

Settlement Agreement for 30 days following the publication of this Notice. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *In re Shenango Inc., et al.*, D.J. Ref. No. 90-5-2-3-1099D. The proposed Settlement Agreement may be examined at the Office of the United States Attorney for the Western District of Pennsylvania, 633 U.S. Post Office and Courthouse, Pittsburgh, PA 15222; the Region V Office of the United States Environmental Protection Agency, 77 West Jackson Street, Chicago, Illinois 60604; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005 (202-624-0892). A copy of the proposed Settlement Agreement may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy, please enclose a check in the amount of \$3.00 (25 cents per page for reproduction costs), payable to the Consent Decree Library.

**Joel M. Gross,**

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

[FR Doc. 95-7806 Filed 3-29-95; 8:45 am]

BILLING CODE 4410-01-M

#### Antitrust Division

##### Notice Pursuant to the National Cooperative Research and Production Act of 1993—Advanced Lead-Acid Battery Consortium

Notice is hereby given that, on February 17, 1995, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), the Advanced Lead-Acid Battery Consortium ("ALABC"), a discrete program of the International Lead Zinc Research Organization, Inc. ("ILZRO"), has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, Whatman Paper, Ltd., has withdrawn its membership with the ALABC.

No other changes have been made in either the membership or planned activity of the group research project. Membership remains open and the

ALABC intends to file additional written notification disclosing all changes in membership.

On June 15, 1992, the ALABC filed its original notification pursuant to section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on July 29, 1992, 57 Fr 33522. The last notification was filed with the Department on August 26, 1994.

This notice has not yet been published in the **Federal Register** pursuant to Section 6(b) of the Act.

**Constance K. Robinson,**

*Director of Operations, Antitrust Division.*

[FR Doc. 95-7805 Filed 3-29-95; 8:45 am]

BILLING CODE 4410-01-M

##### Notice Pursuant to the National Cooperative Research and production Act of 1993—High Performance Composites Cooperative Arrangement

Notice is hereby given that, on December 20, 1994, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), BDM Federal, Inc., acting on behalf of the High Performance Composites Cooperative Arrangement ("HPC"), has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing additions to its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, the additional members are Hexcel Corporation, Pleasanton, CA; and the University of Virginia, Charlottesville, VA.

No other changes have been made in either the membership or planned activity of the HPC. Membership remains open, and the HPC intends to file additional written notification disclosing all changes in membership.

On April 6, 1994, BDM Federal, Inc., acting on behalf of the HPC, filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on June 3, 1994 (59 FR 28899).

The last notification was filed with the Department on November 17, 1995. This notice has not yet been published in the **Federal Register** pursuant to Section 6(b) of the Act.

**Constance K. Robinson,**

*Director of Operations, Antitrust Division.*

[FR Doc. 95-7804 Filed 3-29-95; 8:45 am]

BILLING CODE 4410-01-M

##### Notice Pursuant to the National Cooperative Research and Production Act of 1993—PERF Project 93-16, Dispersion Modeling Project

Notice is hereby given that, on December 8, 1994, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Petroleum Environmental Research Forum ("PERF") Project 93-16, titled "Dispersion Modeling Project" has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of the project. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to Section 6(b) of the Act, the identities of the parties are: Exxon Research and Engineering Company, Florham Park, NJ; Phillips Petroleum Company, Bartlesville, OK; Clark Oil & Refining Corporation, Blue Island, IL; CITGO Petroleum Corporation, Tulsa, OK; Allied-Signal, Inc., Morristown, NJ; Amoco Corporation, Chicago, IL; Chevron Research & Technology Company, Richmond, CA; Mobil Research & Development Company, Paulsboro, NJ; Shell Development Company, Houston, TX; Marathon Oil Company, Littleton, CO; Atmosphere Research and Exposure Assessment Laboratory (AREAL), Research Triangle Park, NC; and Western Research Institute, Laramie, WY.

