain that someone had slipped the prescriptions under Respondent's front door. The detective asked for the address of the person named in the prescriptions and the attorney responded that neither he nor the Respondent had any idea of the address. Further, in a posthearing submission the detective stated that a search of Broward County and Fort Lauderdale records failed to disclose any record regarding a Chris Pulin. Additionally, the Government offered into evidence an affidavit from Dr. Newman stating that he did not issue, nor authorize, the two prescriptions at issue and that the signatures on the prescriptions were forged. Dr. Newman further stated that the DEA registration number appearing on the two prescriptions was his registration number. Dr. Newman also said that he and Respondent had worked at the same health maintenance organization. Additionally, the Government offered other sworn statements regarding the Respondent's conduct and behavior.

At the administrative hearing, Respondent testified that he had received a telephone call from someone he did not know who identified herself as a Ms. Schwartz. According to Respondent, Ms. Schwartz asked him if he could examine an elderly friend of hers who had had a fall and who did not have any health insurance. Respondent advised Ms. Schwartz to take her friend to Health America, a health maintenance organization, since a more thorough examination might be required.

Respondent further testified that a couple of days later, Ms. Schwartz telephoned again and said that her friend had received medical attention and asked if Respondent could fill his prescriptions at a reduced price. That same day, Respondent found an envelope pushed under the door of his apartment. The envelope contained the two prescriptions at issue and a note that contained the name Chris Pulin and his address. Respondent testified that Percocet and Halcion would have been appropriate medications for someone who has sustained injuries in a fall, that the prescriptions did not appear unusual, and that he did not know they were forged. Consequently, Respondent took the prescriptions to the pharmacy to be filled and presented the note bearing Chris Pulin's name and address to the pharmacy clerk along with the prescriptions.

The administrative law judge did not find the Respondent to be a credible witness and concluded that Respondent's explanation of his conduct could most charitably be described as inherently implausible. The administrative law judge recommended that the Administrator revoke Respondent's DEA Certificate of Registration. The Administrator adopts the recommended ruling, findings of fact, conclusions of law and decision of the administrative law judge in its entirety. Respondent's registration is clearly inconsistent with the public interest.

Under 21 U.S.C. 823(f) and 824(a)(4), the Administrator has the authority to revoke a registration based upon a sufficient showing that the continued registration would be inconsistent with the public interest. The factors which are considered in determining whether the continued registration would be inconsistent with the public interest are:

- (1) The recommendation of the appropriate state licensing board or professional disciplinary authority;
- (2) The applicant's experience in dispensing, or conducting research with respect to controlled substances;
- (3) The applicant's conviction record under Federal or State laws relating to the manufacture, distribution, or dispensing of controlled substances;
- (4) Compliance with applicable State, Federal, or local laws relating to controlled substances;
- (5) Such other conduct which may threaten the public health and safety.

There is no requirement that the Administrator make findings with respect to all five of the listed factors. Instead, the Administrator has the discretion to give each factor the weight he deems appropriate, depending upon

the facts and circumstances presented in each case, in determining the public interest. See *Henry J. Schwarz, Jr., M.D.*, Docket No. 88-42, 54 FR 16422 (1989); *England Pharmacy*, 52 FR 1674 (1987); and *Felix Seisin, M.D.*, Docket No. 85-53, 51 FR 3863 (1986).

While all of the factors have been considered in this case, the Administrator finds that the fourth and fifth factors under 21 U.S.C. 823(f) are of importance in evaluating whether the continued registration of the Respondent is contrary to the public interest. The administrative law judge concluded that the Respondent attempted to obtain controlled substances for other than a legitimate medical purpose. Without restating all of the administrative law judge's findings, it is sufficient to state that the substantial evidence in the record clearly supports such findings.

