

- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this Information Collection:

(1) *Type of Information Collection:* Extension of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Methamphetamine Project, Final Update Report (FUR).

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: None. U.S. Department of Justice, Office of Community Oriented Policing Services (COPS).

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Law Enforcement Agencies or Government entities that are recipients of COPS Methamphetamine grants. Other: Universities and Private Non-Profit Agencies. Abstract: The information collected will be used by the COPS Office to determine grantee's progress toward grant implementation and for compliance monitoring efforts.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* There will be an estimated 100 annual responses from grantees. The estimated amount of time required for the average respondent to respond is 3 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The estimated total public burden associated with the collection is 325 hours annually.

If additional information is required contact: Brenda Dyer, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Patrick Henry Building, Suite 1600, 601 D Street NW., Washington, DC 20530.

Dated: November 3, 2005.

Brenda Dyer,

Department Clearance Officer, United States Department of Justice.

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DEPARTMENT OF JUSTICE

Subcommittees of the Interagency ADR Working Group Steering Committee

AGENCY: Department of Justice.

ACTION: Notice soliciting public comment on three documents created by subcommittees of the Interagency ADR Working Group Steering Committee. The Steering Committee invites all interested individuals or organizations to submit comments on these documents for its consideration before they are posted in final form.

SUMMARY: This notice solicits public comment on three documents created by subcommittees of the Interagency ADR Working Group Steering Committee ("Steering Committee"), a group of federal subject matter experts. The first document, "Protecting the Confidentiality of Dispute Resolution Proceedings: A Guide for Federal Workplace ADR Program Administrators" ("Confidentiality Guide"), provides practical guidance to program administrators on the application of the confidentiality provisions of the Administrative Dispute Resolution Act of 1996 ("the ADR Act" 5 U.S.C. 574) to federal workplace dispute resolution programs. The other two documents ("Supplementation and Annotation documents"), consist of: (1) "A Guide for Federal Employee Mediators," a supplementation and annotation of the 2005 Model Standards of Conduct for Mediators issued by the American Arbitration Association ("AAA"), American Bar Association ("ABA"), and the Association for Conflict Resolution ("ACR"), for use by federal employee mediators; and (2) "A Guide for Federal Employee Ombuds," a supplementation and annotation of the Standards for the Establishment and Operations of Ombuds Offices issued on February 9, 2004 by the ABA, prepared by the Steering Committee in conjunction with the Coalition for Federal Ombudsmen ("CFO") for use by federal employee ombuds. Complete versions of each of the three documents can be found at <http://www.adr.gov/draftguides.html> or may be requested in hard copy from Hon. Richard C. Walters at 202-273-6747.

The Steering Committee invites all interested individuals or organizations to submit comments on these documents for its consideration before they are posted in final form.

DATES: All comments must be postmarked or emailed by 30 days from

the date of this notice, in order to receive consideration.

ADDRESSES: Please address all comments to Hon. Richard C. Walters, Administrative Judge, U.S. Department of Veterans Affairs Board of Contract Appeals (09), 810 Vermont Avenue, NW., Washington, DC 20420 and sent by e-mail to Rich.Walters@va.gov. Electronic transmission is preferred to ensure full distribution.

SUPPLEMENTARY INFORMATION:

Authority: The Administrative Dispute Resolution Act of 1996 (ADR Act), 5 U.S.C. Sections 571-584, requires each Federal agency to promote the use of ADR and calls for the establishment of an interagency committee to assist agencies in the use of ADR. Under this Act, a Presidential Memorandum, dated May 1, 1998, created the Interagency ADR Working Group, chaired by the Attorney General, to "facilitate, encourage, and provide coordination" for Federal agencies. In the Memorandum, the President charged the Working Group with assisting agencies with training in "how to use alternative means of dispute resolution". The three documents are designed to serve this goal.

Executive Overview of the Confidentiality Guide: This document, directed primarily toward managers of federal ADR programs, describes in practical, non-legal terms, the nature and limits of confidentiality in federal ADR proceedings. This document extends the guidance issued by the Federal ADR Council, Report on the Reasonable Expectations of Confidentiality Under the Administrative Dispute Resolution Act of 1996, 5 FR 83085, December 29, 2000 ("the 2000 ADR Guidance"), which may be found at <http://www.adr.gov/pdf/confid.pdf>, the IADRWG website. This guide is designed to be used in concert with the confidentiality provisions of the ADR Act as well as agency confidentiality policies and guidance.

This Confidentiality Guide contains information to assist the program manager in taking the steps necessary to assure that both internal and external neutrals understand the confidentiality provisions that apply to federal ADR programs and that parties are adequately informed of these provisions. While the Confidentiality Guide is aimed primarily at federal workplace disputes, it should be valuable to all dispute resolution professionals in the government and private sector.

Each chapter of the Confidentiality Guide includes a description and discussion of the issues, a legal analysis, and questions and answers related to

confidentiality as it pertains to an aspect of a federal workplace ADR program. The first chapter discusses issues applicable throughout a dispute resolution proceeding. This chapter covers the various stages—before, during, and after the actual dispute resolution session—of a dispute resolution proceeding. The remaining five chapters discuss particular issues regarding confidentiality—i.e., confidentiality agreements, record-keeping, program evaluation, access requests, and non-party participants.

