

information from public review, we cannot guarantee that we will be able to do so.

Dated: November 12, 2008.

**John R. Craynon,**

*Chief, Division of Regulatory Support.*

[FR Doc. E8-29009 Filed 12-8-08; 8:45 am]

BILLING CODE 4310-05-P

## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### Notice of Proposed Information Collection for 1029-0112

**AGENCY:** Office of Surface Mining Reclamation and Enforcement.

**ACTION:** Notice and request for comments.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, the Office of Surface Mining Reclamation and Enforcement (OSM) is announcing that the information collection request for 30 CFR Part 772—Requirements for Coal Exploration has been submitted to the Office of Management and Budget (OMB) for review and approval. This information collection request describes the nature of the information collection and the expected burden and cost for 30 CFR Part 772.

**DATES:** OMB has up to 60 days to approve or disapprove the information collections but may respond after 30 days. Therefore, public comments should be submitted to OMB by January 8, 2009, in order to be assured of consideration.

**ADDRESSES:** Submit comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Department of Interior Desk Officer, by telefax at (202) 395-6566 or via e-mail to [OIRA\\_Docket@omb.eop.gov](mailto:OIRA_Docket@omb.eop.gov). Also, please send a copy of your comments to the Information Collection Clearance Officer, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW., Room 202—SIB, Washington, DC 20240, or electronically to [jtrelease@osmre.gov](mailto:jtrelease@osmre.gov).

**FOR FURTHER INFORMATION CONTACT:** To receive a copy of the information collection request contact John Trelease at (202) 208-2783, or electronically at [jtrelease@osmre.gov](mailto:jtrelease@osmre.gov).

**SUPPLEMENTARY INFORMATION:** OMB regulations at 5 CFR 1320, which implement provisions of the Paperwork Reduction Act of 1995 (Pub. L. 104-13), require that interested members of the public and affected agencies have an

opportunity to comment on information collection and recordkeeping activities [see 5 CFR 1320.8(d)]. OSM has submitted a request to OMB to renew its approval of the collection of information contained in 30 CFR Part 772—Requirements for Coal Exploration. OSM is requesting a 3-year term of approval for this information collection activity.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control number for 30 CFR Part 772 is 1029-0112.

As required under 5 CFR 1320.8(d), a **Federal Register** notice soliciting comments for this collection of information was published on September 3, 2008 (73 FR 51513). No comments were received. This notice provides the public with an additional 30 days in which to comment on the following information collection activity:

**Title:** 30 CFR Part 772—Requirements for Coal Exploration.

**OMB Control Number:** 1029-0112.

**Summary:** OSM and State regulatory authorities use the information collected under 30 CFR Part 772 to maintain knowledge of coal exploration activities, evaluate the need for an exploration permit, and ensure that exploration activities comply with the environmental protection and reclamation requirements of 30 CFR Part 772 and section 512 of SMCRA (30 U.S.C. 1262).

**Bureau Form Number:** None.

**Frequency of Collection:** Once.

**Description of Respondents:** 1,212 operators planning to conduct coal exploration and 24 State regulatory authorities.

**Total Annual Responses:** 2,568.

**Total Annual Burden Hours:** 11,010.

**Total Annual Non-Wage Burden Costs:** \$2,074.

Send comments on the need for the collections of information for the performance of the functions of the agency; the accuracy of the agency's burden estimates; ways to enhance the quality, utility and clarity of the information collections; and ways to minimize the information collection burdens on respondents, such as use of automated means of collections of the information, to the offices listed in **ADDRESSES**. Please refer to OMB control number 1029-0112 in all correspondence.

Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that

your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: December 2, 2008.

**John R. Craynon,**

*Chief, Division of Regulatory Support.*

[FR Doc. E8-29010 Filed 12-8-08; 8:45 am]

BILLING CODE 4310-05-M

## DEPARTMENT OF JUSTICE

### Notice of Lodging of an Amendment to the Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act

Notice is hereby given that on November 19, 2008, a proposed Amendment to the Consent Decree ("Amendment") in *United States of America v. Ormet Primary Aluminum Corporation*, Civil Action No. C2-95-947, was lodged with the United States District Court for the Southern District of Ohio, Eastern Division.

In 1995, the United States entered into a Consent Decree with Ormet Primary Aluminum Corporation, Inc. ("Ormet Primary"), which settled a matter under the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9606 & 9607, for the Ormet Corporation Superfund Site ("Site") in Hannibal, Ohio. Under the Consent Decree, Ormet Primary is required to undertake work to address releases at the Site and provide financial assurance to ensure completion of the work. In 2007, the U.S. Environmental Protection Agency ("U.S. EPA") determined that Ormet Primary had failed to meet the terms of the financial assurance provisions of the Consent Decree. The Amendment addresses Ormet Primary's failure to have adequate financial assurance by requiring scheduled submissions to the U.S. EPA of letter(s) of credit which by December 21, 2009, in the aggregate, will equal \$3,400,000.00. The Amendment also requires, among other things, environmental covenants be recorded with the Register of Deeds, Monroe County, Ohio, identifying use restrictions for the Site and other specified property.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Amendment. Comments should be addressed to the Assistant

Attorney General, Environment and Natural Resources Division, and either emailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to Ormet Primary Aluminum Corporation, Inc., D.J. Ref. 90-11-3-1423.

