

The Pueblo Grande Museum is responsible for notifying The Tribes that this notice has been published.

Dated: March 25, 2020.

**Melanie O'Brien,**

*Manager, National NAGPRA Program.*

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**BILLING CODE 4312-52-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Consent Decree and Environmental Settlement Agreement Under the Clean Air Act

On May 4, 2020, the United States Department of Justice lodged a proposed Consent Decree and Environmental Settlement Agreement ("Settlement Agreement") in *In re PES Holdings, LLC, et al.*, Civil Action No. 19-11626 (Bankr. D. Del.), with the United States Bankruptcy Court for the District of Delaware.

The United States, on behalf of the United States Environmental Protection Agency ("EPA"), filed this Settlement Agreement with PES Holdings, LLC and its Debtor Affiliates (collectively the "Debtors"), including Debtor Philadelphia Energy Solutions Refining and Marketing LLC ("PESRM"), to resolve a dispute about the obligations and liabilities of PESRM and related parties under the Clean Air Act's ("CAA") Renewable Fuel Standard ("RFS") program, which requires refiners to blend renewable fuels into gasoline or diesel fuel or obtain Renewable Identification Numbers ("RINs") to meet Renewable Volume Obligations ("RVOs") and a 2018 Consent Decree and Environmental Settlement Agreement in *In re PES Holdings, LLC, et al.*, Case No. 18-10122 (KG) ("2018 Consent Decree").

Under the Settlement Agreement, Debtors have agreed to purchase and retire up to 161,830,963 Quality Assurance Plan ("QAP") verified Q-RINs to resolve Debtors' RINs liability under the 2018 Consent Decree and the CAA's RFS program. A Q-RIN is a type of RIN that a registered independent third-party auditor verified using an approved QAP, and in accordance with the audit process laid out in 40 CFR 80.1472. See 40 CFR 80.1401. The Debtors' Chapter 11 Plan ("Plan") establishes a Liquidating Trust, which will, among other things, purchase and retire Q-RINs within 90 days of the Effective Date of the Settlement Agreement or the Plan, whichever occurs later, subject to an actual price paid cap of \$10 million as provided in

the Settlement Agreement. If PESRM, any Debtor, or the Liquidating Trust, receives an Excise Tax Refund from the United States, the Liquidating Trust will purchase and retire any remaining RIN balance within 90 days of receiving the refund; this is subject to the limitation that the Liquidating Trust's RIN retirement obligation ends when the Liquidating Trust has (a) retired the full amount of 161,830,963 Q-RINs, (b) purchased and retired \$22 million worth of Q-RINs, or (c) purchased and retired \$10 million worth of Q-RINs plus the number of Q-RINs worth the Excise Tax Refund from the United States if the refund is less than \$12 million.

The publication of this notice opens a period for public comment on the Settlement Agreement. Comments should be addressed to the Section Chief, Environment and Natural Resources Division, Environmental Enforcement Section, and should refer to *In re PES Holdings, LLC, et al.*, Civil Action No. 19-11626 (Bankr. D. Del.), DOJ Number 90-5-2-1-10993/2. All comments must be submitted no later than fifteen (15) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	Send them to:
By email .....	<a href="mailto:pubcomment-ees.enrd@usdoj.gov">pubcomment-ees.enrd@usdoj.gov</a> .
By mail .....	Section Chief, U.S. DOJ—ENRD—EES, P.O. Box 7611, Washington, DC 20044-7611.

During the public comment period, the Settlement Agreement may be examined and downloaded at this Justice Department website: <https://www.justice.gov/enrd/consent-decrees>. We will provide a paper copy of the Settlement Agreement upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Please enclose a check or money order for \$6.25 (25 cents per page reproduction cost) payable to the United States Treasury.

**Jeffrey Sands,**

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

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Notice of a Change in Status of the Extended Benefit (EB) Program for Rhode Island

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Notice.

**SUMMARY:** This notice announces a change in benefit payment status under the EB program for Rhode Island.

The following change has occurred since the publication of the last notice regarding Rhode Island's EB status:

Rhode Island's 13-week insured unemployment rate (IUR) for the week ending April 11, 2020 was 5.49 percent, which exceeds 120 percent of the corresponding rate in the prior two years. This IUR caused Rhode Island to be triggered "on" to an EB period that began April 26, 2020. The State will remain in an EB period for a minimum of 13 weeks.

**FOR FURTHER INFORMATION CONTACT:** U.S. Department of Labor, Employment and Training Administration, Office of Unemployment Insurance, Room S-4524, Attn: Kevin Stapleton, 200 Constitution Avenue NW, Washington, DC 20210, telephone number: (202) 693-3009 (this is not a toll-free number) or by email: [Stapleton.Kevin@dol.gov](mailto:Stapleton.Kevin@dol.gov).

**SUPPLEMENTARY INFORMATION:** The trigger notice covering state eligibility for the EB program can be found at: [http://oui.doleta.gov/unemploy/claims\\_arch.asp](http://oui.doleta.gov/unemploy/claims_arch.asp).

#### Information for Claimants

The duration of benefits payable in the EB program and the terms and conditions on which they are payable are governed by the Federal-State Extended Unemployment Compensation Act of 1970, as amended, and the operating instructions issued to the states by the U.S. Department of Labor. In the case of a state beginning an EB period, the State Workforce Agency will furnish a written notice of potential entitlement to each individual who has exhausted all rights to regular benefits and is potentially eligible for EB (20 CFR 615.13(c)(1)).

Persons who believe they may be entitled to EB, or who wish to inquire about their rights under the program, should contact their State Workforce Agency.