

conducting a full review.<sup>1</sup> Accordingly, the Commission determined that it would conduct an expedited review pursuant to section 751(c)(3) of the Act.

**Staff report.**—A staff report containing information concerning the subject matter of the review will be placed in the nonpublic record on March 3, 2008, and made available to persons on the Administrative Protective Order service list for this review. A public version will be issued thereafter, pursuant to section 207.62(d)(4) of the Commission's rules.

**Written submissions.**—As provided in section 207.62(d) of the Commission's rules, interested parties that are parties to the review and that have provided individually adequate responses to the notice of institution,<sup>2</sup> and any party other than an interested party to the review may file written comments with the Secretary on what determination the Commission should reach in the review. Comments are due on or before March 6, 2008, and may not contain new factual information. Any person that is neither a party to the five-year review nor an interested party may submit a brief written statement (which shall not contain any new factual information) pertinent to the review by March 6, 2008. However, should Commerce extend the time limit for its completion of the final results of its review, the deadline for comments (which may not contain new factual information) on Commerce's final results is three business days after the issuance of Commerce's results. If comments contain business proprietary information (BPI), they must conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means.

In accordance with sections 201.16(c) and 207.3 of the rules, each document filed by a party to the review must be served on all other parties to the review (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

**Authority:** This review is being conducted under authority of title VII of the Tariff Act

<sup>1</sup> A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements will be available from the Office of the Secretary and at the Commission's Web site.

<sup>2</sup> The Commission has found the response submitted by FMC Corporation to be individually adequate. Comments from other interested parties will not be accepted (see 19 CFR 207.62(d)(2)).

of 1930; this notice is published pursuant to section 207.62 of the Commission's rules.

By order of the Commission.

Issued: February 11, 2008.

**Marilyn R. Abbott,**

Secretary.

[FR Doc. E8-2848 Filed 2-14-08; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Settlement Agreement Under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)

Notice is hereby given that on January 25, 2008, a proposed Settlement Agreement regarding the Butte Mine Flooding Superfund Site, also known as the Berkley Pit Site, was filed with the United States District Court of Montana in *United States v. Atlantic Richfield*, Civ. Action No. 02-35-BU-SEH (D. Mont.) The proposed Settlement Agreement, which was approved by the Bankruptcy Court for the Southern District of Texas, pertains primarily to ASARCO's liability at this site under a consent decree previously entered by the United States District Court in Montana on August 14, 2002. The terms of the Settlement Agreement require an additional approval by the United States District Court in Montana, following a period of public comment, for the Settlement Agreement to become effective.

The proposed Settlement Agreement reflects an agreement among ASARCO, the United States, the State of Montana, and another defendant at the Butte Mine Flooding Site—Montana Resources Incorporated ("MRI"). Under the terms of the Agreement, MRI will receive an allowed general unsecured claim against ASARCO of \$8.67 million, which MRI can use only toward cleanup of the Butte Mine Flooding Site, which is proceeding under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), as amended, 42 U.S.C. 9601-9675. MRI is also allowed other claims relating to the Butte Mine Flooding Site under the Settlement Agreement. In exchange for MRI's allowed claims, the obligations of ASARCO and its subsidiary, AR Montana, under the Butte Mine Flooding Consent Decree will be deemed to be fully resolved and satisfied, and ASARCO will be removed as a party to the decree, subject to certain conditions set forth in the Settlement Agreement.

The Department of Justice will receive comments relating to the proposed Agreement for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either emailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Atlantic Richfield*, DJ Ref. No. 90-11-2-430.

The proposed Agreement may be examined at the office of the United States Attorney for the District of Montana, 2929 Third Avenue North, Suite 400, Billings, Montana 59101, and at the U.S. EPA Region VIII Montana Office, Federal Building, 10 West 15th Street, Suite 3200, Helena, Montana 59624. During the public comment period, the proposed Agreement may also 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). In addition, a copy of the proposed Agreement may 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 \$5.00 (25 cents per page reproduction costs) payable to the U.S. Treasury.

**W. Benjamin Fisherow,**

Deputy Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 08-670 Filed 2-14-08; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging Proposed Consent Decree

In accordance with the Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States v. David Arp and Triple Diamond Enterprises, LLC*, (M.D. Fla.; 2:08-cv-82-JES-DNF), DJ # 90-5-1-1-17895, was lodged with the United States District Court for the Middle District of Florida on January 31, 2008.

