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Dated: September 11, 2008.

Thomas R. Moyle,

Acting Assistant Inspector General,

*Department of Interior and Chair, Human
Resources Committee, PCIE.*

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Air Act

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that on September 8, 2008, a proposed consent decree (“Consent Decree”) in *United States v. St. Marys Cement Inc. (U.S.) and St. Barbara Cement Inc.*, Civil Action No. 3:08-CV-50199, was lodged with the United States District Court for the Northern District of Illinois, Western Division.

In this action, brought against St. Marys Cement Inc. (U.S.) and St. Barbara Cement Inc. (“collectively “Defendants”) pursuant to sections 113(b) and 167 of the Clean Air Act (“the Act”), 42 U.S.C. 7413(b) and 7477,

the United States has sought injunctive relief and the assessment of civil penalties for violations of the Prevention of Significant Deterioration (“PSD”) provisions of the Act, 42 U.S.C. 7470-92, and the PSD regulations incorporated into the federally approved and enforceable Illinois State Implementation Plan (“the SIP”) at a Portland cement plant located in or near Dixon, Illinois (“Facility”). The United States’ complaint alleges, among other things, that the Facility’s prior owner and/or operator, CEMEX Central Plains Cement LLC (“CEMEX”), conducted a major modification of the Facility and that thereafter CEMEX and the Defendants, after they became the owner (St. Barbara Cement Inc.) and operator (St. Marys Cement Inc. (U.S.)) of the Facility, operated the Facility as modified without obtaining a PSD permit authorizing the major modification and without installing the best available technology to control emissions of nitrogen oxides (“NO_x”), as required by the Act and the SIP.

The proposed consent decree would resolve the civil claims of the United States alleged in the complaint and in a Notice of Violation and Finding of Violation and a Notice of Violation issued by the U.S. Environmental Protection Agency, as well as any civil liability of CEMEX’s successor for these same violations. The proposed consent decree would require, among other things, that the Defendants: Have installed emission controls (selective non-catalytic reduction) at three of the Facility’s kilns and achieve specified NO_x emission limits by April 30, 2009; permanently retire a fourth kiln; install NO_x continuous emissions monitoring systems to measure NO_x emissions at the Facility’s kilns; apply for appropriate permits or permit modifications to incorporate various requirements of the consent decree; and pay a civil penalty to the United States in the amount of \$800,000.00. If the Defendants elect to build a new kiln to replace the retired kiln, the proposed consent decree establishes specific limitations and conditions governing the use of any NO_x emission credits from the shutdown of the kiln, including specific requirements that would apply to any new kiln.

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, and either e-mailed to pubcomment-ees@usdoj.gov or mailed to P.O. Box 7611, United States

Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. St. Marys Cement Inc. and St. Barbara Cement Inc.*, D.J. Ref. 90-5-2-1-08782.

The consent decree may be examined at the Office of the United States Attorney, 308 West State Street, Suite 300, Rockford, Illinois 61101. During the public comment period, the consent decree may also be examined on the following Justice Department Web site: http://www.usdoj.gov/enrd/Consent_Decrees.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), 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 \$12.00 (25 cents per page reproduction cost) 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.

William D. Brighton,

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

[FR Doc. E8-21638 Filed 9-16-08; 8:45 am]

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DEPARTMENT OF LABOR

Office of the Secretary

Submission for OMB Review: Comment Request

September 10, 2008.

The Department of Labor (DOL) hereby announces the submission of the following public information collection request (ICR) 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 this ICR, with applicable supporting documentation; including among other things a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the RegInfo.gov Web site at <http://www.reginfo.gov/public/do/PRAMain> or by contacting Darrin King on 202-693-4129 (this is not a toll-free number)/e-mail: DOL_PRA_PUBLIC@dol.gov.

Interested parties are encouraged to send comments to the 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, Telephone: 202-395-7316/Fax: 202-395-6974 (these are not toll-free numbers), e-mail: OIRA_submission@omb.eop.gov within 30 days from the date of this publication in the **Federal Register**. In order to ensure the appropriate consideration, comments should reference the OMB Control Number (see below).