Additionally, and significantly, the Administrator finds that Respondent refuses to accept responsibility for his actions and does not even acknowledge the criminality of his behavior. Instead, the Respondent has chosen to characterize his actions as a "mistake" and attempted to explain or justify his actions by saying that he was simply trying to assist an elderly stranger. The administrative law judge rejected this testimony, as does the Administrator. The Respondent's version of the incident is simply unworthy of belief.

Although the state charges against the Respondent were dismissed, the Administrator is nevertheless greatly concerned about the conduct which led to the arrest. Respondent's conduct demonstrates an absolute disregard for Federal and state law and nothing presented during Respondent's case persuades the Administrator that the Respondent is now willing to carefully abide by the laws and regulations relating to controlled substances. Thus, the Administrator cannot permit the Respondent to maintain his DEA registration. Concern for the public interest demands no less a remedy.

In his exceptions to the administrative law judge's opinion and recommended ruling, Respondent raised several points in urging that he be permitted to retain his registration. First, he argued that the administrative law judge erred in failing to consider all of the factors for determining the public interest. The Administrator disagrees. It is clear that in determining which of the five factors were relevant, the administrative law judge necessarily considered all of the factors in order to arrive at her decision as to the relevant factors. The administrative law judge clearly acted properly.

Second, Respondent argued that the administrative law judge gave undue weight to written statements introduced as evidence by the Government. The Administrator rejects Respondent's argument. The statements were given limited consideration by the administrative law judge. The affidavits in question regarded the Respondent's behavior as it was observed by the attesting individuals. Such affidavits were opinions based on those observations, and they were treated as lay observations by the administrative law judge. No greater weight was given to these statements than that to which they were entitled. The affidavits were not inherently unreliable. They were taken under oath by a police sergeant. Had that individual testified, his testimony concerning the two statements, though hearsay, would have been admissible and worthy of consideration.

Third, the Respondent argued that the suspension of his registration would be grossly disproportionate to the alleged wrongdoing and that if a penalty is warranted under the facts in this case, the Administrator should consider a modified registration subjecting Respondent's prescribing practices to quarterly review. Revocation is an acceptable remedy under the facts in this case. *Sokoloff v. Saxbe*, 501 F.2d 571 (2d Cir. 1974).

After considering all of the evidence in the record, the Administrator concludes that Respondent's registration must be revoked at this time. In keeping with the evidence presented, the Administrator will give favorable consideration to a new application for DEA registration, provided that such application is filed not sooner than one year from the effective date of this final order. Such application must be accompanied by evidence that the Respondent has completed continuing education courses totalling at least 30 hours of instruction and has, in all other respects, remained properly licensed and in compliance with all Federal, state and local laws and regulations relating to controlled substances.

Accordingly, the Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. 823 and 824 and 28 CFR 0.100(b), hereby orders that DEA Certificate of Registration, B01163257, be, and it hereby is, revoked. Any pending applications for registration or renewal are hereby denied.

This order is effective February 10, 1991.

Dated: January 2, 1992.

Robert C. Bonner,

Administrator of Drug Enforcement.

[FR Doc. 92-463 Filed 1-8-92; 8:45 am]

BILLING CODE 4410-09-M

DEPARTMENT OF LABOR

Office of the Secretary

Agency Recordkeeping/Reporting Requirements Under Review by the Office of Management and Budget (OMB)

Background

The Department of Labor, in carrying out its responsibilities under the Paperwork Reduction Act (44 U.S.C. Chapter 35), considers comments on the reporting/recordkeeping requirements that will affect the public.

List of Recordkeeping/Reporting Requirements Under Review

As necessary, the Department of Labor will publish a list of the Agency recordkeeping/reporting requirements under review by the Office of Management and Budget (OMB) since the last list was published. The list will have all entries grouped into new collections, revisions, extensions, or reinstatements. The Departmental Clearance Officer will, upon request, be able to advise members of the public of the nature of the particular submission they are interested in.

Each entry may contain the following information:

The Agency of the Department issuing this recordkeeping/reporting requirement.

The title of the recordkeeping/reporting requirement.