The nature and objectives of the research program performed in accordance with Project 93-16 are to use more realistic modeling techniques in hazard assessments for hypothetical, accidental releases from industrial applications by demonstrating improved model performance using actual field scale data. Achievement of this objective will include the following activities: Data Analysis of previous experiments including data from the CHARR and the CEC major hazards programs; Laboratory scale wind tunnel experiments and performance evaluation; Field experiments and analysis; and Model modifications and performance evaluation.

**Constance K. Robinson,**

*Director of Operations, Antitrust Division.*

[FR Doc. 95-7803 Filed 3-29-95; 8:45 am]

BILLING CODE 4410-01-7

**DEPARTMENT OF LABOR****Office of the Secretary****Delinquent Filer Voluntary Compliance Program**

**AGENCY:** Office of the Secretary, Labor.  
**ACTION:** Expedited review of the information collected pursuant to the Delinquent Filer Voluntary Compliance Program under the Paperwork Reduction Act.

**SUMMARY:** The Pension and Welfare Benefits Administration, Department of Labor, in carrying out its responsibilities under the Paperwork Reduction Act (44 U.S.C. Chapter 35, 5 CFR 1320 (53 FR 16618, May 10, 1988)), is submitting the information collection required under the Delinquent Filer Voluntary Compliance Program (Program) for review. The information collected is required to be reported by pension and welfare benefit plan administrators under Title I of the Employee Retirement Income Security Act of 1974. Plan administrators who choose to participate in this Program, which offers a substantial reduction in penalties, are required to submit minimal documentation along with payment to verify plan information and facilitate Federal record keeping.

**DATES:** Pension and Welfare Benefits Administration has requested an expedited review of this submission under the Paperwork Reduction Act due to the time-sensitive nature of the collection and the penalties that accumulate daily due to late filing or failure to file annual reports; this Office of Management and Budget (OMB) review has been requested to be completed by April 14, 1995.

**FOR FURTHER INFORMATION CONTACT:** Comments and questions regarding the Delinquent Filer Voluntary Compliance Program should be directed to Mr. Kenneth A. Mills, Departmental Clearance Officer, Office of Information Resource Management Policy, U.S. Department of Labor, 200 Constitution Avenue, N.W., Room N-1301, Washington, D.C. 20210, 202 219-5095. Comments should also be sent to OMB, Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for PWBA, NEOB Room 10235, Washington, D.C. 20503, 202 395-7316.

Any member of the public who wants to comment on the information collection request which has been submitted to OMB should advise Mr. Mills of this intent at the earliest possible date.

Average Burden Hours/Minutes Per Response: 21 minutes

Frequency of Response: Annual  
 Number of Respondents: 10,000 (year 1); 7,000 in following years  
 Total Annual Burden Hours: 3,500  
 Total Annual Responses: 10,000  
 Affected Public: Business and other for-profit; Not-for-profit institutions  
 Respondents Obligation to Reply: Voluntary.

Signed at Washington, D.C. this 24th day of March 1995.

**Kenneth A. Mills,**

*Departmental Clearance Officer.*

**Supporting Statement For Paperwork Reduction Act Submissions***Delinquent Filer Voluntary Compliance Program 1210-AA49***A. Justification**

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

Attach a copy of the appropriate section of each statute and of each regulation mandating or authorizing the collection of information.

The Secretary of Labor has the authority, under section 502(c)(2) of ERISA, to assess civil penalties of up to \$1,000 a day against plan administrators who fail or refuse to file complete and timely annual reports (Form 5500 Series Annual Return/Reports) as required under section 101(b)(4) of ERISA and the Secretary's regulations codified in 29 CFR part 2520. Pursuant to 29 CFR 2560.502c-2 and 2570.60 *et seq.* PWBA has maintained a program for the assessment of civil penalties for noncompliance with the annual reporting requirements. Under this program, plan administrators filing annual reports after the date on which the report was required to be filed may be assessed \$40 per day for each day an annual report is filed after the date on which the annual report(s) was required to be filed, without regard to any extensions for filing. Plan administrators who fail to file an annual report may be assessed a penalty of \$300 per day, up to \$30,000 per year, until a complete annual report is filed. Penalties are applicable to each annual report required to be filed under Title I of ERISA. The Department may, in its discretion, waive all or part of a civil penalty assessed under section 502(c)(2) upon a showing by the administrator that there was reasonable cause for the failure to file a complete and timely annual report.

