

DEPARTMENT OF LABOR**Office of the Secretary****Agency Information Collection Activities; Submission for OMB Review; Comment Request; Process Safety Management of Highly Hazardous Chemicals Standard****ACTION:** Notice.

SUMMARY: The Department of Labor (DOL) is submitting the Occupational Safety and Health Administration (OSHA) sponsored information collection request (ICR) titled, "Process Safety Management of Highly Hazardous Chemicals Standard," to the Office of Management and Budget (OMB) for review and approval for continued use in accordance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501 et seq.).

DATES: Submit comments on or before April 19, 2013.

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the RegInfo.gov Web site, <http://www.reginfo.gov/public/do/PRAMain>, on the day following publication of this notice or by contacting Michel Smyth by telephone at 202-693-4129 (this is not a toll-free number) or sending an email to DOL_PRA_PUBLIC@dol.gov.

Submit comments about this request to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL-OSHA, Office of Management and Budget, Room 10235, 725 17th Street NW., Washington, DC 20503, Fax: 202-395-6881 (this is not a toll-free number), email:

OIRA_submission@omb.eop.gov.

FOR FURTHER INFORMATION: Contact Michel Smyth by telephone at 202-693-4129 (this is not a toll-free number) or by email at DOL_PRA_PUBLIC@dol.gov.

Authority: 44 U.S.C. 3507(a)(1)(D).

SUPPLEMENTARY INFORMATION: The Process Safety Management of Highly Hazardous Chemicals Standard contains a number of information collection requirements, such as developing written process safety information, procedures and management practices, and operating procedures and safe work practices; and documenting safety history evaluations, contractor policies, and worker training; in addition, covered employers must retain certain records. These information collection requirements are subject to the PRA.

A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. See 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Number 1218-0200. The current approval is scheduled to expire on March 31, 2013; however, it should be noted that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. For additional information, see the related notice published in the **Federal Register** on November 6, 2012 (77 FR 66638).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within 30 days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1218-0200. The OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Agency: DOL-OSHA.

Title of Collection: Process Safety Management of Highly Hazardous Chemicals Standard.

OMB Control Number: 1218-0200.

Affected Public: Private Sector—businesses or other for-profits.

Total Estimated Number of Respondents: 6,993.

Total Estimated Number of Responses: 824,429.

Total Estimated Annual Burden Hours: 4,630,107.

Total Estimated Annual Other Costs Burden: \$0.

Dated: March 14, 2013.

Michel Smyth,

Departmental Clearance Officer.

[FR Doc. 2013-06369 Filed 3-19-13; 8:45 am]

BILLING CODE 4510-26-P

MERIT SYSTEMS PROTECTION BOARD**Notice of Opportunity To File Amicus Briefs**

AGENCY: Merit Systems Protection Board.

ACTION: Notice.

SUMMARY: The Merit Systems Protection Board (MSPB or Board) announces the opportunity to file amicus briefs in the matter of *Barbara R. King v. Department of the Air Force*, MSPB Docket Number DA-0752-09-0604-P-1, currently pending before the Board on interlocutory appeal. The administrative judge certified for interlocutory review the question of whether the provisions of the Whistleblower Protection Enhancement Act of 2012 (WPEA), 112 Public Law 199, with regard to damages may be applied retroactively to cases pending prior to its effective date.

Of particular relevance in *King* is the question of the retroactive effect of section 107(b) of the WPEA, which addresses damages available to individuals who have suffered reprisal for protected disclosures or activities. Prior to enactment of the WPEA, the corrective action available to such individuals under the Whistleblower Protection Act (WPA) included reasonable and foreseeable consequential damages, but not compensatory, or non-pecuniary, damages. See *Bohac v. Department of Agriculture*, 239 F.3d 1334, 1337-43 (Fed. Cir. 2001). However, under section 107(b) of the WPEA, corrective action may also include "compensatory damages (including interest, reasonable expert witness fees, and costs)." Therefore, the Board must determine in *King* whether to apply the WPEA standard or the WPA standard in determining what corrective action is available in appeals pending prior to the effective date of the WPEA.

In *King*, the appellant's protected disclosures and the agency's retaliatory

personnel action occurred in 2009. The appellant filed her initial Board appeal in 2009, and the administrative judge issued an initial decision on October 3, 2012, finding, in relevant part, that the appellant established reprisal for whistleblowing. The initial decision became the final decision of the Board on November 7, 2012, after neither party filed a petition for review. The appellant filed her request for compensatory damages on December 17, 2012. The WPEA was enacted on November 27, 2012, and became effective on December 27, 2012.

