

recommendation to EPA regarding the necessity for groundwater remediation. The Settling Defendants completed their study on May 2, 1989, and submitted supplementary data in 1990 and 1991 and EPA has reviewed the results and issued a Final Decisional Document, dated June 29, 1995, concurring with their recommendation that no further groundwater remediation is necessary. The Final Consent Decree requires the Settling Defendants to monitor groundwater at the site for a period of three years secure and maintain the site and maintain institutional controls. The Settling Defendants will also reimburse the United States for past costs in the amount of \$175,000.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments concerning the proposed Final Consent Decree. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, U.S. Department of Justice, Washington, D.C. 20530, and should refer to *United States versus Waste Industries, Inc., et al.*, D.J. ref. 90-7-1-2. Commenters may request a public meeting in the affected area in accordance with Section 7003(d) of RCRA, 42 U.S.C. 6973(d).

The proposed Final Consent Decree may be examined at the Office of the United States Attorney for the Eastern District of North Carolina, Suite 800 Federal Building, 310 New Bern Avenue, Raleigh, N.C. 27611 and at the Consent Decree Library, 1120 G. Street, N.W., 4th Floor, Washington, D.C. 20005. A copy of the proposed Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., Washington, D.C. 20005. In requesting a copy, please enclose a check in the amount of \$8.75 (\$0.25 per

page for reproduction costs) payable to Consent Decree Library.

Joel Gross,
Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.
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DEPARTMENT OF LABOR

Employment and Training Administration

Job Training Partnership Act: Employment and Training Assistance for Dislocated Workers; Reallotment of Title III Funds

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice.

SUMMARY: The Department of Labor is publishing for public information the Job Training Partnership Act Title III (Employment and Training Assistance for Dislocated Workers) funds identified by States for reallotment, and the amount to be reallotted to eligible States.

FOR FURTHER INFORMATION CONTACT: Mr. Eric Johnson, Office of Worker Retraining and Adjustment Programs, Employment and Training Administration, Department of Labor, Room N-5426, 200 Constitution Avenue NW, Washington, DC 20210. Telephone: 202-219-5577 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION: Pursuant to Title III of the Job Training Partnership Act (JTPA or the Act), as amended by the Economic Dislocation and Worker Adjustment Assistance Act (EDWAA), the Secretary of Labor (Secretary) is required to recapture funds from States identified pursuant to section 303(b) of the Act, and reallot such funds by a Notice of Obligation (NOO) adjustment to current year funds to "eligible States" and "eligible high unemployment States", as set forth in section 303(a), (b), and (c) of JTPA. 29

U.S.C. 1653. The basic reallotment process was described in Training and Employment Guidance Letter No. 4-88, dated November 25, 1988, Subject: Reallotment and Reallocation of Funds under Title III of the Job Training Partnership Act (JTPA), as amended, 53 FR 43737 (December 2, 1988). The reallotment process for Program Year (PY) 1995 funds was described in Training and Employment Guidance Letter No. 5-94, dated December 21, 1994, Subject: Reallotment of Job Training Partnership Act (JTPA) Title III Formula-Allotted Funds.

NOO adjustments to the PY 1995 (July 1, 1995-June 30, 1996) formula allotments are being issued based on expenditures reported to the Secretary by the States, as required by the recapture and reallotment provisions at Section 303 of JTPA. 29 U.S.C. 1653.

Excess funds are recaptured from PY 1995 formula allotments, and are distributed by formula to eligible States and eligible high unemployment States, resulting in either an upward or downward adjustment to every State's PY 1995 allotment.

Unemployment Data

The unemployment data used in the formula for reallotments, relative numbers of unemployed and relative numbers of excess unemployed, were for the October 1994 through September 1995 period. Long-term unemployment data used were for calendar year 1995. The determination of "eligible high unemployment States" for the reallotment of excess unexpended funds was also based on unemployment data for the period October 1994 through September 1995, with all average unemployment rates rounded to the nearest tenth of one percent. The unemployment data were provided by the Bureau of Labor Statistics, based upon the Current Population Survey.

The table below displays the distribution of the net changes to PY 1995 formula allotments.

