

Paiute Tribes ("Tribes"), against Settling Defendants Atlantic Richfield Company, The Cleveland-Cliff Iron Company, E.I. du Pont de Nemours and Company, Teck American Incorporated, and Mountain City Remediation, LLC ("Defendants"), under Nevada Water Pollution Control Law, NRS § 445A.300 to 445A.730, and Section 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9606 and 9607, et. seq. ("CERCLA"), related to the releases and threatened releases of hazardous substances at the Rio Tinto Mine Superfund Alternative Site ("Site") in Elko County, Nevada.

The proposed Consent Decree requires the Settling Defendants to undertake a number of obligations including: (1) Implement the remedy selected in the Record of Decision on February 14, 2012, at an estimated cost of over \$25 million; (2) pay to the State certain future response costs; (3) pay to EPA certain future response costs; (4) pay EPA \$1,234,067 for past response costs; (5) pay to the Federal Natural Resource Trustees, DOI, and USFS, resource damage assessment costs of \$709,527; and (6) pay to the Tribes \$150,000 for their past and future costs.

The salient features of the remedy include removal of mine tailings and relocation of these materials to an engineered, covered repository constructed on-site; realignment and lining of a portion of Mill Creek, which will be reconstructed to allow for seasonal passage of Redband Trout between the Owyhee River and upper Mill Creek; reclamation of soil and revegetation in Lower Mill Creek Valley; monitoring of Mill Creek and the East Fork Owyhee River, and implementation of specific additional tasks necessary to achieve Performance Standards (specified in the ROD); collection and analysis of water samples from downstream points in the East Fork Owyhee River to determine if persistent water quality anomalies in the river exist, and whether they may be attributable to releases from the underground mine workings; and, if so, performance of additional investigation or response actions which NDEP or EPA may require to address anomalies determined to be attributable to the underground mine workings.

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, et al. v. Atlantic Richfield, et al.*, D.J. Ref. No. 90-11-3-08510. 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 on the following Department of Justice 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 \$100.50 (25 cents per page reproduction cost) payable to the United States Treasury. In requesting a copy exclusive of exhibits and Defendants' signatures, please enclose a check in the amount of \$31.00 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Maureen Katz,**

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

[FR Doc. 2012-24463 Filed 10-3-12; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging Proposed Consent Decree

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States v. Hertrich et al.*, Case No. 1:10-cv-03068-JKB, was lodged with the United States District Court for the District of Maryland on September 28, 2012.

This proposed Consent Decree concerns a complaint filed by the United States against Frederick W. Hertrich, III and Charles Ernesto, pursuant to Sections 301(a) and 309(d) of the Clean Water Act, 33 U.S.C. 1311(a) & 1319(d), to obtain injunctive relief and impose civil penalties against the Defendants for violating the Clean Water Act by discharging pollutants without a permit into waters of the United States. The proposed Consent Decree resolves these allegations by requiring the Defendants to pay a civil penalty, and requiring Defendant

Hertrich to impose a deed restriction on a portion of his property.

The Department of Justice will accept written comments relating to this proposed Consent Decree for thirty (30) days from the date of publication of this Notice. Please address comments to Amanda Shafer Berman, Environmental Defense Section, United States Department of Justice, P.O. Box 7611, Washington, DC 20044, and refer to *United States v. Hertrich et al.*, DJ #90-5-1-1-18877.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the District of Maryland, 101 W. Lombard Street, Baltimore, MD 21201. In addition, the proposed Consent Decree may be examined electronically at [http://www.justice.gov/enrd/Consent\\_Decrees.html](http://www.justice.gov/enrd/Consent_Decrees.html).

**Cherie L. Rogers,**

*Assistant Section Chief, Environmental Defense Section, Environment & Natural Resources Division.*

[FR Doc. 2012-24432 Filed 10-3-12; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF LABOR

### Bureau of Labor Statistics

#### Bureau of Labor Statistics Technical Advisory Committee; Notice of Meeting and Agenda

The Bureau of Labor Statistics Technical Advisory Committee will meet on Friday November 9, 2012. The meeting will be held in the Postal Square Building, 2 Massachusetts Avenue NE., Washington, DC.

The Committee provides advice and makes recommendations to the Bureau of Labor Statistics (BLS) on technical aspects of the collection and formulation of economic measures. The BLS presents issues and then draws on the expertise of Committee members representing specialized fields within the academic disciplines of economics, statistics and survey design.

The meeting will be held in rooms 1 and 2 of the Postal Square Building Conference Center. The schedule and agenda for the meeting are as follows:

- 9 a.m. Opening remarks and introductions; agency updates.
- 9:15 a.m. Occupational Employment Statistics (OES) Time Series.
- 11:15 a.m. Discussion of future priorities.
- 1 p.m. Enhancements to the Chained CPI.
- 3 p.m. Survey of Occupational Illnesses and Injuries (SOII) Undercount.

4:30 p.m. Approximate conclusion.

The meeting is open to the public. Any questions concerning the meeting should be directed to Lisa Fieldhouse, Bureau of Labor Statistics Technical Advisory Committee, on 202-691-5025. Individuals who require special accommodations should contact Ms. Fieldhouse at least two days prior to the meeting date.

