

In this action, the United States sought injunctive relief and civil penalties under section 309 of the Clean Water Act ("CWA") against Seven-Up/RC Bottling Company of Southern California, Inc. ("Seven-Up") at its soft drink bottling facilities in Vernon and Buena Park, California, for: Unauthorized discharges of pollutants, including industrial wastes and storm water associated with industrial activity, into waters of the United States; violations of the terms and conditions of storm water permits; and violations of federal pretreatment standards. The consent decree requires Seven-Up to: (1) Implement a comprehensive pH compliance plan at the Buena Park facility, including putting in place a new treatment system, a new monitoring protocol, and an employee training program; (2) implement a storm water control plan to manage the industrial pollutants generated by the Vernon facility's outdoor activities; (3) implement a storm water inspection and response program for both bottling facilities; and (4) pay a civil penalty of \$428,500.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the 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, with a copy to Robert Mullaney, U.S. Department of Justice, 301 Howard Street, Suite 1050, San Francisco, CA 94105, and should refer to *United States v. Seven-Up/RC Bottling Company of Southern California, Inc.*, D.J. Ref. #90-5-1-1-08191.

The consent decree may be examined at U.S. EPA Region 9, Office of Regional Counsel, 75 Hawthorne Street, San Francisco, California. 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/open.html>. A copy of the consent decree may also be examined on the following Department of Justice Web site: <http://www.usdoj.gov/enrd/open.html>. A copy of the consent decree may also be obtained by mail from the Consent Decree Library, PO 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 number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of

\$9.00 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Ellen M. Mahan,

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DEPARTMENT OF JUSTICE

Antitrust Division

Agency Information Collection Activities: Proposed Collection; Comments Requested

ACTION: 60-Day Notice of Information Collection Under Review: Federal Coal Lease Reserves.

The Department of Justice (DOJ), Antitrust Division (ATR), has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for "sixty days" until January 3, 2006. This process is conducted in accordance with 5 CFR 1320.10.

If you have comments (especially regarding the estimated public burden or associated response time), suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Jill Ptacek, Antitrust Division, United States Department of Justice, 325 7th Street, NW., Suite 500, Washington, DC 20530.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate 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;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- 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:* Federal Coal Lease Reserves.

(3) Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection: Form Numbers: ATR-139 and ATR-140, Antitrust Division, Department of Justice.

Affected public who will be asked or required to respond, as well as a brief abstract: Primary: Business or other for Profit. Other: None. The Department of Justice evaluates the competitive impact of issuances, transfers and exchanges of federal coal leases. These forms seek information regarding a prospective coal lessee's existing coal reserves. The Department uses this information to determine whether the issuance, transfer or exchange of the federal coal lease is consistent with the antitrust laws.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* It is estimated that 20 respondents will complete each form, with each response taking approximately two hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* There are an estimated 40 annual burden hours associated with this collection, in total.

If additional information is required contact: Brenda E. 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: October 27, 2005.

Brenda E. Dyer,

Department Clearance Officer, Department of Justice.

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