

concerning the proposed collection of information should address one or more of the following four points:

(1) 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;

(2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) 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:* Claim for Damage, Injury, or Death.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form SF95, Claim for Damage, Injury, or Death. Civil Division.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals or households. Others that apply: Business or other for-profit, not-for-profit institutions, State, Local or Tribal Government. This information is needed to present a claim against the United States Government under the Federal Tort Claims Act, 28 U.S.C. § 2675(a).

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 300,000 responses at 6 hours per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 1,800,000 annual burden hours.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Management Division, Suite 1220, 1331 Pennsylvania Ave., NW., Washington, DC 20004.

Dated: May 29, 2001.

**Robert B. Briggs,**

*Department Clearance Officer, United States Department of Justice.*

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act

In accordance with Departmental policy, the Department of Justice gives notice that a proposed consent decree in the case captioned *United States v. Avanti Development, Inc., et al.*, Civil Action No. IP01-402-C-B/S (S.D. Ind.) was lodged with the United States District Court for the Southern District of Indiana on May 21, 2001. The proposed consent decree relates to the Avanti Superfund Site (the "Site") in Indianapolis, Indiana.

The proposed consent decree would resolve a civil claim of the United States for recovery of unreimbursed past response costs under section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. 9607, against Settling Defendant Vornado Realty Trust. The proposed consent decree would provide for payment of \$30,000 toward the United States' past response costs associated with the Site.

For a period of thirty (30) days from the date of this publication, the Department of Justice will receive comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, United States Department of Justice, Washington, DC 20530, and should refer to *United States v. Avanti Development, Inc., et al.*, Civil Action No. IP01-402-C-B/S (S.D. Ind.), and DOJ Reference No. 90-11-3-06099.

The proposed consent decree may be examined at: (1) The Office of the United States Attorney for the Southern District of Indiana, 10 West Market Street, Suite 2100, Indianapolis, Indiana 46204 (contact Thomas Kieper (317-226-6333)); and (2) the United States Environmental Protection Agency (Region 5), 77 West Jackson Boulevard, Chicago, Illinois 60604 (contact Kevin Chow (312-353-6181)). Copies of the proposed consent decree may also be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044. In requesting copies, please refer to the above-referenced case name and DOJ Reference Number, and enclose a check made payable to the Consent Decree

Library for \$7.50 (30 pages at 25 cents per page reproduction cost).

**William D. Brighton,**

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

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Air Act, the Comprehensive Emergency Response, Compensation and Liability Act, and the Emergency Planning and Community Right-to-Know Act

Under 28 CFR 50.7, notice is hereby given that on May 11, 2001, a proposed Consent Decree in *United States v. Marathon Oil Co. and Marathon Ashland Petroleum, LLC.*, Civil Action No. 99-4023-JPG, was lodged with the United States District Court for the Southern District of Illinois.

In this action, the United States sought penalties and injunctive relief against Marathon Oil Co. ("MOC") and Marathon Ashland Petroleum LLC ("MAP") (collectively "Defendants") for claims arising in connection with MAP's refinery in Robinson, Illinois, under the Clean Air Act, 42 U.S.C. 7401 *et seq.*, the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9601 *et seq.*, and the Emergency Planning and Community Right-to-Know Act, 42 U.S.C. 11001 *et seq.* Under the Consent Decree, MAP will install at the Robinson Refinery all controls necessary for full compliance with the Benzene Waste NESHAP, 40 CFR part 61, subpart FF, including: (1) Covering and controlling a significant portion of the refinery's oily water sewer system; (2) covering and controlling the junction boxes, drains, and certain tanks at the Refinery's wastewater treatment plant; (3) installing a new, covered and controlled, aboveground API Separator and dissolved Air Flotation Unit; and (4) controlling or taking out of service certain slop oil tanks that are in benzene waste service. The Defendants will pay a civil penalty of \$1,675,000. In addition, as a supplemental environmental project, MAP will purchase and donate to the Robinson Fire Department a new emergency transportation vehicle and support equipment worth \$125,000.

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.