Executive Overview of the Guide for Federal Employee Mediators: This document builds upon the 2005 Model Standards of Conduct for Mediators (“Model Standards”) issued by a joint committee of three major nationwide dispute resolution organizations, the AAA, ABA and ACR in order to establish for federal employee mediators ethical standards of conduct tailored to mediation practice within the federal government. It sets out the Model Standards in their entirety and accompanies those standards with Federal Guidance Notes that provide practical guidance for federal employee mediators. In particular, Federal Guidance Notes are appended to the Model Standards for “Impartiality,” “Conflicts of Interest,” “Confidentiality,” “Quality of the Process,” “Advertising and Solicitation,” and “Fees and Other Charges.”

Executive Overview of the Guide for Federal Employee Ombuds: This document builds upon the February 9, 2004 ABA Standards for the Establishment and Operations of Ombuds Offices (“Ombuds Standards”) issued by the ABA in order to establish for federal employee ombuds standards of conduct tailored to federal ombuds practice. It sets out the Ombuds Standards in their entirety and accompanies those standards with Federal Guidance Notes that provide practical guidance for federal employee ombuds. In particular, Federal Guidance Notes are appended to the Ombuds Standards for “Establishment and Operations,” “Independence, Impartiality and Confidentiality,” “Limitations on the Ombuds’ Authority,” “Notice,” and “Executive Ombuds.”

Linda A. Cinciotta,
Director, Office of Dispute Resolution.
[FR Doc. 05–22349 Filed 11–8–05; 8:45 am]
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DEPARTMENT OF JUSTICE

Notice of Lodging Proposed Consent Decree

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States v. California Olive Ranch*, (E.D. Cal.) 2:05–cv–02205–LKK–PAN, was lodged with the United States District Court for the Eastern District of California on November 2, 2005.

This proposed Consent Decree concerns a complaint filed by the United States against California Olive Ranch pursuant to section 309(b) and (d) of the Clean Water Act, 33 U.S.C. 1319(b) and (d), to obtain injunctive relief from and impose civil penalties against the Defendant for violating the Clean Water Act by discharging pollutants without a permit into the waters of the United States. The proposed Consent Decree resolves these allegations by requiring Defendant to mitigate the environmental impacts by purchasing mitigation credits at the Dove Ridge Conservation Bank and to pay a civil penalty.

The Department of Justice will accept written comments relating to this proposed Consent Decree for thirty (30) days from the date of publication of this Notice. Please address comments to Pamela S. Tonglao, Trial Attorney, United States Department of Justice, Environment and Natural Resources Division, P.O. Box 23986, Washington, DC 20026–3986 and refer to *United States v. California Olive Ranch*, (E.D. Cal.), 2:05–cv–02205–LKK–PAN, DJ #90–5–1–1–17457.

The proposed Consent Decree may be viewed at <http://www.usdoj.gov/enrd/open.html>.

Stephen Samuels,
Assistant Chief, Environmental Defense
Section, Environment & Natural Resources
Division.

[FR Doc. 05–22361 Filed 11–8–05; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Water Act

Notice is hereby give that on October 31, 2005, a proposed consent decree in *United States and the State of Indiana v. Town of Newburgh*, Civil Action No. 3:05–CV–199–RLY–WGH, was lodged with the United States District Court for the Southern District of Indiana.

In this action, the United States and the State of Indiana sought injunctive relief and civil penalties under section

309(b) and (d) of the Clean Water Act (“the Act”), 33 U.S.C. 1319(b) and (d), against the Town of Newburgh, Indiana, for violations of section 301 of the Act, 33 U.S.C. 1311, and the terms and conditions of the Town of Newburgh’s National Pollutant Discharge Elimination System (“NPDES”) permits at the Town of Newburgh’s wastewater treatment plant and throughout its sewer collection system. The Complaint alleges that the Town of Newburgh violated the Clean Water Act and its applicable NPDES permits by failing to comply with effluent limitations in its permits, discharging wastewater and raw sewage through unpermitted point sources, and failing to monitor specified parameters at the frequency required by its applicable NPDES permit.

The proposed Clean Water Act consent decree provides for injunctive relief consisting primarily of the Town of Newburgh’s implementation of a written capacity, management, operation, and maintenance (“CMOM”) plan for the sewer collection system that the Town of Newburgh owns or over which the Town of Newburgh has operational control; the approved CMOM plan is attached to the proposed consent decree as Appendix A. In addition, the proposed consent decree acknowledges that the Town of Newburgh has addressed alleged effluent limitation and sanitary sewer overflow violations of its NPDES permits through the completion of several construction projects: (a) the elimination of Outfall 011 to Cypress Creek; (b) the major upgrade of the wastewater treatment plant’s capacity from 2.3 million gallons per (“MGD”) to 4.6 MGD; (c) the provision of alternate power supply to the No. 5 (Triple Crown) and No. 8 (Old Plant) Lift Stations; (d) replacement of pumps and controls at the Old Plant Lift Station; (e) the construction of an new 18 inch gravity sewer connected to the Old Plant Lift Station; and (f) the closing and sealing of Outfall 009. In addition, the Town of Newburgh will pay a civil penalty of \$56,000 to resolve the claims in the Complaint.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044–7611, and should refer to *United States and Indiana v. Town of Newburgh*, DOJ Ref. #90–5–1–1–06644.

The proposed consent decree may be examined at the office of the United