

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

Notice is hereby given that on May 29, 2008, a proposed Consent Decree in *United States v. City of New Orleans, et al.*, Civil Action No. 02–3618, Section “E”, was lodged with the United States District Court for the Eastern District of Louisiana.

In this action the United States, on behalf of the United States Environmental Protection Agency (“EPA”), sought to recover from certain parties response costs that it incurred in response to releases and threatened releases of hazardous substances from the Agriculture Street Landfill Superfund Site (the “Site”) located in New Orleans, Louisiana. The United States also sought to recover civil penalties from the City of New Orleans for violations of an access order and information request issued by EPA. The proposed Consent Decree resolves the liability of the City of New Orleans for past response costs and civil penalties, under Sections 104(e) and 107(a) of CERCLA, 42 U.S.C. 9604(e) and 9607(a). Under the terms of the Consent Decree, the City will perform certain in-kind services, provide access, and assist in the placement of institutional controls on the Site.

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 for the Environment and Natural Resources Division, U.S. Department of Justice, and either e-mailed to [pubcommentees.enrd@usdoj.gov](mailto:pubcommentees.enrd@usdoj.gov) or mailed to P.O. Box 7611, NW., Washington, DC 20044–7611, and should refer to *United States v. City of New Orleans, et al.*, D.J. Ref. 90–11–3–1638/2.

The Consent Decree may be examined at the Office of the United States Attorney, Eastern District of Louisiana, 500 Poydras Street, Suite 210, New Orleans, Louisiana 70130, and at the offices of EPA, Region 6, 1445 Ross Ave., Dallas, TX 75202–2733. 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/Consent\\_Decrees.html](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](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 \$12.50 (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.

**Maureen M. Katz,**

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

[FR Doc. E8–13466 Filed 6–13–08; 8:45 am]

**BILLING CODE 4410–15–P**

**DEPARTMENT OF JUSTICE****Notice of Public Comment Period for Proposed Clean Water Act Consent Decree**

Notice is hereby given that, for a period of 30 days, the United States will receive public comments on a proposed Consent Decree in *United States v. Valero Refining–Texas, L.P.* (“Valero Consent Decree”) (Civil Action No. 2:08–cv–00190), which was lodged with the United States District Court for the Southern District of Texas on June 10, 2008.

This proposed Consent Decree was lodged simultaneously with the Complaint in this Clean Water Act case against Valero Refining–Texas, L.P. (“Valero”). The Complaint alleges that Valero is civilly liable for violation of the Clean Water Act (“CWA”), 33 U.S.C. 1251 *et seq.*, as amended by the Oil Pollution Act of 1990 (“OPA”), 33 U.S.C. 2701 *et seq.* The Complaint seeks civil penalties for the discharge of oil into navigable waters of the United States or adjoining shorelines from the Valero Refinery West Plant in Corpus Christi, Texas. In particular, the Complaint alleges that at least 3,400 barrels of oil were discharged from a Valero containment berm located on the edge of the Ship Channel on June 1, 2006. Valero already has removed the containment berm and associated aboveground storage tank from the edge of the Ship Channel.

Under the settlement, Valero will pay a civil penalty of \$1,650,000. In addition, the settlement requires Valero to implement a Supplemental Environmental Project (“SEP”) estimated at \$300,000. The SEP involves the design and construction of an emergency response boat ramp near Public Oil Dock 11 at Avery Point on the Corpus Christi Ship Channel. The new boat ramp is intended to provide an

access point for larger emergency response boats to the Ship Channel, which will enhance emergency response efforts to protect human health and the environment on and along the water body that was affected by the spill.

Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and may be submitted to: P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044–7611, or via e-mail to [pubcommentees.enrd@usdoj.gov](mailto:pubcommentees.enrd@usdoj.gov), and should refer to *United States v. Valero Refining–Texas, L.P.*, D.J. Ref. 90–5–1–1–09245.

The Consent Decree may be examined at the Office of the United States Attorney, Southern District of Texas, One Shoreline Plaza, South Tower, 800 N. Shoreline Blvd., Suite 500, Corpus Christi, Texas. During the public comment period the Valero Consent Decree 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). A copy of the Valero Consent Decree also may be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044–7611 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 U.S. Treasury.

