

**DEPARTMENT OF JUSTICE****Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act**

Notice is hereby given that on June 1, 2007, a proposed consent decree was lodged with the United States District Court for the Northern District of Iowa in *United States v. MidAmerican Energy Company and the City of LeMars, Iowa*, Civil Action No. 07-4045. The proposed consent decree would resolve civil claims alleged in a complaint filed simultaneously with the decree, asserting liability against MidAmerican Energy Company (MidAmerican) and city of LeMars under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

The United States' complaint, brought pursuant to CERCLA Section 107, 42 U.S.C. 9607, seeks recovery of response costs incurred or to be incurred by the United States for certain response actions taken at or in connection with the release or threatened release of hazardous substances at the LeMars Coal Gas Superfund Site in LeMars, Plymouth County, Iowa. The proposed consent decree would resolve those claims against MidAmerican and the City of Le Mars.

Under the proposed consent decree MidAmerican will pay \$3.1 million and the City of LeMars will pay \$1.5 million to the United States. The consent decree incorporates an administrative order that the City of LeMars agreed to enter into to assist EPA's response actions by performing work and providing institutional controls at the Site. In exchange for the payment of response costs and the performance of work the decree would provide MidAmerican and the City of LeMars with respective covenant not to sue, and the defendants would grant a covenant not to sue to the United States.

The Department of Justice will receive comments relating to the proposed consent decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environmental and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044, and should refer to *United States v. MidAmerican Energy Company and the City of LeMars, Iowa*, D.J. Ref. No. 90-11-2-08214. (Public comments may be submitted by e-mail to the following e-mail address: [pubcommentees.enrd@usdoj.gov](mailto:pubcommentees.enrd@usdoj.gov).)

The proposed consent decree may be examined at the Office of the United States Attorney, 401 First Street, SE., Suite 400, Cedar Rapids, IA 52401-1825, and U.S. EPA Region, 7901 North 5th Street, Kansas City, Kansas 66101. During the public comment period, the consent decree also may be examined on the following Department of Justice Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy of the consent decree also may be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044, or by e-mailing or faxing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax number (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please provide a check in the amount of \$42 (25 cents per page reproduction cost) payable to the United States Treasury.

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**DEPARTMENT OF LABOR****Office of the Secretary****Submission for OMB Review: Comment Request**

June 8, 2007.

The Department of Labor (DOL) has submitted 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, may be obtained from [RegInfo.gov](http://www.reginfo.gov/public/do/PRAMain) 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: [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 Mine Safety and Health Administration (MSHA), Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: 202-395-7316/Fax: 202-395-6974 (these are not a toll-free numbers), 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:* Mine Safety and Health Administration.

*Type of Review:* Extension without change of currently approved collection.

*Title:* Safety Standards for Underground Coal Mine Ventilation—Belt Entry Used as an Intake Air Course to Ventilate Working Sections and Areas Where Mechanized Mining Equipment is Being Installed.

*OMB Number:* 1219-0138.

*Form Number:* None.

*Type of Response:* Reporting and Recordkeeping.

*Affected Public:* Private Sector: Business or other for-profit (mining industry).

*Number of Respondents:* 45.

*Estimated Number of Annual Responses:* 44,768.

*Average Response Time:* Varies.

*Estimated Annual Burden Hours:* 9,083.

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

*Total Annual Costs (operating/maintaining systems or purchasing services):* \$87,137.

*Description:* Section 103(h) of the Federal Mine Safety and Health Act of 1977 (Mine Act), 30 U.S.C. 813, authorizes MSHA to collect information necessary to carryout its duty in protecting the safety and health of miners.

The Safety Standards for Underground Coal Mine Ventilation—Belt Entry rule provides safety requirements for the use of the conveyor belt entry as a ventilation intake to course fresh air to working sections and areas where mechanized mining equipment is being installed or removed in mines with three or more entries. This rule is a voluntary standard. If the mine operators choose to use belt air to