The Department has determined that the possible assessment of the above described civil penalties may deter

certain delinquent filers from voluntarily complying with the annual reporting requirements under Title I of ERISA. In an effort to encourage annual reporting compliance, therefore, the Department has decided to implement the Delinquent Filer Voluntary Compliance (DFVC) Program, under which administrators otherwise subject to the assessment of higher civil penalties will be permitted to pay reduced civil penalties for voluntarily complying with the annual reporting requirements under Title I of ERISA, referred to as the "Program."

2. Indicate how, by whom, how frequently, and for what purpose the information is to be used. For revisions, extensions, and reinstatements of a currently approved collection, indicate the actual use the agency has made of the information received from the current collection.

Under Title I of ERISA, the administrator of each welfare and each pension plan, unless otherwise exempt, is required to file an annual report with the Secretary containing the information set forth in Section 103 of ERISA. The statutory annual reporting requirements under Title I of ERISA, Title IV of ERISA, and the Internal Revenue Code are satisfied generally by filing, in accordance with the instructions to the forms and related regulations, the appropriate annual return/report (the Form 5500 Series). The Form 5500 Series collection has been given OMB control number 1210-AA16. The Form 5500 Series collection has been approved under the Paperwork Reduction Act on October 28, 1994.

The DFVC Program is intended to afford eligible plan administrators the opportunity to avoid the assessment of civil penalties otherwise applicable to administrators who fail to file timely annual reports for plan years beginning on or after January 1, 1988. Eligible administrators may avail themselves of the DFVC Program by complying with the filing requirements and paying the specified civil penalties, set out in the Federal Register Notice.

The DFVC Program is available only to a plan administrator who complies with each of the requirements the Notice prior to the date on which the administrator:

(a) is notified in writing, pursuant to 29 CFR 2560.502c-2, of the Department's intention to assess a civil penalty under section 502(c)(2) of ERISA for failure to file a timely annual report; or

(b) is otherwise notified in writing by the Department of a failure to file a timely annual report under Title I of ERISA.

It is anticipated that the administrator of an employee welfare or benefit plan would make use of the DFVC Program no more than once per year, and would avoid use of the Program entirely if the statutory filing obligation were met in a timely manner.

The only information collection requirement in the Notice is the requirement of providing data necessary to identify the plan along with the penalty payment. This data is the only means by which each penalty payment will be associated with the relevant plan. With respect to most pension plans and welfare plans, the requirement is satisfied by sending, along with the penalty payment, a copy of the first page of the delinquent annual report, which under current procedures is sent to the IRS.

Under current procedures, certain pension plans for highly compensated employees, commonly "top hat" plans, and apprenticeship plans may file a one-time statement in lieu of annual reports. With respect to such plans the information collection requirements of the Notice are satisfied by sending a completed first page of an annual report form along with the penalty payment. The one-time statements are required to be sent to a different address within the Department. The Program is designed to allow the processing of all penalty payments at a single location within the Department.

3. Describe any consideration of information technology used to reduce burden, as well as any technical or legal obstacles to reducing burden.

The Department, in conjunction with the IRS, PBGC, and OMB, is currently exploring means by which to enhance the Form 5500 filing review, processing, and data system. Until that time when an electronic filing alternative is available, the Department has chosen the least burdensome collection method for receiving notification of participation in the Program and correctly accounting for payment of penalties.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purpose(s) described in 2 above.

