

*States and the State of South Dakota v. Jeraldine Borsch Fahrni, the Chester A. Borsch, Jr. Trust, and Chester A. Borsch, Jr. as Trustee of the Chester A. Borsch, Jr. Trust*, Case No. 5:10-CV-05068-JLV, D.J. Ref. No. 90-11-3-08278/2.

The Decree may be examined at the Office of the United States Attorney, District of South Dakota, 515 Ninth Street, Suite 201, Rapid City, South Dakota 57701. It also may be examined at the offices of U.S. EPA Region 8, 1595 Wynkoop Street, Denver, Colorado 80202. During the public comment period, the Decree 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 Decree 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 copies from the Consent Decree Library, please enclose a check in the amount of \$8.25 (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 Katz,**

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

[FR Doc. 2010-20656 Filed 8-19-10; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decrees Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)

Notice is hereby given that on August 4, 2010, two proposed Consent Decrees ("Decrees") in *United States and the State of South Dakota v. Patricia F. Repke and the Ruth E. Hankins Revocable Trust*, Case No. 5:10-CV-05062-JLV, were lodged with the United States District Court for the District of South Dakota, Western Division. The case was brought under Sections 107(a) and 113(g)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9607(a) and 9613(g)(2), for the recovery of response costs related to the cleanup at the Gilt Edge Mine Superfund Site ("Site") in Lawrence County, South Dakota.

The Consent Decrees require Patricia F. Repke and the Ruth E. Hankins Revocable Trust to: (1) Confess to \$235,000 and \$450,000 judgments, respectively; (2) agree to transfer the Site properties they own to the State of South Dakota; and (3) assign any insurance coverage related to the Site to the United States.

The United States and the State of South Dakota filed a Complaint simultaneous with the Consent Decrees alleging that the Defendants are jointly and severally liable for response costs related to the cleanup at the Gilt Edge Mine Superfund Site in Lawrence County, South Dakota. 42 U.S.C. 9607(a), 9613(g)(2). The Consent Decrees would resolve the claims against the Defendants as described in the Complaint.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Decrees. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to the [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 and the State of South Dakota v. Patricia F. Repke and the Ruth E. Hankins Revocable Trust*, Case No. 5:10-CV-05062-JLV, D.J. Ref. No. 90-11-3-08278/3.

The Decrees may be examined at the Office of the United States Attorney, District of South Dakota, 515 Ninth Street, Suite 201, Rapid City, South Dakota 57701. They also may be examined at the offices of U.S. EPA Region 8, 1595 Wynkoop Street, Denver, Colorado 80202. During the public comment period, the Decrees 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 Decrees 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 copies from the Consent Decree Library, please enclose a check in the amount of \$17.25 (25 cents per page reproduction cost) (\$8.50 for a copy of the Consent Decree related to Patricia F. Repke) (\$8.75 for a copy of the Consent Decree related to the Ruth E. Hankins Revocable Trust) 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 Katz,**

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

[FR Doc. 2010-20654 Filed 8-19-10; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Air Act

Notice is hereby given that on August 9, 2010, a proposed Consent Decree in *United States v. Middlesex County Utilities Authority, et al.*, Civil Action No. 3:10-cv-04058-MLC-LHG, was filed with the United States District Court for the District of New Jersey. In this action, the United States sought penalties and injunctive relief for the Defendants' violations of the Clean Air Act, 42 U.S.C. 7411 *et seq.*, and the New Jersey Air Pollution Control Act, N.J.S.A. 26:2C-1 *et seq.*, at the Middlesex County landfill in East Brunswick, New Jersey.

To resolve the United States' claims, the Defendants will pay a penalty of \$1,330,150 to the United States and New Jersey, and shall upgrade the Middlesex County Landfill Gas Collection and Control System, and operate that system in compliance with regulations promulgated pursuant to the Clean Air Act.

