

investigation, endanger the physical safety of confidential sources, witnesses, and law enforcement personnel, and/or lead to the improper influencing of witnesses, the destruction of evidence, or the fabrication of testimony. In addition, granting access to such information could disclose security-sensitive or confidential business information or information that would constitute an unwarranted invasion of the personal privacy of third parties. Finally, access to the records could result in the release of properly classified information which would compromise the national defense or disrupt foreign policy. Amendment of the records would interfere with ongoing investigations and law enforcement activities and impose an impossible administrative burden by requiring investigations to be continuously reinvestigated. It is not possible to detect relevance or necessity of specific information in the early stages of a civil, criminal or other law enforcement investigation, case, or matter, including investigations in which use is made of properly classified information. Relevance and necessity are questions of judgment and timing, and it is only after the information is evaluated that the relevance and necessity of such information can be established.

**Michael R. Jurkowski,**

*Acting Director, Business Operations.*

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**BILLING CODE 6353-01-P**

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## CONSUMER PRODUCT SAFETY COMMISSION

[CPCSC Docket No. 22-1]

### Notice of Prehearing Conference

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice.

**SUMMARY:** Notice of prehearing conference for *In the Matter of Leachco, Inc.*; CPCSC Docket No. 22-1.

**DATES:** Thursday, June 29, 2023 at 11:00 a.m. Eastern Time.

**ADDRESSES:** This event will be held remotely.

**FOR FURTHER INFORMATION CONTACT:** Alberta E. Mills, Consumer Product Safety Commission, Office of the General Counsel, Division of the Secretariat, [cpsc-os@cpsc.gov](mailto:cpsc-os@cpsc.gov); 240-863-8938; 301-504-7479.

**SUPPLEMENTARY INFORMATION:** The text of the Presiding Officer's June 15, 2023

Order Scheduling Prehearing Conference appears below.

*Authority:* Consumer Product Safety Act, 15 U.S.C. 2064.

Dated: June 15, 2023.

**Alberta E. Mills,**

*Secretary, Consumer Product Safety Commission.*

## FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

*Office of the Chief Administrative Law Judge, 1331 Pennsylvania Ave. NW, Suite 520N, Washington, DC 20004-1710, Telephone: 202-434-9950, Fax: 202-434-9949,*

June 15, 2023

In the Matter of LEACHCO, INC., CPCSC Docket No. 22-1

Respondent.

### ORDER SCHEDULING PREHEARING CONFERENCE

An initial prehearing conference was held on April 22, 2022. A second prehearing conference was held on September 7, 2022.

On June 9, 2023, Respondent filed a motion for summary decision. Respondent also requested oral argument on the motion. Complaint Counsel has said he does not believe oral argument is necessary, but that he would be available for argument and that argument would not affect the current prehearing schedule agreed to by the parties.

Upon consultation, the parties agreed to convene a third prehearing conference for oral argument. Other relevant matters, such as the status of discovery motions, matters to be included in the final prehearing order, and any other prehearing issues the parties need to address may also be discussed. *See* 16 CFR 1025.21(c) (2022).

Each party shall be permitted 20 minutes for argument. As movant, Respondent shall be permitted to reserve five (5) minutes of its time for rebuttal.

A third prehearing conference shall be held as follows:

*Date:* Thursday, June 29, 2022.

*Time:* 11:00 a.m. Eastern Daylight Time.

*Means:* Zoom [link provided to those listed in Distribution].

The CPCSC is working to secure a court reporter for the prehearing conference. I direct that notice of this conference be published in the **Federal Register**. 16 CFR 1025.21(b) (2022).



Administrative Law Judge

Distribution:

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**BILLING CODE 6355-01-P**

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## DEPARTMENT OF DEFENSE

### Department of the Army

[Docket ID: USA-2023-HQ-0007]

### Submission for OMB Review; Comment Request

**AGENCY:** U.S. Army Corps of Engineers (USACE), Department of the Army, Department of Defense (DoD).