

regulatory agency responsible for the enforcement of the Consumer Product Safety Act, 15 U.S.C. 2051-2084.

3. Safety 1st is a corporation organized and existing under the laws of the State of Massachusetts. Its principal offices are located at 210 Boylston Street, Chestnut Hill, MA 02167.

II. Staff Allegations

4. Between April 1994 and December 1994 Safety 1st manufactured and distributed approximately 191,000 portable Safety 1st Safe Keeper Bed Rails and Flashlight model 177 (hereinafter, "Bed Rail") in the United States. Safety 1st is, therefore, a manufacturer, distributor and a private labeler of the Bed Rail in commerce.

5. The Bed Rail is a portable household device intended to keep young children from falling out of bed. The Bed Rail is a consumer product.

6. The plastic support arm(s) of the Bed Rail may break or separate from the rest of the guard rail when children users move against them allowing children to become stuck between rail and bed or to fall out of bed. In addition, a sharp edge along the hard plastic seams of the bed rail may cause cuts and abrasions to children.

In 1994 and 1995, Safety 1st admits to receiving 25 injury complaints from consumers describing such Bed Rail incidents. Some of the reported incidents have caused fractures, bruises, lacerations to the face, head, back, chest and otherwise, and one concussion.

7. Safety 1st obtained information which reasonably supported the conclusion that its Bed Rail contained defects which could create a substantial product hazard but failed to report that information to the Commission in a timely manner as required by section 15(b) of the CPSA, 15 U.S.C. 2064(b).

III. Response of Safety 1st

8. Safety 1st denies the allegations of the staff that the Safekeeper Bed Rail and Flashlight contains any defect which could create a substantial product hazard pursuant to section 15(a) of the CPSA, 15 U.S.C. 2064(a), and further denies that it violated the reporting requirements of section 15(b) of the CPSA, 15 U.S.C. 2064(b).

9. Safety 1st filed a report as required by Section 15(b) of the CPSC, 15 U.S.C. 2064(b). Such report contained a disclaimer as to product defect and risk of a substantial product hazard. The separation of the support arms from the bed rail resulted from a failure of the installer to properly assemble the bed rail.

10. Safety 1st also contends that the incidents reported did not involve a

serious risk of injury to the intended user age group for the bed rail.

IV. Agreement of The Parties

11. The Commission has jurisdiction over this matter under the Consumer Product Safety Act (CPSA), 15 U.S.C. 2051 *et seq.*

12. Safety 1st knowingly, voluntarily and completely waives any rights it may have (1) to an administrative or judicial hearing with respect to the staff allegations cited herein, (2) to judicial review or other challenge or contest of the validity of the Commission's Order, (3) to a determination by the Commission as to whether a violation of section 15(b) of the CPSA, 15 U.S.C. 2064(b), has occurred, and (4) to a statement of findings of fact and conclusion of law with regard to the staff allegations.

13. Upon provisional acceptance of this Settlement Agreement and Order by the Commission, this Settlement Agreement and Order shall be placed on the public record and shall be published in the **Federal Register** in accordance with 16 C.F.R. 1118.20.

14. The Settlement Agreement and Order becomes effective upon final acceptance by the Commission and its service upon Safety 1st.

15. Upon final acceptance of this Settlement Agreement by the Commission, the Commission will issue a press release to advise the public of the civil penalty Settlement Agreement and Order.

16. Safety 1st agrees to entry of the attached Order, which is incorporated herein by reference, and to be bound by its terms.

17. This Settlement Agreement and Order are entered into for settlement purposes only and shall not constitute an admission or determination arising from the allegations that the guard rails contain a defect which could create a substantial product hazard.

18. This Settlement Agreement is binding upon Safety 1st and the assigns or successors of Safety 1st.

19. Agreements, understandings, representations, or interpretations made outside this Settlement Agreement and Order may not be used to vary or to contradict its terms.

Dated: March 9, 1998.

Michael Lerner,

Chief Executive Officer, Safety 1st, Inc.

Dated: March 5, 1998.

Alan H. Schoem,

Assistant Executive Director, Office of Compliance, The Consumer Product Safety Commission.

Eric L. Stone,

Director, Legal Division, Office of Compliance, The Consumer Product Safety Commission.

William J. Moore, Jr.,

Attorney, Legal Division, Office of Compliance, Litigation, Office of Compliance, The Consumer Product Safety Commission.

Order

Upon consideration of the Settlement Agreement entered into between Respondent, Safety 1st, Inc., a corporation, and the staff of the Consumer Product Safety Commission; and the Commission having jurisdiction over the subject matter and Safety 1st, Inc., and it appearing that the Settlement Agreement and Order is in the public interest, it is

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

Further ordered, that upon final acceptance of the Settlement Agreement and Order, Safety 1st, Inc. shall pay the Commission a civil penalty in the amount of one hundred seventy five thousand and no/100 dollars (\$175,000.00), within ten (10) days after service of this Final Order upon the Respondent, Safety 1st, Inc.

Provisionally accepted and Provisional Order issued on the 18th day of March, 1998.

By order of the commission.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

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BILLING CODE 6355-01-M

DEPARTMENT OF DEFENSE

[QMB Control Number 0704-0286]

Notice and Request for Comments Regarding an Information Collection Requirement

AGENCY: Department of Defense (DoD).

ACTION: Notice and request for comments regarding a proposed extension of an approved information collection requirement.