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U.S. DEPARTMENT OF LABOR
Employment and Training Administration
PY 1995 JTPA Title III Reallotment to States

	COL 1	COL 2	COL 3	COL 4	COL 5	COL 6
Alabama	5.8	0	212,257	212,257	62,344	274,601
Alaska	7.2	209,620	0	0	0	(209,620)
Arizona	5.5	250	196,760	0	57,793	57,543
Arkansas	4.9	0	86,214	0	25,323	25,323
California	7.8	0	3,169,598	3,169,598	930,975	4,100,573
Colorado	3.8	0	84,197	0	24,730	24,730
Connecticut	5.3	0	176,028	0	51,703	51,703
Delaware	4.1	0	21,049	0	6,182	6,182
District of Columbia	8.4	0	74,317	74,317	21,828	96,145
Florida	5.5	3,448,128	0	0	0	(3,448,128)
Georgia	4.9	0	262,151	0	76,999	76,999
Hawaii	5.5	0	56,233	0	16,517	16,517
Idaho	5.4	0	48,659	0	14,292	14,292
Illinois	5.2	0	558,901	0	164,161	164,161
Indiana	4.5	0	179,446	0	52,707	52,707
Iowa	3.4	0	57,837	0	16,988	16,988
Kansas	4.7	0	90,206	0	26,495	26,495
Kentucky	5.0	0	145,065	0	42,609	42,609
Louisiana	7.3	0	346,118	346,118	101,662	447,780
Maine	6.2	0	86,227	86,227	25,327	111,554
Maryland	5.0	0	210,046	0	61,695	61,695
Massachusetts	5.5	0	345,382	0	101,446	101,446
Michigan	5.4	2,469,880	0	0	0	(2,469,880)
Minnesota	3.6	0	105,725	0	31,054	31,054
Mississippi	6.1	0	156,588	156,588	45,993	202,581
Missouri	4.7	0	181,000	0	53,164	53,164
Montana	5.3	0	34,316	0	10,079	10,079
Nebraska	2.5	0	23,501	0	6,903	6,903
Nevada	5.8	398,041	0	0	0	(398,041)
New Hampshire	4.1	0	34,783	0	10,216	10,216
New Jersey	6.4	0	602,648	602,648	177,010	779,658
New Mexico	5.9	0	91,124	91,124	26,765	117,889
New York	6.3	0	1,273,720	1,273,720	374,117	1,647,837
North Carolina	4.3	1,963,341	0	0	0	(1,963,341)
North Dakota	3.3	0	12,589	0	3,698	3,698
Ohio	4.6	2,927,487	0	0	0	(2,927,487)
Oklahoma	5.1	0	128,121	0	37,632	37,632
Oregon	4.9	0	119,346	0	35,054	35,054
Pennsylvania	5.9	3	712,251	712,251	209,202	921,450
Puerto Rico	13.7	0	436,991	436,991	128,353	565,344
Rhode Island	6.7	0	78,162	78,162	22,958	101,120
South Carolina	5.1	0	177,537	0	52,146	52,146
South Dakota	2.9	13,516	0	0	0	(13,516)
Tennessee	4.5	0	136,028	0	39,954	39,954
Texas	5.9	0	1,074,703	1,074,703	315,662	1,390,365
Utah	3.5	0	33,932	0	9,967	9,967
Vermont	4.2	0	16,111	0	4,732	4,732
Virginia	4.5	1,062,909	0	0	0	(1,062,909)
Washington	6.1	0	333,140	333,140	97,850	430,990
West Virginia	7.9	0	175,831	175,831	51,645	227,476
Wisconsin	3.9	0	134,599	0	39,535	39,535
Wyoming	4.6	0	13,738	0	4,035	4,035
NATIONAL TOTAL	5.6	12,493,175	12,493,175	8,823,675	3,669,500	0

Explanation of Table

Column 1: This column shows each State's unemployment rate for the twelve months ending September 1995.

Column 2: This column shows the amount of excess funds which are subject to recapture. PY 1995 funds in an amount equal to the excess funds identified will be recaptured from such States and distributed as discussed below.

Column 3: This column shows total excess funds distributed among all "eligible States" by applying the regular Title III formula. "Eligible States" are those with unexpended PY 1994 funds at or below the level of 20 percent of their PY 1994 formula allotments as described above.

Column 4: Eligible States with unemployment rates higher than the national average, which was 5.6 percent for the 12-month period, are "eligible high unemployment States." These eligible high unemployment States received amounts equal to their share of the excess funds (the amounts shown in column 3) according to the regular Title III formula. This is Step 1 of the reallocation process. These amounts are shown in column 4 and total \$8,823,675.