The OMB and/or Agency identification numbers, if applicable.

How often the recordkeeping/reporting requirement is needed.

Whether small businesses or organizations are affected.

An estimate of the total number of hours needed to comply with the recordkeeping/reporting requirements and the average hours per respondent.

The number of forms in the request for approval, if applicable.

An abstract describing the need for and uses of the information collection.

Comments and Questions

Copies of the recordkeeping/reporting requirements may be obtained by calling the Departmental Clearance Officer, Kenneth A. Mills ([202] 523-5095). Comments and questions about the items on this list should be directed to Mr. Mills, Office of Information

Resources Management Policy, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-1301, Washington, DC 20210. Comments should also be sent to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for (BLS/DM/ESA/ETA/OLMS/MSHA/OSHA/PWBA/VETS), Office of Management and Budget, room 3001, Washington, DC 20503 ([202] 395-6880).

Any member of the public who wants to comment on recordkeeping/reporting requirements which have been submitted to OMB should advise Mr. Mills of this intent at the earliest possible date.

Extension

Employment and Training Administration

Certification of Unexpended "Reed Act" Obligation Amounts by State Employment Security Agencies (SESAs).

1205-0280.

On occasion.

State or local governments.

11 respondents; 33 total hours; 1 hour per response; no forms.

To identify, account for and monitor balances of obligated "Reed Act" funds in State unemployment trust fund accounts. States with unexpended balances of Reed Act obligations desiring to protect the availability of such must certify the amount by letter to ETA/UIS to establish a "sub-account". Future obligation/deobligation amounts must also be certified in a similar manner.

Work Application/Job Order Recordkeeping.

1205-0001.

Recordkeeping only.

State or local governments.

52 recordkeepers; 416 total hours; 8 hrs. per recordkeeper.

Request is only for retention of information on work applications and job orders.

Title 29 CFR Part 29—Labor Standards for the Registration of Apprenticeship Programs.

1205-0223.

ETA 671.

On occasion.

Individuals or households; State or local governments; Businesses or other for-profit; Federal agencies or employees; Non-profit institutions; Small businesses or organizations.

Needed by employers, apprentices, and State apprenticeship agencies to set forth labor standards to safeguard the welfare of apprentices and to extend the application of such standards by subscribing policies and procedures

concerning the registration for certain Federal purposes of acceptable apprenticeship programs.

Employment Standards Administration

Claims for Compensation by Dependents Information Reports 1215-0155.

CA-5, 5b; 1031; 1074; 1085; 1093; 1615; 1617; 1618.

Individuals or households.

1,835 total hours.

Form	No. respondents	Min. per response	Frequency
CA-5.....	235	90	On occasion.
CA-5b.....	70	90	On occasion.
CA-1615.....	120	30	On occasion.
CA-1617.....	600	30	Semi-annually.
CA-1085.....	450	45	On occasion.
CA-1031.....	1,700	15	On occasion.
CA-1074.....	70	60	On occasion.
CA-1093.....	50	30	On occasion.
CA-1618.....	320	30	Semi-annually.

Reports are claims for compensation by survivors due to the death of a Federal employee, and supplemental reports concerning dependency status in various types of cases.

Patient Pilot Advocate Questionnaire—Physician Interview.

1215-0174

OWCP 54.

One time basis.

Business or other for profit; Small businesses or organizations 800 respondents; 528 total hours; .33 hr. per response OWCP is collecting medical data through telephone interview from treating physicians who are caring for employees covered under the Federal Employees' Compensation Act (FECA) to provide baseline information for a claimant advocate pilot program that will test intervention techniques developed to improve injury outcome and encourage return to work. This is a one-time application, although if successful, it may be continued.

Signed at Washington, DC this 3rd day of January, 1992.

Doris Carter,

Acting Departmental Clearance Officer.

[FR Doc. 92-475 Filed 1-8-92; 8:45 am]

BILLING CODE 4510-30-M