

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 Decrees. 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: *United States v. Air Distribution Products, et al.*, (C.D. Cal.), D.J. Ref. 90-11-2-09121/4.

The proposed Consent Decree may be examined at EPA's Regional Office, 75 Hawthorne Street, San Francisco, California 94105. During the public comment period, the Consent Decrees may also be examined on the following Department of Justice Web site: <http://www.usdoj.gov/enrd/ConsentDecrees.html>. A copy of the proposed Consent Decrees 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 payable to the "U.S. Treasury" or, if by email or fax, forward a check in that amount to the Consent Decree Library at the stated address, in the following amount (25 cents per page reproduction cost): \$11.25 for the Consent Decree in *Air Distribution Products* (without attachments).

**Maureen Katz,**

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

[FR Doc. 2010-25123 Filed 10-5-10; 8:45 am]

**BILLING CODE 4410-15-P**

**DEPARTMENT OF JUSTICE**

**Notice of Proposed Consent Decree Under the Clean Air Act**

Notice is hereby given that on September 28, 2010, a proposed Consent Decree in *United States, et al. v. Murphy Oil USA, Inc.*, Civil Action No. 3:10-cv-00563-bbc, was lodged with the United States District Court for the Western District of Wisconsin.

The Consent Decree in this Clean Air Act enforcement actions against Murphy Oil USA, Inc. ("Murphy") resolves allegations by the Environmental Protection Agency, the State of Wisconsin and the State of Louisiana asserted in a complaint filed together

with the Consent Decree, under Section 113(b) of the Clean Air Act, 42 U.S.C. 7413(b), for alleged environmental violations at Murphy's petroleum refineries in Superior, Wisconsin and Meraux, Louisiana.

This Consent Decree is one of numerous national settlements reached as part of the EPA's Clean Air Act Petroleum Refinery Initiative. Consistent with the objectives of EPA's national initiative, in addition to the payment of \$1.25 million in civil penalties, the settlement requires Murphy to perform injunctive relief at both of Murphy's refineries in Superior, Wisconsin and Meraux, Louisiana to reduce emissions of nitrogen oxides, sulfur dioxide, volatile organic compounds, and benzene, and to spend no less than \$1.5 million to perform a supplemental environmental project to further reduce emissions of volatile organic compounds at the Meraux refinery.

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, 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 the matter as *United States, et al. v. Murphy Oil USA, Inc.*, DOJ Ref. No. 90-5-2-1-09186.

The Consent Decree may be examined at the following Regional Offices of the United States Environmental Protection Agency: Region 5, 77 West Jackson Blvd., Chicago, IL 60604; and Region 6, 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202.

During the public comment period, the proposed agreements may also be examined on the following Department of Justice Web site: <http://www.usdoj.gov/enrd/ConsentDecrees.html>. Copies of the proposed agreements 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 from the Consent Decree Library a copy of the consent decree for *United States et al. v. Murphy Oil USA, Inc.*, Civil Action No. 3:10-cv-00563-bbc (W.D. Wis.), please enclose a check in the amount of \$29.25 (25 cents per page

reproduction cost) payable to the U.S. Treasury.

**Maureen Katz,**

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

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**DEPARTMENT OF JUSTICE**

**National Institute of Corrections**

**Advisory Board Meeting**

*Time and Date:*

8 a.m. to 4:30 p.m. on Monday,

November 8, 2010;

8 a.m. to 4:30 p.m. on Tuesday,

November 9, 2010.

*Place:* National Institute of Corrections, 500 First Street, NW., Washington, DC 20534, 1(800)995-6423.

*Status:* Open.

*Matters To Be Considered:* Welcome New Advisory Board Members; NIC Orientation; Briefing on NIC Reports; Agency Reports; Quarterly Report by Office of Justice Programs.

*Contact Person for More Information:* Thomas Beauclair, Deputy Director, 202-307-3106, ext. 44254.

**Morris L. Thigpen,**

*Director.*

[FR Doc. 2010-24854 Filed 10-5-10; 8:45 am]

**BILLING CODE 4410-36-M**

**DEPARTMENT OF LABOR**

**Office of the Secretary**

**Agency Information Collection Activities; Submission for OMB Review; Comment Request; Annual Refiling Survey Forms**

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (DOL) hereby announces the submission of the information collection request (ICR) sponsored by the Bureau of Labor Statistics (BLS) titled, "Annual Refiling Survey Forms," to the Office of Management and Budget (OMB) for review and approval for continued use in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35).