Column 5: The sum of the remaining shares of available funds (\$3,669,500) for eligible States with unemployment rates less than or equal to the national average is distributed among all eligible States, again using the regular Title III allotment formula. This is Step 2 of the reallocation process. These amounts are shown in column 5.

Column 6: Net changes in PY 1995 formula allotment are presented. This column represents the decreases in Title III funds shown in column 2, and the increases in Title III funds shown in columns 4 and 5. NOOs in the amounts shown in column 6 are being issued to the States listed.

Equitable Procedures

Pursuant to section 303(d) of the Act, Governors of States required to make funds available for reallocation shall prescribe equitable procedures for making funds available from the State and substate grantees. 29 U.S.C. 1653(d).

Distribution of Funds

Funds are being reallocated by the Secretary in accordance with section 303(a), (b), and (c) of the Act, using the factors described in section 302(b) of the Act. 29 U.S.C. 1652(b) and 1653(a), (b), and (c). Distribution within States of funds allotted to States shall be in accordance with section 302(c) and (d) of the Act (29 U.S.C. 1652(c) and (d)),

and the JTPA regulation at 20 CFR 631.12(d).

Signed at Washington, DC, this 26th day of January, 1996.

Timothy M. Barnicle,
Assistant Secretary of Labor.

[FR Doc. 96-1914 Filed 1-30-96; 8:45 am]

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Pension and Welfare Benefits Administration

[Application No. D-0948, et al.]

Proposed Exemptions; Associated Hospital Service of Maine d/b/a Blue Cross and Blue Shield of Maine) and Blue Alliance Mutual Insurance Company, et al.

AGENCY: Pension and Welfare Benefits Administration, Labor.

ACTION: Notice of proposed exemptions.

SUMMARY: This document contains notices of pendency before the Department of Labor (the Department) of proposed exemptions from certain of the prohibited transaction restriction of the Employee Retirement Income Security Act of 1974 (the Act) and/or the Internal Revenue Code of 1986 (the Code).

Written Comments and Hearing Requests

All interested persons are invited to submit written comments or request for a hearing on the pending exemptions, unless otherwise stated in the Notice of Proposed Exemption, within 45 days from the date of publication of this Federal Register Notice. Comments and request for a hearing should state: (1) The name, address, and telephone number of the person making the comment or request, and (2) the nature of the person's interest in the exemption and the manner in which the person would be adversely affected by the exemption. A request for a hearing must also state the issues to be addressed and include a general description of the evidence to be presented at the hearing. A request for a hearing must also state the issues to be addressed and include a general description of the evidence to be presented at the hearing.

ADDRESSES: All written comments and request for a hearing (at least three copies) should be sent to the Pension and Welfare Benefits Administration, Office of Exemption Determinations, Room N-5649, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210. Attention: Application No. stated in each Notice of Proposed Exemption. The applications for exemption and the comments

received will be available for public inspection in the Public Documents Room of Pension and Welfare Benefits Administration, U.S. Department of Labor, Room N-5507, 200 Constitution Avenue, NW., Washington, DC 20210.

Notice to Interested Persons

Notice of the proposed exemptions will be provided to all interested persons in the manner agreed upon by the applicant and the Department within 15 days of the date of publication in the Federal Register. Such notice shall include a copy of the notice of proposed exemption as published in the Federal Register and shall inform interested persons of their right to comment and to request a hearing (where appropriate).

SUPPLEMENTARY INFORMATION: The proposed exemptions were requested in applications filed pursuant to section 408(a) of the Act and/or section 4975(c)(2) of the Code, and in accordance with procedures set forth in 29 CFR part 2570, subpart B (55 FR 32836, 32847, August 10, 1990). Effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of the type requested to the Secretary of Labor. Therefore, these notices of proposed exemption are issued solely by the Department.

The applications contain representations with regard to the proposed exemptions which are summarized below. Interested persons are referred to the applications on file with the Department for a complete statement of the facts and representations.

Associated Hospital Service of Maine, (d/b/a Blue Cross and Blue Shield of Maine) and Blue Alliance Mutual Insurance Company, Located in Portland, Maine

[Application No. D-09848]

Proposed Exemption

The Department is considering granting an exemption under the authority of section 408(a) of the Act and section 4975(c)(2) of the Code and in accordance with the procedures set forth in 29 CFR part 2570, subpart B (55 FR 32836, 32847, August 10, 1990). If the exemption is granted, the restrictions of section 406(a) and (b)(1) and (b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section