SUMMARY: In compliance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), DoD announces the

proposed extension of a public information collection requirement and seeks public comment on the provisions thereof. Comments are invited on (a) 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; (b) the accuracy of the estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including the use of automated collection techniques or other forms of information technology. This information collection requirement is currently approved by the Office of Management and Budget (OMB) for use through September 30, 1998. DoD proposes that OMB extend its approval for use through September 30, 2001.

DATES: Consideration will be given to all comments received by May 26, 1998.

ADDRESSES: Written comments and recommendations on the proposed information collection requirement should be sent to: Defense Acquisition Regulations Council, Attn: Ms. Melissa D. Rider, PDUSD (A&T) DP (DAR), IMD 3D139, 3062 Defense Pentagon, Washington, DC 20301-3062, Telefax (703) 602-0350.

E-mail comments submitted over the Internet should be addressed to: dfars@acq.osd.mil.

Please cite OMB Control Number 0704-0286 in all correspondence related to this issue. E-mail comments should cite OMB Control Number 0704-0286 in the subject line.

FOR FURTHER INFORMATION CONTACT: Ms. Melissa D. Rider, at (703) 602-0131. A copy of this information collection requirement is available electronically via the Internet at: <http://www.dtic.mil/dfars/>

Paper copies may be obtained from Ms. Melissa D. Rider, PDUSD (A&T) DP (DAR), IMD 3D139, 3062 Defense Pentagon, Washington, DC 20301-3062.

SUPPLEMENTARY INFORMATION:

Title, Associated Form, and OMB Number: Defense Federal Acquisition Regulation Supplement (DFARS) Part 205, Publicizing Contract Actions, and DFARS 252.205-7000, Provision of Information to Cooperative Agreement Holders; OMB Control Number 0704-0286.

Needs and Uses: This information collection requirement pertains to contractor information provided to Cooperative Agreement Holders. DFARS Subpart 205.4 and the clause at DFARS

252.205-7000 require that defense prime contractors awarded contracts over \$500,000 provide to cooperative agreement holders, upon request, a list of employees or offices that are responsible for entering into subcontracts under defense contracts. The cooperative agreement holders further disseminate the information to other firms within a geographic area defined in the individual cooperative agreements. The purpose of the cooperative agreements is for the agreement holders to provide procurement technical assistance to business entities within a specified geographic area. This guidance implements 10 U.S.C. 2416.

Affected Public: Businesses or other for-profit and not-for-profit institutions.

Annual Burden Hours: 7,548.

Number of Responses: 6,682.

Responses per Respondent: 1.

Average Burden per Response: 1.13 hours.

Frequency: On occasion.

Summary of Information Collection

DFARS Subpart 205.4 and the clause at DFARS 252.205-7000 require that defense prime contractors awarded contracts over \$500,000 provide to cooperative agreement holders, upon their request, a list of those appropriate employees or offices responsible for entering into subcontracts under defense contracts. The list must include the business address, telephone number, and area of responsibility of each employee or office. The contractor need not provide the list to a particular cooperative agreement holder more frequently than once a year.

Michele P. Peterson,

Executive Editor, Defense Acquisition Regulations Council.

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DEPARTMENT OF DEFENSE

Department of the Army

Environmental Assessment (EA) on the Disposal and Reuse of the BRAC Parcels at Sierra Army Depot (SIAD), California

AGENCY: Department of the Army, DoD.

ACTION: Notice of availability.

SUMMARY: The Department of the Army announces the availability of the Environmental Assessment (EA) and Finding of No Significant Impact (FNSI) for the proposed action evaluated by this EA to dispose of property made available by the realignment of Sierra Army Depot (SIAD), California, in

accordance with the Defense Base Closure and Realignment Act of 1990, Public Law 101-510, as amended. The EA addresses the environmental consequences of the disposal and subsequent reuse of approximately 4,397 acres at SIAD. The Army will negotiate the transfer of 2,688 acres to the Lassen County Local Redevelopment Authority (LRA), transfer 1,037 acres to the U.S. Department of Health and Human Services, and 600 acres to the U.S. Department of Justice. Seventy-two acres have transferred to the U.S. Department of Interior which were the subject of a separate environmental analysis but the impacts of disposal are also analyzed in the cumulative effects section of this EA. Three alternative methods of disposal were analyzed: Encumbered disposal, unencumbered disposal and retention of the property in caretaker status (i.e., no action alternative). The Army's preferred alternative for disposal of the SIAD BRAC parcels is encumbered disposal which involves conveying the property with conditions imposed on easements and rights-of-ways, remedial activities, unexploded ordnance restriction, noise advisory, wetlands, threatened and endangered species habitat, archaeological site protection and utilities dependencies.

The EA, which is incorporated into the Finding of No Significant Impact (FNSI), examines potential effects of the proposed action and alternatives on 15 resources areas and areas of environmental concern: Land use, climate, air quality, noise, geology, and water resources infrastructure, hazardous and toxic substances, permits and regulatory authorizations, biological resources and ecosystems, cultural resources, economic development, socioeconomics and quality of life.

The cumulative effects analysis of the EA determined that one resource category, (socioeconomic impacts), would have significant adverse impacts. A significant impact to sociological affects, in and of itself, does not give rise to an EIS pursuant to 40 CFR 1508.14. Accordingly, a FNSI is appropriate and an EIS will not be prepared.

DATES: Comments must be submitted on or before April 24, 1998.

ADDRESSES: A copy of the EA or inquiries into the FNSI may be obtained by writing to Mr. Glen Coffee at the U.S. Army Corps of Engineers, Mobile District, P.O. Box 2288, Mobile, Alabama 36628-0001 or by facsimile at (334) 690-2721.