This proposed Consent Decree concerns a complaint filed by the United States against David Arp and Triple Diamond Enterprises, LLC, pursuant to 33 U.S.C. 403, 1311(a) and 1344, to obtain injunctive relief from

and impose civil penalties against the Defendants for violating the Clean Water Act and the Rivers and Harbors Act by discharging pollutants without a permit into waters of the United States. The proposed Consent Decree resolves these allegations by requiring the Defendants to restore the impacted areas and/or perform mitigation and to pay a civil penalty.

The Department of Justice will accept written comments relating to this proposed Consent Decree for thirty (30) days from the date of publication of this Notice. Please address comments to Todd W. Gleason, P.O. Box 23986, Washington, DC 20026-3986 and refer to *United States v. David Arp and Triple Diamond Enterprises, LLC*, (M.D. Fla.), DJ # 90-5-1-1-17895.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the Middle District of Florida, Jacksonville Division, United States Courthouse, 300 North Hogan Street, Jacksonville, FL 32202, 904-549-1900. In addition, the proposed Consent Decree may be viewed at [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html).

**Stephen Samuels,**

*Assistant Chief, Environmental Defense Section, Environment & Natural Resources Division.*

[FR Doc. 08-669 Filed 2-14-08; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF LABOR

### Proposed Information Collection Request of the ETA 902, Disaster Unemployment Assistance Activities

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Employment and Training Administration (ETA) is soliciting

comments concerning the proposed extension of the ETA 902, Disaster Unemployment Assistance Activities under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

A copy of the proposed information collection request (ICR) can be obtained by contacting the office listed below in the addressee section of this notice or by accessing: <http://www.doleta.gov/OMBControlNumber.cfm>.

**DATES:** Written comments must be submitted to the office listed in the addressee section below on or before April 15, 2008.

**ADDRESSES:** Send comments to Miriam Thompson, U.S. Department of Labor, Employment and Training Administration, Office of Workforce Security, 200 Constitution Avenue NW., Frances Perkins Bldg., Room S-4231, Washington, DC 20210, telephone number (202) 693-3226 (this is not a toll-free number) or by e-mail: [thompson.miriam@dol.gov](mailto:thompson.miriam@dol.gov).

**SUPPLEMENTARY INFORMATION:**

#### I. Background

The ETA 902 Report, Disaster Unemployment Assistance (DUA) Activities, is a monthly report submitted by an impacted state(s) when a major disaster is declared by the President that provides for individual assistance (including DUA). The report contains data on DUA claims and payment activities associated with administering the DUA program. The information is used by ETA's Office of Workforce Security (OWS) to determine workload counts, for example, the number of individuals determined eligible or ineligible for DUA, the number of appeals filed, and the number of overpayments issued. The report also allows OWS to track states' administrative costs for the DUA program(s).

#### II. Desired Focus of Comments

Currently, the Department of Labor is soliciting comments concerning the proposed extension for the collection of the ETA 902, Disaster Unemployment Assistance Activities. Comments are requested to:

- 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 submissions of responses.

A copy of the proposed information collection request (ICR) can be obtained by contacting the office listed above in the addressee section of this notice.

#### III. Current Actions

The ETA 902 report is the only report which collects data on DUA payments and claims activities. The continued collection of the information contained on the ETA 902 report is necessary for the purposes of monitoring and evaluating states' performance in administering the DUA program.

*Type of Review:* Extension without change.

*Agency:* Employment and Training Administration (ETA).

*Title:* Disaster Unemployment Assistance, Disaster Payment Activities Report.

*OMB Number:* 1205-0051.

*Agency Number:* ETA 902.

*Affected Public:* State governments.

*Total Respondents:* 30.

*Frequency:* Approximately six (6) months.

*Total Responses:* 180.

*Average Time per Response:* One (1) hour.

*Burden Hours:* 180.

*Total Burden Cost (capital/startup):* \$0.00.

*Total Burden Cost (operating/maintaining):* \$ 0.00.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request and will also become a matter of public record.

Dated: February 6, 2008.

**Cheryl Atkinson,**

*Administrator, Office of Workforce Security.*

[FR Doc. E8-2830 Filed 2-14-08; 8:45 am]

**BILLING CODE 4510-FW-P**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review: Comment Request

February 11, 2008.

The Department of Labor (DOL) gives notice that it has submitted the