**Maureen M. Katz,**

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

[FR Doc. E8–13467 Filed 6–13–08; 8:45 am]

**BILLING CODE 4410–15–P**

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

Notice is hereby given that on June 6, 2008, a proposed Consent Decree in *United States et al. v. Albemarle Electric Membership Corp., et al.*, Civil Action No. 5:08–cv–00261–D (E.D.N.C.), was lodged with the United States District Court for the Eastern District of North Carolina.

In this action the United States and the State of North Carolina sought cost recovery under Section 107 of CERCLA, 42 U.S.C. 9607, against 27 defendants for costs relating to the release or

threatened release of hazardous substances into the environment at or from the Carolina Transformer Superfund Site in Fayetteville, Cumberland County, North Carolina ("the Site"). The Consent Decree resolves the liability of the 27 named Defendants, 105 additional non-federal settling entities, and eight settling federal agencies. Under the proposed Consent Decree, the 132 non-federal settling parties (collectively termed "Settling Defendants") would pay \$9,286,461 to the United States Environmental Protection Agency ("EPA") and \$614,109.75 to the State; and the United States, on behalf of the settling federal agencies, would pay \$3,095,487 to EPA and \$204,703.25 to the State.

In the Decree, the United States would covenant not to sue or take administrative action against the Settling Defendants under Sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, relating to the Site, subject to certain standard reopeners for new information or unknown conditions. In the Decree, the United States EPA would covenant not to take administrative action against the settling federal agencies under Sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, relating to the Site, subject to certain standard reopeners for new information or unknown conditions. In the Decree, the State Plaintiff would release and agree not to sue or take administrative action against the Settling Defendants and the settling federal agencies pursuant to Section 107(a) of CERCLA, 42 U.S.C. 9607, or state law for past or future costs incurred by the State relating to the Site, subject to specific reservations included in the Decree.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed Consent Decree. 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 et al. v. Albemarle Electric Membership Corp., et al.*, D.J. Ref. 90-11-3-98/1.

The proposed Consent Decree may be examined at the United States Attorney's Office, 310 New Bern Avenue, Suite 800, Raleigh, NC 27601, and the United States Environmental Protection Agency, Region 4, 61 Forsyth Street, Atlanta, GA 30303. 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/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy of the proposed 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 no. (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$5.75 (25 cents per page reproduction cost) for a copy exclusive of signature pages and appendices, or \$42.25 (25 cents per page reproduction cost) for a copy including signature pages and appendices 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.

**Maureen M. Katz,**

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

[FR Doc. E8-13473 Filed 6-13-08; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Proposed Information Collection Request of the ETA 581, Contribution Operations Report; Extension Without Change

**AGENCY:** Employment and Training Administration.

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collection 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.

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/OMBCN/OMBControlNumber.cfm>.

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

**ADDRESSES:** Send comments to Bill Whitt, 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) 693-3219 (this is not a toll-free number) or by e-mail: [whitt.bill@dol.gov](mailto:whitt.bill@dol.gov).

#### SUPPLEMENTARY INFORMATION:

*I. Background:* The Office of Workforce Security (OWS) of the Employment and Training Administration (ETA) has responsibility for the Tax Performance System (TPS), which evaluates the employer-related or tax functions of the UI program. The Contribution Operations report (Form ETA 581) is a comprehensive report of each state's UI tax operations and is essential in providing quarterly tax performance data to OWS. ETA 581 data are the basis for measuring the performance and effectiveness of the states' UI tax operations. Using ETA 581 data, the TPS program measures performance, accuracy, and promptness in employer registration (status determinations), report delinquency, collections (accounts receivable), and the audit function.

#### *II. Desired Focus of Comments:*

Currently, the Employment and Training Administration is soliciting comments concerning the proposed extension collection of the ETA 581, Contribution Operations Report. Comments are requested to:

- Evaluate whether the proposed collection of information is necessary to assess 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 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.

*III. Current Actions:* It is important that approval of the ETA 581 report be