**DATES:** Submit comments on or before November 5, 2010.

**ADDRESSES:** A copy of this ICR, with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden

may be obtained from the RegInfo.gov Web site, <http://www.reginfo.gov/public/do/PRAMain> or by contacting Michel Smyth by telephone at 202-693-4129 (this is not a toll-free number) or sending an e-mail to [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

Submit comments about this request to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Department of Labor, Bureau of Labor Statistics, Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: 202-395-7314/Fax: 202-395-7245 (these are not toll-free numbers), e-mail: [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov).

**FOR FURTHER INFORMATION:** Contact Michel Smyth by telephone at 202-693-4129 (this is not a toll-free number) or by e-mail at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

**SUPPLEMENTARY INFORMATION:** The DOL is seeking OMB reauthorization of the Annual Refiling Survey (ARS) information collection. While the primary purpose of the ARS is to verify or to correct the North American Industry Classification System (NAICS) code assigned to establishments, there are other important purposes of the ARS. The ARS seeks accurate mailing and physical location addresses of establishments as well as geographic codes such as county and township (independent city, parish, or island in some States).

The ARS constitutes an information collection within the meaning of the PRA. Under the PRA, a Federal agency generally cannot conduct or sponsor a collection of information unless it is currently approved by the OMB under the PRA and displays a currently valid OMB control number. Furthermore, the public is generally not required to respond to a collection of information unless it displays a currently valid OMB control number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information if the collection of information does not display a currently valid OMB control number. See 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under OMB Control Number 1220-0032. The current OMB approval is scheduled to expire on October 31, 2010. For additional information, see the related notice published in the **Federal Register** on May 27, 2010 (75 FR 29782).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES**

section within 30 days of publication of this notice in the **Federal Register**. In order to ensure the appropriate consideration, comments should reference OMB Control Number 1220-0032. The OMB is particularly interested in comments that:

- 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:* Bureau of Labor Statistics.

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

*Title of Collection:* Annual Refiling Survey Forms.

*Form Numbers:* Forms BLS-3023-(NVS), BLS-3023-(NVM), and BLS-3023-NCA.

*OMB Control Number:* 1220-0032.

*Affected Public:* Business or other for-profit; Not-for-profit institutions, and farms.

*Total Estimated Number of Respondents:* 1,296,334.

*Total Estimated Number of Responses:* 1,296,334.

*Total Estimated Annual Burden Hours:* 128,838.

*Total Estimated Annual Costs Burden:* \$0.

Dated: September 30, 2010.

**Michel Smyth,**

*Departmental Clearance Officer.*

[FR Doc. 2010-25106 Filed 10-5-10; 8:45 am]

**BILLING CODE 4510-24-P**

## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

#### Exemptions From Certain Prohibited Transaction Restrictions

**AGENCY:** Employee Benefits Security Administration, Labor.

**ACTION:** Grant of Individual Exemptions.

**SUMMARY:** This document contains exemptions issued by the Department of Labor (the Department) from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (ERISA or the Act) and/or the Internal Revenue Code of 1986 (the Code). This notice includes the following: 2010-28, John D. Simmons Individual Retirement Act (the IRA), D-11597; and 2010-29, Boston Carpenters Apprenticeship and Training Fund (the Fund), L-11624.

**SUPPLEMENTARY INFORMATION:** A notice was published in the **Federal Register** of the pendency before the Department of a proposal to grant such exemption. The notice set forth a summary of facts and representations contained in the application for exemption and referred interested persons to the application for a complete statement of the facts and representations. The application has been available for public inspection at the Department in Washington, DC. The notice also invited interested persons to submit comments on the requested exemption to the Department. In addition the notice stated that any interested person might submit a written request that a public hearing be held (where appropriate). The applicant has represented that it has complied with the requirements of the notification to interested persons. No requests for a hearing were received by the Department. Public comments were received by the Department as described in the granted exemption.

The notice of proposed exemption was issued and the exemption is being granted solely by the Department because, effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978, 5 U.S.C. App. 1 (1996), transferred the authority of the Secretary of the Treasury to issue exemptions of the type proposed to the Secretary of Labor.

#### Statutory Findings

In accordance with section 408(a) of the Act and/or section 4975(c)(2) of the Code and the procedures set forth in 29 CFR Part 2570, Subpart B (55 FR 32836, 32847, August 10, 1990) and based upon the entire record, the Department makes the following findings:

(a) The exemption is administratively feasible;

(b) The exemption is in the interests of the plan and its participants and beneficiaries; and

(c) The exemption is protective of the rights of the participants and beneficiaries of the plan.

John D. Simmons Individual Retirement Account (the IRA) Located in West Chester, PA