

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)

Notice is hereby given that on March 28, 2008, a proposed Consent Decree in *United States v. Atlanta Gas Light Company, et al.*, Civil Action No. 6:08-cv-00442-ACC-GJK (M.D. Fla.), was lodged with the United States District Court for the Middle District of Florida. The proposed Consent Decree resolves the United States' claims against: Atlanta Gas Light Company; City of Sanford; Florida Power & Light Company; Florida Power Corporation; and Florida Public Utilities Company (collectively the "Settling Defendants"), for cost recovery and injunctive relief under Sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, relating to the release or threatened release of hazardous substances into the environment at or from the Sanford Gasification Plant Superfund Alternative Site ("Site") located in Sanford, Seminole County, Florida.

The Consent Decree requires Settling Defendants to undertake the remedial action selected by the United States Environmental Protection Agency for the Site and to reimburse the United States for all of the government's past cost and future oversight cost incurred or to be incurred, plus interest, in connection with the remedial action at the Site. The estimated value of the cash payments and work performed by the Settling Defendants that the United States will receive under the terms of the Consent Decree is \$12,703,224.58.

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, and either e-mailed to 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 *United States v. Atlanta Gas Light Company, et al.*, D.J. Ref. 90-11-2-07157.

The proposed Consent Decree may be examined at the United States Attorney's Office, 500 W. Church Street, Suite 300, Orlando, FL 32805, and the United States Environmental Protection Agency, Region 4, 61 Forsyth Street, Atlanta, GA 30303. During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site, 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, 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), fax no. (202) 514-0097, phone confirmation no. (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$13.75 (25 cents per page reproduction cost) for a copy exclusive of appendices, or \$110.75 (25 cents per page reproduction cost) for a copy including appendices 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.

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Henry S. Friedman,

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

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DEPARTMENT OF LABOR

Employee Benefits Security Administration**Proposed Extension of Information Collection Request Submitted for Public Comment; Procedure for Application for Exemption From the Prohibited Transaction Provisions of Section 408(a) of the Employee Retirement Security Act (ERISA)**

AGENCY: Employee Benefits Security Administration, Department of Labor.

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA 95). 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 requirements on respondents can be properly assessed. Currently, the Employee Benefits Security Administration is soliciting comments on the proposed extension of the information collection provisions included in the procedure for

applications for exemption from the prohibited transaction provisions of section 408(a) of the Employee Retirement Income Security Act of 1974 (ERISA) (29 CFR 2570.30, *et seq.*). A copy of the information collection request (ICR) can be obtained by contacting the individual shown in the **ADDRESSES** section of this notice or at <http://www.RegInfo.gov>.

DATES: Written comments must be submitted to the office shown in the **ADDRESSES** section on or before June 2, 2008.

ADDRESSES: G. Christopher Cosby, Department of Labor, Employee Benefits Security Administration, 200 Constitution Avenue, NW., Washington, DC 20210, (202) 693-8410, Fax (202) 693-4745 (these are not toll-free numbers).

SUPPLEMENTARY INFORMATION:**I. Background**

Section 408(a) of ERISA provides that the Secretary may grant exemptions from the prohibited transaction provisions of sections 406 and 407(a) of ERISA and directs the Secretary to establish an exemption procedure with respect to such provisions. In this regard, the Department previously issued a regulation which describes the procedures that must be followed in filing for such exemptions (29 CFR 2570.30 *et seq.*). Under section 408(a) of ERISA, in order for the Secretary to grant an exemption, it must be determined that such exemption is "(1) Administratively feasible; (2) in the interests of the plan and its participants and beneficiaries; and (3) protective of the rights of participants and beneficiaries." In order to make such determination, the Department requires full information regarding all aspects of the transaction, including the specific circumstances surrounding the transaction, and the parties and assets involved. Thus, sections 2570.34 and 2570.35 of the exemption procedures regulation lists the information that must be supplied by the applicant. This information includes: Identifying information (name, type of plan, EIN number, etc.); an estimate of the number of plan participants; a detailed description of the transaction and the parties for which an exemption is requested; statements regarding what section of ERISA is thought to be in violation and whether the transaction(s) involved have already been entered into; a statement of whether the transaction is customary in the industry; a statement of the hardship or economic loss, if any, which would result if the exemption were denied; a statement