Signed at Washington, DC, this 28th day of October 2012.

**Kimberley D. Hill,**

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

[FR Doc. 2012-24492 Filed 10-3-12; 8:45 am]

**BILLING CODE P**

## POSTAL REGULATORY COMMISSION

[Docket Nos. MC2012-49 and CP2012-61;  
Order No. 1481]

### New Postal Product

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission is noticing a recently-filed Postal Service request to add First-Class Package Service Contract 16 to the competitive product list. This notice addresses procedural steps associated with this filing.

**DATES:** *Comments are due:* October 9, 2012.

**ADDRESSES:** Submit comments electronically via the Commission's Filing Online system at <http://www.prc.gov>. Commenters who cannot submit their views electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** portion of the preamble for advice on alternatives to electronic filing.

**FOR FURTHER INFORMATION CONTACT:** Stephen L. Sharfman, General Counsel, at 202-789-6824.

### SUPPLEMENTARY INFORMATION:

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#### I. Introduction

In accordance with 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.*, the Postal Service filed a formal request and associated supporting information to add First-Class Package Service Contract 16 to the competitive product list.<sup>1</sup> The

Postal Service asserts that First-Class Package Service Contract 16 is a competitive product "not of general applicability" within the meaning of 39 U.S.C. 3632(b)(3). Request at 1. The Request has been assigned Docket No. MC2012-49.

The Postal Service contemporaneously filed a redacted contract related to the proposed new product under 39 U.S.C. 3632(b)(3) and 39 CFR 3015.5. *Id.* Attachment B. The instant contract has been assigned Docket No. CP2012-61.

*Request.* To support its Request, the Postal Service filed six attachments as follows:

- Attachment A—a redacted copy of Governors' Decision No. 11-6, authorizing the new product;
- Attachment B—a redacted copy of the contract;
- Attachment C—proposed changes to the Mail Classification Schedule competitive product list with the addition underlined;
- Attachment D—a Statement of Supporting Justification as required by 39 CFR 3020.32;
- Attachment E—a certification of compliance with 39 U.S.C. 3633(a); and
- Attachment F—an application for non-public treatment of materials to maintain redacted portions of the contract and related financial information under seal.

In the Statement of Supporting Justification, Dennis R. Nicoski, Manager, Field Sales Strategy and Contracts, asserts that the contract will cover its attributable costs, make a positive contribution to covering institutional costs, and increase contribution toward the requisite 5.5 percent of the Postal Service's total institutional costs. *Id.* Attachment D at 1. Mr. Nicoski contends that there will be no issue of market dominant products subsidizing competitive products as a result of this contract. *Id.*

*Related contract.* The Postal Service included a redacted version of the related contract with the Request. *Id.* Attachment B. The contract is scheduled to become effective on the date that the Commission issues all regulatory approvals. *Id.* at 2. The contract will expire 3 years from the effective date unless, among other things, either party terminates the agreement upon 30 days' written notice to the other party. *Id.* The Postal Service represents that the contract is consistent with 39 U.S.C. 3633(a). *Id.* Attachment D.

The Postal Service filed much of the supporting materials, including the related contract, under seal. *Id.* Attachment F. It maintains that the

redacted portions of the contract, customer-identifying information, and related financial information should remain confidential. *Id.* at 3. This information includes the price structure, underlying costs and assumptions, pricing formulas, information relevant to the customer's mailing profile, and cost coverage projections. *Id.* The Postal Service asks the Commission to protect customer-identifying information from public disclosure indefinitely. *Id.* at 7.

#### II. Notice of Filings

The Commission establishes Docket Nos. MC2012-49 and CP2012-61 to consider the Request pertaining to the proposed First-Class Package Service Contract 16 product and the related contract, respectively.

Interested persons may submit comments on whether the Postal Service's filings in the captioned dockets are consistent with the policies of 39 U.S.C. 3632, 3633, or 3642, 39 CFR 3015.5, and 39 CFR part 3020, subpart B. Comments are due no later than October 9, 2012. The public portions of these filings can be accessed via the Commission's Web site (<http://www.prc.gov>).

The Commission appoints James F. Callow to serve as Public Representative in these dockets.

#### III. Ordering Paragraphs

*It is ordered:*

1. The Commission establishes Docket Nos. MC2012-49 and CP2012-61 to consider the matters raised in each docket.

2. Pursuant to 39 U.S.C. 505, James F. Callow is appointed to serve as an officer of the Commission (Public Representative) to represent the interests of the general public in these proceedings.

3. Comments by interested persons in these proceedings are due no later than October 9, 2012.

4. The Secretary shall arrange for publication of this order in the **Federal Register**.

By the Commission.

**Shoshana M. Grove,**

*Secretary.*

[FR Doc. 2012-24427 Filed 10-3-12; 8:45 am]

**BILLING CODE 7710-FW-P**

## POSTAL REGULATORY COMMISSION

[Docket Nos. MC2012-54 and CP2012-66;  
Order No. 1486]

### New Postal Product

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

<sup>1</sup> Request of the United States Postal Service to Add First-Class Package Service Contract 16 to Competitive Product List and Notice of Filing (Under Seal) of Unredacted Governors' Decision, Contract, and Supporting Data, September 27, 2012 (Request).