The Department, IRS, and PBGC utilize a consolidation annual report (Form 5500 Series) which eliminates the duplicative reporting that would otherwise result from the separate reporting to each agency. However, the consolidated report does not accommodate specific notification of the Department of participation in the Program, nor does it accommodate recording of payment of penalties.

Therefore, the minimal information collection requirements of this Program were deemed necessary.

There is no similar information gathered by any state or Federal agency or other sources that would enable the Department of effectively monitor participation in the Program.

5. If the collection of information has a significant impact on a substantial number of small businesses or other small entities (item 15 of the Paperwork Reduction Act Submission form), describe the methods used to minimize burden.

Not Applicable.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently.

If the collection is not conducted, it may not be possible to institute the Program because the Department would be unable to determine whether persons seeking to take advantage of the reduced penalties offered under the Program had in fact complied with its conditions. The purpose of the Program is to encourage delinquent plan administrators to come forward and file delinquent reports. Lack of compliance with existing filing requirements impairs the administration and enforcement of the statute by the Department, as well as the IRS and the PBGC. The collection used in the Program creates a minimal burden on plan administrators who are already in breach of ERISA's filing requirements while giving them access to reduced penalties.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with the general information collection guidelines in 5 CFR 1320.6 (e.g., payment to respondents, disclosure of proprietary information, etc.).

There are no special circumstances that require the collection to be conducted in a manner inconsistent with the guidelines in 5 CFR 1320.6.

8. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years—even if the collection of information activity is the same as in prior periods. There may be circumstances that mitigate against consultation in a specific situation.

These circumstances should be explained.

The employee benefit plan community is aware that the Department has been considering institution of a reduced penalty program for persons who voluntarily file delinquent reports, and is generally supportive of the Program. The minimal information collection associated with the Program will not dissuade participation by delinquent plan administrators.

The Form 5500 Series was developed in coordination with the IRS and PBGC, and the DFVC Program has been reviewed by these agencies as well. In addition, PWBA regularly requests comments from the ERISA Advisory Council with respect to suggestions for reducing paperwork.

9. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

The annual reports are required by law to be made available for inspection at the Department and at the offices of the plan administrators. Accordingly, since this collection is merely one page of the annual report, the Department provides no assurance of confidentiality to respondents.

10. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

There are no questions of a sensitive nature pertaining to sexual behavior and attitudes, religious beliefs, or other matters that are commonly considered private.

11. Provide estimates of annualized cost to the Federal Government and to the respondents. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), any other expense that would not have been incurred without this collection of information.

Based on expense estimates, the annual cost to the Department attributable to the receipt and maintenance of the Program is estimated to be approximately \$150,000. This figure includes estimated costs to the Department for lockbox maintenance, computer services, and other

operational expenses such as equipment, overhead, and support staff.

As reflected in item 12 below, the burden hours attributable to the collection by the universe of respondents is estimated to be 3,500 hours. It is estimated that the cost to plans to complete the collection will range from \$20 to \$25 per hour.

Therefore, the estimated aggregate cost to respondents is approximately \$70,000 to \$87,500 in the first year, and \$49,000 to \$61,250 in succeeding years.

12. Provide estimates of the burden of the collection of information including both recordkeeping and reporting requirements. The statement should:

- Provide number of respondents, frequency of response, annual burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not make special surveys to obtain information on which to base burden estimates. Consultation with a sample of potential respondents is desirable. If the burden on respondents is expected to vary widely because of differences in activity, size or complexity, show the range of estimated burden and explain the reasons for the variance.

An estimated 10,000 delinquent employee benefit plan administrators are expected to file under the Program in the first year, and an estimated 7,000 filings are expected in subsequent years. Participation in the Program is voluntary, and filing under the Program would not be necessary more often than annually, and most participants would probably participate one time only. The annual burden per filing is estimated to be approximately 21 minutes, based on a pilot pretest of not more than nine people from both Federal employment and the private sector. The burden on respondents is not expected to vary widely because of differences in activity, size or complexity.