Interested persons or organizations may submit amicus briefs or other comments on the question presented in *King* no later than April 12, 2013. Amicus briefs must be filed with the Clerk of the Board. Briefs shall not exceed 30 pages in length. The text shall be double-spaced, except for quotations and footnotes, and the briefs shall be on 8½ by 11 inch paper with one inch margins on all four sides. All amicus briefs received will be posted on the Board's Web site at www.mspb.gov/SignificantCases.

DATES: All briefs submitted in response to this notice must be received by the Clerk of the Board on or before April 12, 2013.

ADDRESSES: All briefs shall be captioned "*Barbara R. King v. Department of the Air Force*" and entitled "Amicus Brief." Only one copy of the brief need be submitted. The Board encourages interested persons and organizations to submit amicus briefs as attachments to electronic mail addressed to mspb@mspb.gov. An email should contain a subject line indicating that the submission contains an amicus brief in the *King* case. Any commonly-used word processing format or PDF format is acceptable; text formats are preferable to image formats. Briefs may also be filed with the Office of the Clerk of the Board, Merit Systems Protection Board, 1615 M Street NW., Washington, DC 20419; fax (202) 653-7130.

FOR FURTHER INFORMATION CONTACT: Molly Leckey, Merit Systems Protection Board, Office of the Clerk of the Board, 1615 M Street NW., Washington, DC 20419; (202) 653-7200; mspb@mspb.gov.

William D. Spencer,
Clerk of the Board.

[FR Doc. 2013-06349 Filed 3-19-13; 8:45 am]

BILLING CODE 7400-01-P

NATIONAL SCIENCE FOUNDATION

Advisory Committee for Mathematical Sciences and Physical Sciences #66; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation announces the following meeting.

NAME: Advisory Committee for Mathematical Sciences and Physical Sciences (#66).

DATES/TIME: April 4, 2013, 1:00 p.m.–5:00 p.m.; April 5, 2013, 8:30 a.m.—12:00 noon.

PLACE: National Science Foundation (NSF), 4201 Wilson Boulevard, Arlington, VA 22230. To help facilitate your entry into the building, contact the individual listed below. Your request to attend this meeting must be received by email (cmorgan@nsf.gov) on or prior to April 1, 2013.

TYPE OF MEETING: Open, Virtual.

CONTACT PERSON: Dr. Kelsey Cook, Staff Associate and MPSAC Designated Federal Officer, Directorate for Mathematical and Physical Sciences, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230 Telephone #: 703-292-7490, 703-292-8800—kcook@nsf.gov.

MINUTES: Meeting minutes and other information may be obtained from the Staff Associate and MPSAC Designated Federal Officer at the above address or the Web site at <http://www.nsf.gov/mps/advisory.jsp>.

PURPOSE OF MEETING: To study data, programs, policies, and other information pertinent to the National Science Foundation and to provide advice and recommendations concerning research in mathematics and physical sciences.

Agenda

Thursday, April 4, 2013, 1:00 p.m.–5:15 p.m.

- State of the Directorate for Mathematical and Physical Sciences
- Report of CHE and DMS Committee of Visitor Reports
- Status Planning Reports: Synchrotron Science Subcommittee, Optics & Photonics Subcommittee; Food/Energy/Water Subcommittee
- Update from the Stats NSF Subcommittee
- Report on Merit Review pilots
- Impact of new travel policies
- New OSTP Open Access policy and NSF response
- Prepare for meeting with OD: MPS issues and challenges

Friday, April 5, 2013, 8:30 a.m.–12:00 noon

- Meeting with NSF Acting Director
- Reports from the Advisory Committee for Cyberinfrastructure, the Advisory Committee for Environmental Research and Education, the Committee on Equal Opportunities in Science and Engineering, and the Advisory Committee for International Science and Engineering.

- Plans and Upcoming Challenges

Dated: March 14, 2013.

Susanne Bolton,

Committee Management Officer.

[FR Doc. 2013-06312 Filed 3-19-13; 8:45 am]

BILLING CODE 7555-01-P

POSTAL REGULATORY COMMISSION

[Docket No. MC2011-19 and R2011-3; Order No. 1676]

Negotiated Service Agreement

AGENCY: Postal Regulatory Commission.

ACTION: Notice

SUMMARY: The Commission is noticing a recent Postal Service filing concerning an amendment to Discover Financial Services Negotiated Service Agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* March 27, 2013.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at <http://www.prc.gov>. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: Stephen L. Sharfman, General Counsel, at 202-789-6820.

SUPPLEMENTARY INFORMATION:

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I. Introduction

On January 14, 2011, the Postal Service filed a request pursuant to 39 U.S.C. 3622 and 3642, as well as 39 CFR 3010 and 3020, *et seq.*, to add a Discover Financial Services (DFS) Negotiated Service Agreement (NSA) to the market dominant product list.¹ After a

¹ Notice of the United States Postal Service of Filing Contract and Supporting Data and Request to