

10. Although Raynor had obtained sufficient information to reasonably support the conclusion that the Chairs contained a defect which could create a substantial product hazard, or created an unreasonable risk of serious injury or death, Raynor failed to immediately inform the Commission of such defect or risk as required by sections 15(b)(3) and (4) of the CPSA, 15 U.S.C. 2064(b)(3) and (4). In failing to do so, Raynor knowingly violated section 19(a)(4) of the CPSA, 15 U.S.C. 2068(a)(4) as the term "knowingly" is defined in section 20(d) of the CPSA, 15 U.S.C. 2069(d).

11. Pursuant to section 20 of the CPSA, 15 U.S.C. 2069, Raynor is subject to civil penalties for its failure to report as required under section 15(b) of the CPSA, 15 U.S.C. 2064(b).

#### *Response of Raynor Marketing, Ltd.*

12. Raynor denies the allegations of the Staff that the Chairs contain a defect which could create a substantial product hazard or create an unreasonable risk of serious injury or death, and denies that it violated the reporting requirements of Section 15(b) of the CPSA, 15 U.S.C. 2064(b).

#### *Agreement of the Parties*

13. Under the CPSA, the Commission has jurisdiction over this matter and over Raynor.

14. In settlement of the Staff's allegations, Raynor shall pay a civil penalty in the amount of three hundred ninety thousand dollars (\$390,000.00) within twenty (20) calendar days of receiving service of the Commission's final Order accepting the Agreement. The payment shall be made by check payable to the order of the United States Treasury.

15. The parties enter into this Agreement for settlement purposes only. The Agreement does not constitute an admission by Raynor or a determination by the Commission that Raynor violated the CPSA's reporting requirements.

16. Upon provisional acceptance of the Agreement by the Commission, the Agreement shall be placed on the public record and published in the **Federal Register** in accordance with the procedures set forth in 16 CFR 1118.20(e). If the Commission does not receive any written request not to accept the Agreement within fifteen (15) calendar days, the Agreement shall be deemed finally accepted on the 16th calendar day after the date it is published in the **Federal Register**, in accordance with 16 CFR 1118.20(f).

17. Upon the Commission's final acceptance of the Agreement and issuance of the final Order, Raynor

knowingly, voluntarily and completely waives any rights it may have in this matter to the following: (i) An administrative or judicial hearing; (ii) judicial review or other challenge or contest of the Commission's actions; (iii) a determination by the Commission as to whether Raynor failed to comply with the CPSA and the underlying regulations; (iv) a statement of findings of fact and conclusions of law; and (v) any claims under the Equal Access to Justice Act.

18. The Commission may publicize the terms of the Agreement and the Order.

19. The Agreement and the Order shall apply to and be binding upon Raynor and each of its successors and/or assigns.

20. The Commission issues the Order under the provisions of the CPSA, and a violation of the Order may subject Raynor and each of its successors and assigns to appropriate legal action.

21. The Agreement may be used in interpreting the Order. Understandings, agreements, representations or interpretations apart from those contained in the Agreement and the Order may not be used to vary or contradict their terms. The Agreement shall not be waived, amended, modified or otherwise altered without written agreement thereto executed by the party against whom such waiver, amendment, modification or alteration is sought to be enforced.

22. If any provision of the Agreement and the Order is held to be illegal, invalid or unenforceable under present or future laws effective during the terms of the Agreement and the Order, such provision shall be fully severable. The balance of the Agreement and the Order shall remain in full force and effect, unless the Commission and Raynor agree that severing the provision materially affects the purpose of the Agreement and Order.

Raynor Marketing, Ltd.

Dated: December 16, 2010

By: \_\_\_\_\_

Norman A. Lampert,  
Chief Executive Officer,  
Raynor Marketing, Ltd.,  
525 Hempstead Turnpike,  
West Hempstead, NY 11552.

Dated: December 20, 2010

By: \_\_\_\_\_

James E. Magee, Esq.,  
The Magee Law Firm, PLLC,  
6845 Elm Street, Suite 205,  
McLean, VA 22101.

Counsel for Raynor Marketing, Ltd.

U.S. Consumer Product Safety  
Commission Staff,  
Cheryl A. Falvey,  
General Counsel.

Dated: 1/28/2011

By: \_\_\_\_\_

Kelly M. Moore,  
Trial Attorney,  
Division of Compliance,  
Office of the General Counsel.

#### **Order**

Upon consideration of the Settlement Agreement entered into between Raynor Marketing, Ltd. ("Raynor"), and the U.S. Consumer Product Safety Commission ("Commission") staff, and the Commission having jurisdiction over the subject matter and over Raynor, and it appearing that the Settlement Agreement and the Order are in the public interest, it is

*Ordered* that the Settlement agreement be, and hereby is, accepted; and it is

*Further Ordered* that Raynor shall pay a civil penalty in the amount of three hundred ninety thousand dollars (\$390,000.00) within twenty (20) days of service of the Commission's final Order accepting the Settlement Agreement. The payment shall be made by check payable to the order of the U.S. Treasury. Upon the failure of Raynor to make the foregoing payment when due, interest on the unpaid amount shall accrue and be paid by Raynor at the Federal legal rate of interest set forth at 28 U.S.C. 1961(a) and (b).

Provisionally accepted and provisional Order issued on the 28th day of January, 2011.