- If the request for approval is for more than one form, provide separate burden estimates for each form for which approval is sought and aggregate the burdens on the Paperwork Reduction Act Submission form. If only one form is submitted, you need not duplicate the information entered on the Paperwork Reduction Act Submission form.

Not applicable.

13. For amendments to existing collections, explain reasons for changes in burden, including the need for any increase.

Not applicable.

14. For collections of information whose results are planned to be published, outline plans for tabulation and publication. Address any complex

analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

The Form 5500 Series collection, and by extension, this DFVC Program collection, are not a collection of information for statistical use. Once collected, however, the information is available to the Department and the public, and it is used for purposes other than enforcement and disclosure.

[FR Doc. 95-7742 Filed 3-29-95; 8:45 am]

BILLING CODE 4510-22-M

### Evaluation of the Summer Youth Employment and Training Program

**AGENCY:** Office of the Secretary, Labor.

**ACTION:** Expedited review under the Paperwork Reduction Act.

**SUMMARY:** The Employment and Training Administration, Department of Labor, in carrying out its responsibilities under the Paperwork Reduction Act (44 U.S.C. Chapter 35, 5 CFR 1320 (53 FR 16618, May 10, 1988)), is submitting a study to examine the range of practices currently being used in the Summer Youth Employment and Training Administration (SYETP) to deliver educational services. It will assess the quality of training and evaluate contributions to the educational deficiencies of participants.

**DATES:** The Employment and Training Administration has requested an expedited review of this submission under the Paperwork Reduction Act; this Office of Management and Budget (OMB) review has been requested to be completed by April 14, 1995.

**FOR FURTHER INFORMATION CONTACT:** Comments and questions regarding the Evaluation of the SYETP should be directed to Mr. Kenneth A. Mills, Departmental Clearance Officer, Office of Information Resource Management Policy, U.S. Department of Labor, 200 Constitution Avenue NW., Room N-1301, Washington, DC 20210, (202) 219-5095.

Comments should also be sent to OMB, Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for ETA, NEOB Room 10235, Washington, DC 20503, (202) 395-7316.

Any member of the public who wants to comment on the information collection request which has been submitted to OMB should advise Mr. Mills of this intent at the earliest possible date.

*Average Burden Hours/Minutes Per Response:* 113 minutes

*Frequency of Response:* One time

*Number of Respondents:* 9,115

*Total Annual Burden Hours:* 17,167 hours

*Total Annual Responses:* 9,115

*Affected Public:* Individuals or households; Non-for-profit institutions; State, Local or Tribal Government

*Respondents Obligation to Reply:* Voluntary

Signed at Washington, DC, this 24th day of March 1995.

**Kenneth A. Mills,**

*Departmental Clearance Officer.*

### I. Introduction

This document represents a request for approval of the data collection protocols to be used in the *Evaluation of the Summer Youth Employment and Training Program*, being conducted by Social Policy Research Associates (SPR) and Brandeis University's Center for Human Resources, under contract to the U.S. Department of Labor (DOL). The study uses qualitative (case study) and quantitative data collection and analysis methods to examine training practices being used in the Summer Youth Employment and Training Program (SYETP), Title II-B of JTPA. The Introduction to this document provides a brief overview of the study and its purposes, and it discusses the data collection procedures and analysis plans. Subsequent sections respond to the Office of Management and Budget's (OMB) specific instructions for justification and address issues related to the collection of information using statistical methods.

### Background

Funded under Title II-B of the Job Training Partnership Act, SYETP has its origins in a thirty-year federal commitment to create summer jobs for disadvantaged youth. However, developments in recent years have as well affirmed an emphasis on providing educational services. For example, amendments to Title II-B enacted in 1986 enumerated the enhancement of basic educational skills and encouragement of school completion as explicit goals of the program. Further, SDAs were required to assess the reading and mathematics skill levels of SYETP participants and to provide remedial and basic education services where appropriate. Subsequent DOL issuances reinforced the educational emphasis of the Summer Youth program and encouraged efforts to link work and learning.