

waters to the brook without a permit; (4) an oil spill which occurred in 1998; and (5) failure to timely prepare an oil spill prevention, control, and countermeasure (SPCC) plan in relation to Pilgrim's oil storage facilities on the site.

The Consent Decree imposes civil penalties in the amount of \$190,000 and injunctive relief including construction of berms around the tank farm, other material storage areas, and hazardous substance storage tanks; completion of improvements to liquid materials and products delivery, conveyance, storage, and loading systems; and revision of the SPCC plan.

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, and should refer to *United States v. Old Dutch Mustard Company, Inc., d/b/a Pilgrim Foods*, (U.S.D.C., D.N.H.), D.O.J. Ref. #90-5-1-1-07145.

The Consent Decree may be examined at the Office of the United States Attorney, Federal Building, 55 Pleasant Street, Concord, New Hampshire, 03301 and at the Region I Office of the Environmental Protection Agency, One Congress Street, Suite 110-SEL, Boston, MA 02114-2023. 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 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 \$15.75 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Ronald G. Gluck,**

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

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Between the United States of America and Sigma-Aldrich Co. Under the Clean Air Act

Under 28 CFR 50.7, notice is hereby given that on September 1, 2004, a proposed Consent Decree ("Consent Decree") in the case of *United States of America v. Sigma-Aldrich Co.*, Civil Action No. 04-CV-01186-RWS was lodged with the United States District Court for the Eastern District of Missouri, Eastern Division.

The Consent Decree settles the United States' claims for civil penalties for Defendant's violations of the industrial refrigerant, repair, testing, record-keeping, and reporting regulations at 40 CFR part 82, subpart F, §§ 82.156-82.166 ("Recycling and Emissions Reduction"), promulgated pursuant to Subchapter VI of the Clean Air Act ("Stratospheric Ozone Protection"), 42 U.S.C. § § 7671-7671q. Under the Consent Decree, Sigma must pay the United States a civil penalty of \$180,000 within twenty-one days of the entry of the Decree. Sigma also must retrofit or retire six particular appliances, four within two months of entry, a fifth appliance within six months, and the final one within twelve months. Finally, Sigma must implement a Refrigerant Management Plan.

The Department of Justice will receive comments relating to the Consent Decree for a period of thirty days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Sigma-Aldrich Co.*, D.J. Reference No. 90-5-2-1-06469.

The Consent Decree may be examined at the office of the United States Attorney, 111 South 10th Street, Room 20.333, St. Louis, MO 63102 and at U.S. EPA region 7, 901 N. 5th Street, Kansas City, KS 66101. During the comment period, the Consent Decree may 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, 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 \$7.00 (25 cents per page reproduction cost) payable to the United States Treasury for payment.

**Robert Maher,**

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

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BILLING CODE 4410-15-M

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Air Act

Pursuant to 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States and Robert G. Burnley, Director, Commonwealth of Virginia Department of Environmental Quality v. Stone Container Corporation*, Civil Action No. 3:04 CV 647 was lodged with the United States District Court for the Eastern District of Virginia on September 9, 2004. The Commonwealth of Virginia has filed a Complaint in Intervention and is a signatory to the proposed Consent Decree.

In its Complaint, the United States alleges Stone Container Corporation ("Stone Container") and its predecessors violated the Clean Air Act, 42 U.S.C. § 7601 *et seq.*, the regulations promulgated thereunder, and the requirements of the Virginia State Implementation Plan, at Stone Container's West Point, Virginia pulp and paper manufacturing facility ("West Point Facility"). The Commonwealth of Virginia Department of Environmental Quality ("Commonwealth") filed a Motion for Leave to Intervene and a Complaint in Intervention, alleging the same violations. The proposed Consent Decree resolves Stone Container's liability to the United States and the Commonwealth for the violations alleged in the Complaints. The Consent Decree requires Stone Container to install air pollution control devices to control emissions of sulfur dioxide and nitrogen oxides from the West Point Facility. The Consent Decree also requires Stone Container to pay a civil penalty of \$475,000 to the United States and \$457,000 to the Commonwealth, and to comply with monitoring, recordkeeping, and reporting requirements.

The Department of Justice will receive comments relating to the Consent Decree for a period of thirty (30) days following the date of public of this Notice. Please address comments to the Assistant Attorney General, Environment and Natural Resources

Division, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and refer to *United States and Robert G. Burnley, Director, Commonwealth of Virginia Department of Environmental Quality*, DOJ No. 90-5-2-1-06526.