During the public comment period, the Amendment may be examined at the Office of the United States Attorney, 303 Marconi Blvd., Suite 200, Columbus, Ohio 43215, and at U.S. EPA Region 5, 77 W. Jackson Blvd., Superfund Records Center, 7th Floor, Chicago, Illinois 60604 or a copy may be obtained from U.S. EPA Region 5 by calling (312) 886-0900. The Amendment may also be examined on the following Department of Justice Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy of the Amendment may be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$16.75 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if by email or fax, forward a check in that amount to the Consent Decree Library at the stated address.

**William Brighton,**

Assistant Chief Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. E8-29064 Filed 12-8-08; 8:45 am]

BILLING CODE 4410-15-P

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act

In accordance with Section 122 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9622, the Department of Justice gives notice that a proposed Consent Decree in *United States v. FMC Corporation and BAE Systems Land & Armaments, LLP*, Civil No. 08-cv-06240 (D. Minn.), was lodged with the United States District Court for the District of Minnesota on December 3, 2008, pertaining to the Naval Industrial Reserve Ordnance Plant Superfund Site (the "Site"), located in Fridley, Anoka County, Minnesota. In

this action, the United States brought civil claims under Sections 107 and 113(g)(2) of CERCLA, 42 U.S.C. 9607 and 9613(g)(2), against FMC Corporation ("FMC") and BAE Systems Land & Armaments, LLP ("BAE Systems") (collectively, "Settling Defendants") for recovery of response costs incurred and to be incurred by the United States at the Site.

The proposed Consent Decree requires FMC and BAE Systems to reimburse the United States \$4.14 million in payment of the Navy's response costs, and \$460,000 in payment of EPA's response costs, incurred at the Site. A portion, \$850,000, of the total payment has been designated as "Consent Decree Unallowed Costs" under Settling Defendants' Federal Contracts.

The Department of Justice will receive, for a period of fifteen (15) days from the date of this publication, comments relating to the proposed Consent Decree. Commenters may request an opportunity for a public meeting in the affected area, in accordance with Section 7003(d) of the Resource Conservation and Recovery Act, 42 U.S.C. 6973(d). Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either emailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to United States Department of Justice, P.O. Box 7611, Washington, DC 20044-7611, and should refer to *United States v. FMC Corporation and BAE Systems Land & Armaments, LLP*, Civil No. 08-cv-06240 (D. Minn.), and DOJ Reference No. 90-11-3-07002/1.

The proposed Consent Decree may be examined at: (1) The Office of the United States Attorney for the District of Minnesota, 600 U.S. Courthouse, 300 South Fourth St., Minneapolis, MN 55415 (612) 664-5697; (2) the United States Environmental Protection Agency (Region 5), 77 West Jackson Blvd., Chicago, IL 60604-3507 (contact: Timothy Thurlow (312) 886-6623); or (3) United States Department of Navy, Office of General Counsel, 720 Kennon St. SE., Bldg. 36, Rm. 233, Washington, DC 20374-5013 (contact: Perry Sobel (202) 685-6997).

During the public comment period, the proposed Consent Decree may also be examined on the following U.S. Department of Justice website, [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy of the proposed Consent Decree may also be obtained by mail from the Consent Decree Library, U.S. Department of Justice, P.O. Box 7611, Washington, DC 20044-7611 or by faxing or e-mailing a

request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation no. (202) 514-1547. In requesting a copy from the Consent Decree Library, please refer to the referenced case and DOJ Reference Number and enclose a check in the amount of \$17.75 for the Consent Decree (71 pages including appendices, at 25 cents per page reproduction costs), made payable to the U.S. Treasury or, if by e-mail or fax, forward a check in that amount to the Consent Decree Library at the stated address.

**William D. Brighton,**

Assistant Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. E8-29063 Filed 12-8-08; 8:45 am]

BILLING CODE 4410-15-P

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review: Comment Request

December 3, 2008.

The Department of Labor (DOL) hereby announces the submission of the following public information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35). A copy of this ICR, with applicable supporting documentation; including among other things a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the RegInfo.gov Web site at <http://www.reginfo.gov/public/do/PRAMain> or by contacting Darrin King on 202-693-4129 (this is not a toll-free number)/e-mail: [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

Interested parties are encouraged to send comments to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Bureau of Labor Statistics (BLS), Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: 202-395-7316 / Fax: 202-395-6974 (these are not toll-free numbers), E-mail: [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov) within 30 days from the date of this publication in the **Federal Register**. In order to ensure the appropriate consideration, comments should reference the OMB Control Number (see below).

The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the