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 without change of a previously approved collection.

Title of Collection: Onsite Consultation Agreements (29 CFR part 1908).

OMB Control Number: 1218-0110.

Form Number: OSHA Form 33.

Affected Public: State, Local, or Tribal Governments and Private Sector.

Estimated Number of Respondents: 27,854.

Estimated Total Annual Burden Hours: 231,207.

Estimated Total Annual Costs Burden: \$0.

Description: OSHA's On-Site Consultation Service offers free and confidential advice to small and medium-sized businesses in all states across the country, with priority given to high-hazard worksites. Consultation services are completely separate from enforcement and do not result in penalties or citations. The Consultation Program regulations at 29 CFR part 1908 specify services to be provided, and practices and procedures to be followed by the State On-site Consultation Programs. Information collection

requirements set forth in the On-site Consultation Program regulations are in two categories: State Responsibilities and Employer Responsibilities. For additional information, see related 60-day preclearance notice published in the **Federal Register** at 73 FR 36905 on June 30, 2008. PRA documentation prepared in association with the preclearance notice is available on <http://www.regulations.gov> under docket number OSHA 2008-0019.

Darrin A. King,

Departmental Clearance Officer.

[FR Doc. E8-21645 Filed 9-16-08; 8:45 am]

BILLING CODE 4510-26-P

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: National Archives and Records Administration (NARA).

ACTION: Notice.

SUMMARY: NARA is giving public notice that the agency proposes to request use of four (4) National Archives Trust Fund forms that will be used by individuals who wish to purchase copies of pages from Bankruptcy Cases (NATF 90), Civil Cases (NATF 91), Criminal Cases (NATF 92); and Court of Appeals Cases (NATF 93). The public is invited to comment on the proposed information collection pursuant to the Paperwork Reduction Act of 1995.

DATES: Written comments must be received on or before November 17, 2008 to be assured of consideration.

ADDRESSES: Comments should be sent to: Paperwork Reduction Act Comments (NHP), Room 4400, National Archives and Records Administration, 8601 Adelphi Rd, College Park, MD 20740-6001; or faxed to 301-713-7409; or electronically mailed to tamee.fechhelm@nara.gov.

FOR FURTHER INFORMATION CONTACT:

Requests for additional information or copies of the proposed information collection and supporting statement should be directed to Tamee Fechhelm at telephone number 301-837-1694, or fax number 301-713-7409.

SUPPLEMENTARY INFORMATION: Pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104-13), NARA invites the general public and other Federal agencies to comment on proposed information collections. The comments and suggestions should address one or more of the following points: (a)

Whether the proposed information collection is necessary for the proper performance of the functions of NARA; (b) the accuracy of NARA's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways, including the use of information technology, to minimize the burden of the collection of information on respondents; and (e) whether small businesses are affected by this collection. The comments that are submitted will be summarized and included in the NARA request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this notice, NARA is soliciting comments concerning the following information collection:

Title: Order Forms for U.S. Court Records in the National Archives.

OMB number: 3095-0063.

Agency form number: NATF Forms 90, 91, 92, and 93.

Type of review: Regular.

Affected public: Individuals or households.

Estimated number of respondents: 74,513.

Estimated time per response: 10 minutes.

Frequency of response: On occasion.

Estimated total annual burden hours: 12,419 hours.

Abstract: Submission of requests on a form is necessary to handle in a timely fashion the volume of requests received for these records (approximately 69,447 per year for the NATF 90, approximately 1,600 per year for the NATF 91, approximately 3,247 per year for the NATF 92, approximately 219 per year for the NATF 93) and the need to obtain specific information from the researcher to search for the records sought. As a convenience, the form will allow researchers to provide credit card information to authorize billing and expedited mailing of the copies. Researchers can also use Order Online! (<https://eservices.archives.gov/orderonline/>) to complete the forms and order the copies.

Dated: September 11, 2008.

Martha Morphy,

Assistant Archivist for Information Services.

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