The Consent Decree may be examined at the Office of the United States Attorney for the Eastern District of Virginia, 600 East Main Street, Suite 1800, Richmond, VA 23219 and at U.S. EPA Region III, 1650 Arch Street, Philadelphia, PA 19103. 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 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](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 \$10.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Robert Brook,**

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

[FR Doc. 04-21309 Filed 9-22-04; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Bureau of Alcohol, Tobacco, Firearms and Explosives

[Docket No. ATF 13N; ATF O 1157.1]

#### Delegation Order—Authority To Approve ATF F 1345.4, Request and Nondisclosure Agreement

1. *Purpose.* This order delegates the authority to approve ATF F 1345.4, Request and Nondisclosure Agreement, for current, departing, and former employees who are removing or accessing Bureau documents.

2. *Discussion.* Department of Justice Order 2710.8C, Removal and Maintenance of, and Access to, Documents, dated November 7, 2000, establishes policy and procedures on removal from Department of Justice custody, and requests for maintenance of or access to documentary materials, by current, departing, and former employees. It establishes the responsibilities of Bureau heads with regard to such materials and gives them

authority to redelegate their responsibilities.

3. *Cancellation.* ATF O 1100.162, Delegation Order—Authority to Approve TD F 80-05.5, Documentary Materials Removal/Nonremoval Certification, dated 06/30/93, is canceled.

4. *Reference.* ATF O 1345.3A, Removal, Maintenance of, and Access to ATF Documents.

5. *Delegation.* Pursuant to responsibilities referenced in paragraph 2, I hereby delegate the following as approving officials with authority to approve ATF F 1345.4:

- a. Deputy Director.
  - b. Ombudsman.
  - c. Chief, Strategic Planning.
  - d. Executive assistants.
  - e. Deputy Executive Assistant (Equal Opportunity).
  - f. Assistant directors.
  - g. Deputy assistant directors.
  - h. Chief Counsel.
  - i. Deputy Chief Counsel.
  - j. Assistant chief counsel(s).
  - k. Associate chief counsel(s).
  - l. Deputy associate chief counsel(s).
  - m. Division counsel(s).
  - n. Headquarters staff, division, deputy division, branch and section chiefs.
  - o. Director, Laboratory Services.
  - p. Chief(s), laboratories.
  - q. Director, New Building Projects Office.
  - r. Chair, Professional Review Board.
  - s. Chair, Merit Promotion Board.
  - t. Chief, Recruitment Center and Hiring Center.
  - u. Regional audit managers.
  - v. Special agents in charge.
  - w. Assistant special agents in charge.
  - x. Resident agents in charge.
  - y. Directors of industry operations.
  - z. Area supervisors.
  - aa. Group supervisors.
6. *Redelegation.* This authority may not be redelegated.
7. *Questions.* Contact the Document Services Branch at 202-927-8930 if there are questions.

Date Signed: September 14, 2004.

**Carl J. Truscott,**

*Director.*

[FR Doc. 04-21335 Filed 9-22-04; 8:45 am]

**BILLING CODE 4410-FY-P**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review: Comment Request

September 15, 2004.

The Department of Labor (DOL) has submitted the following public

information collection requests (ICRs) 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 each ICR, with applicable supporting documentation, may be obtained by contacting the Department of Labor (DOL). To obtain documentation, contact Darrin King on 202-693-4129 (this is not a toll-free number) or e-mail: [king.darrin@dol.gov](mailto:king.darrin@dol.gov).

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Occupational Safety and Health Administration (OSHA), Office of Management and Budget, Room 10235, Washington, DC 20503, 202-395-7316 (this is not a toll-free number), within 30 days from the date of this publication in the **Federal Register**.

The OMB is particularly interested in comments which:

- 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.

*Agency:* Occupational Safety and Health Administration.

*Type of Review:* Extension of currently approved collection.

*Title:* Storage and Handling of Anhydrous Ammonia (29 CFR 1910.111(b)(3) and (b)(4)).

*OMB Number:* 1218-0208.

*Frequency:* On occasion.

*Type of Response:* Recordkeeping and Third party disclosure.

*Affected Public:* Business or other for-profit; Not-for-profit institutions; Farms; Federal Government; and State, Local, or Tribal Government.

*Number of Respondents:* 2,030.

*Number of Annual Responses:* 2,030.

*Estimated Time Per Response:* 10 minutes.

*Total Burden Hours:* 345.

*Total Annualized capital/startup costs:* \$0.