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.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 either: *United States v. Middlesex County Utilities Authority, et al.*, Civil Action No. 3:10-cv-04058-MLC-LHG, or D.J. Ref. 90-5-2-1-09328. The Consent Decree may be examined at the Office of the United States Attorney, District of New Jersey, 970 Broad Street, Room 502, Newark, New Jersey 07102, and at the United States Environmental Protection Agency, 290 Broadway New York, New York 10007-1866. 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, payable to the U.S. Treasury, in the amount of \$14.00 (25 cents per page reproduction cost), or, if by e-mail or fax, forward a check in the applicable amount to the Consent Decree Library at the stated address.

**Maureen Katz,**

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

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## DEPARTMENT OF LABOR

### Agency Information Collection Activities: Extension of a Currently Approved Information Collection With Non-Substantive Changes; Comment Request

**AGENCY:** Employment and Training Administration.

**ACTION:** 60-day notice of information collection under review: Form ETA-750, Application for Alien Employment Certification; OMB Control No. 1205-0015.

**SUMMARY:** The Department of Labor (Department), 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. 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 is soliciting comments concerning Form ETA 750 *Application for Alien Employment Certification*. A copy of the proposed information collection request can be obtained by contacting the office listed below in the addressee section of this notice.

**DATES:** Written comments must be submitted to the office listed in the

addressee section below on or before October 19, 2010.

**ADDRESSES:** William L. Carlson, Administrator, Office of Foreign Labor Certification, U.S. Department of Labor, Room C4312, 200 Constitution Ave., NW., Washington, DC 20210; by phone at (202) 693-3010 (this is not a toll-free number); by fax at (202) 693-2768; or by e-mail at [ETA.OFLC.Forms@dol.gov](mailto:ETA.OFLC.Forms@dol.gov) subject line: Form ETA 750.

#### SUPPLEMENTARY INFORMATION:

**A. Background:** The information collection is required by section 212(a)(5)(A)(iii) and section 214(c) of the Immigration and Nationality Act (INA). 8 U.S.C. 1182(a)(5)(A)(iii) and 1184(c) and 8 CFR 204.5(k)(4)(ii). The INA mandates the Secretary of Labor to certify that any alien seeking to enter the United States (U.S.) for the purpose of performing skilled or unskilled labor is not adversely affecting wages and working conditions of U.S. workers similarly employed and that there are not sufficient U.S. workers able, willing, and qualified to perform such skilled or unskilled labor. Many foreign professional athletes must qualify as skilled labor to gain temporary or permanent admission into the U.S. The Form ETA-750 is used to certify their admissibility. Part B of Form ETA-750 is also required by the Department of Homeland Security for aliens applying for the National Interest Waiver of the job offer requirement.

**B. Review Focus:** The Department 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 submissions of responses.

**C. Current Actions:** In order to meet its statutory responsibilities under the INA, the Department needs to extend an existing collection of information pertaining to employers seeking to

import foreign labor. The form used to collect the information is utilized not only by the Department, but also by other federal agencies to meet the requirements of the INA. The Department uses the information collected in its temporary and permanent certification programs for the employment of alien professional athletes. The Department of Homeland Security, U.S. Citizenship and Immigration Services, utilizes the form for its National Interest Waiver program for employment-based immigration.

**Type of Review:** Extension.

**Agency:** Employment and Training Administration.

**Title:** Application for Alien Employment Certification.

**OMB Number:** 1205-0015.

**Agency Number(s):** Form ETA 750.

**Recordkeeping:** On occasion.

**Affected Public:** Individuals, Businesses or other for-profits and not-for-profit institutions.

**Total Respondents:** 13,035.

**Estimated Total Burden Hours:** 23,496 hours annually to the respondents and 46,725 hours annually to the Federal government.

**Total Burden Cost (capital/startup):** \$0.

**Total Burden Cost (operating/maintaining):** \$0 annually to respondents and \$1,442,323 annually to the Federal government.

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

Dated: August 12, 2010.

**Jane Oates,**

*Assistant Secretary, Employment and Training Administration.*

[FR Doc. 2010-20648 Filed 8-19-10; 8:45 am]

**BILLING CODE 4510-FP-P**

## DEPARTMENT OF LABOR

### Comment Request for Information Collection for OMB Control No. 1205-0035, Job Corps Placement and Assistance Record, Extension With Revisions

**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 pre-clearance consultation program to provide the general public and federal agencies an opportunity to