By order of the Commission:

**Todd A. Stevenson,**

*Secretary, U.S. Consumer Product Safety Commission.*

[FR Doc. 2011-2511 Filed 2-3-11; 8:45 am]

**BILLING CODE 6355-01-P**

## **CORPORATION FOR NATIONAL AND COMMUNITY SERVICE**

### **Proposed Information Collection; Comment Request**

**AGENCY:** Corporation for National and Community Service.

**ACTION:** Notice.

**SUMMARY:** The Corporation for National and Community Service (hereinafter the "Corporation"), as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) (44 U.S.C. 3506(c)(2)(A)). This program

helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirement on respondents can be properly assessed. Individuals who use a telecommunications device for the deaf (TTY-TDD) may call (202) 565-2799 between 8:30 a.m. and 5 p.m. eastern time, Monday through Friday.

Currently, the Corporation is soliciting comments concerning AmeriCorps Application Instructions: State Commissions; State and National Competitive; Professional Corps; Indian Tribes; States and Territories without Commissions; and State and National Planning. Applicants will respond to the questions included in this ICR in order to apply for funding through these grant competitions.

Copies of the information collection request can be obtained by contacting the office listed in the **ADDRESSES** section of this notice.

**DATES:** Written comments must be submitted to the individual and office listed in the **ADDRESSES** section by April 5, 2011.

**ADDRESSES:** You may submit comments, identified by the title of the information collection activity, by any of the following methods:

(1) *By mail sent to:* Corporation for National and Community Service; Attention Amy Borgstrom, Associate Director for Policy, Room 9515; 1201 New York Avenue, NW., Washington, DC 20525.

(2) *By hand delivery or by courier to the Corporation's mailroom at Room 8100 at the mail address given in paragraph (1) above, between 9 a.m. and 4 p.m. Monday through Friday, except Federal holidays.*

(3) *By fax to:* (202) 606-3476, Attention Amy Borgstrom, Associate Director for Policy.

(4) *Electronically through the Corporation's e-mail address system: [aborgstrom@cns.gov](mailto:aborgstrom@cns.gov).*

**FOR FURTHER INFORMATION CONTACT:** Amy Borgstrom, (202) 606-6930, or by e-mail at [aborgstrom@cns.gov](mailto:aborgstrom@cns.gov).

**SUPPLEMENTARY INFORMATION:** The Corporation is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Corporation, 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 expected to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (e.g., permitting electronic submissions of responses).

#### Background

These application instructions will be used by applicants for funding through AmeriCorps State and National grant competitions.

*Current Action:* The Corporation seeks to renew and revise the current AmeriCorps State and National Application Instructions. The Application Instructions are being revised for increased clarity and to align with provisions of the Serve America Act. The Application Instructions will be used in the same manner as the existing Application Instructions. The Corporation also seeks to continue using the current Application Instructions until the revised Application Instructions are approved by OMB. The current ICRs are due to expire on May 31, 2012.

*Type of Review:* Renewal.

*Agency:* Corporation for National and Community Service.

*Title:* AmeriCorps Application Instructions: State Commissions; State and National Competitive; Professional Corps; Indian Tribes; States and Territories without Commissions; and State and National Planning.

*OMB Number:* 3045-0047.

*Agency Number:* None.

*Affected Public:* Nonprofit organizations, State, Local and Tribal.

*Total Respondents:* 654.

*Frequency:* Annually.

*Average Time Per Response:* 24 hours.

*Estimated Total Burden Hours:* 15,696 hours.

*Total Burden Cost (capital/startup):* None.

*Total Burden Cost (operating/maintenance):* None.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: January 28, 2011.

**Lois Nembhard,**

*Deputy Director, AmeriCorps State and National.*

[FR Doc. 2011-2439 Filed 2-3-11; 8:45 am]

**BILLING CODE 6050--SS-P**

## DEPARTMENT OF DEFENSE

### Department of the Army

#### Final Programmatic Environmental Impact Statement (PEIS) for the Growth, Realignment, and Stationing of Army Aviation Assets

**AGENCY:** Department of the Army, DoD.

**ACTION:** Notice of availability.

**SUMMARY:** The Department of the Army announces the availability of the Final PEIS for the proposed growth, realignment, and stationing of new and existing Army aviation assets. The proposed action includes the consolidation and reorganization of existing aviation units, and the potential establishment of one or more Combat Aviation Brigades (CABs). The proposed action will increase the availability of helicopter assets to meet current and future national security requirements, and will allow the Army better to organize existing aviation assets to promote more effective training and force management. The Final PEIS evaluates the environmental impacts associated with the proposed action, which includes the stationing of aviation units, the construction and renovation of garrison facilities, and additional training activities needed to support the readiness of aviation units. In addition, the Final PEIS addresses comments received on the Draft PEIS. Land acquisition is not being considered as part of this action.

The Final PEIS considers the following alternatives: Alternative 1—Realign and Station Existing Aviation Elements of Up to a Full CAB or Activate and Station a New CAB at Fort Carson Colorado (CO). Under this alternative, the Army will consolidate existing aviation units not currently assigned to a CAB into a standard CAB structure at Fort Carson or activate a new CAB at Fort Carson. As part of this alternative, aviation units will conduct training on existing land at Pinon Canyon Maneuver Site (PCMS), CO, in order to maintain training proficiency and support integrated training with ground units. Land acquisition is not being considered as part of this action. Alternative 2—Realign and Station Existing Aviation Elements of Up to a Full CAB or Grow, Station, and Activate