

New Source Performance Standards program by failing to maintain the internal floating roof on the liquid inside several storage vessels at the Big Stone Facility.

The proposed Consent Decree would require Defendants to conduct all VOC Performance Tests for the Facilities in accordance with 40 CFR part 51, Appendix M; Method 207 and 40 CFR part 60, Appendix A; Method 18 and to report the results of each performance test to EPA within ninety (90) days. In addition, the proposed Consent Decree would require Defendants to apply to include the testing requirements in either a federally enforceable permit or request a site-specific amendment to the South Dakota SIP to include the requirements enumerated in the Consent Decree within one hundred eighty (180) days. Finally, the proposed Consent Decree would require Defendants to pay a \$150,000 civil penalty.

The Department of Justice will receive comments relating to the 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 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 of America v. James Valley Ethanol, LLC, Northern Lights Ethanol, LLC, and Poet Plant Management, D.J.* Ref. 90-5-2-1-08640.

The Consent Decree may be examined at U.S. EPA Region 8, 1595 Wynkoop Street, Denver, CO 80202. 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/ConsentDecrees.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 \$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 Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

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**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act

Consistent with Section 122 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9622(d), and 28 C.F.R. 50.7, notice is hereby given that on September 21, 2010, the United States lodged a Consent Decree with Bud's Oil Service, Inc. ("Settling Defendant") in *United States of America v. Bud's Oil Service, Inc.*, Case No. CV10-7032 GAF (AJWx) (C.D. Cal.), with respect to the Omega Chemical Superfund Site, located in Whittier, Los Angeles County, California (the "Omega Site") and the Casmalia Resources Superfund Site (the "Casmalia Site") (both referred to collectively as the "Sites"), located in Santa Barbara County, California.

On September 21, 2010, Plaintiff United States of America ("United States"), on behalf of the United States Environmental Protection Agency ("EPA") filed a complaint in this matter against defendant Bud's Oil Service, Inc., pursuant to CERCLA Section 107, 42 U.S.C. 9607, seeking recovery of environmental response costs incurred by EPA related to the release or threatened release or disposal of hazardous substances at or from the Sites.

Financial information provided by the Settling Defendant indicated a financial inability to pay. However, pursuant to settlement agreements between Settling Defendant and certain of its insurers, the United States has received reimbursement of response costs totalling \$485,000. Of this total, \$2,900 will be payable to or transferred by EPA to the Casmalia Resources Site Special Account. The remaining amount (\$482,100) will be applied towards the Omega Chemical Corporation Site Special Account. In exchange, the proposed Consent Decree provides Settling Defendant with a covenant not to sue and contribution protection with respect to the Sites.

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 *United States of America v. Bud's Oil Service, Inc.*, Case No. CV 10-7032 GAF (AJWx) (C.D. Cal.) (DOJ Ref. No. 90-11-3-06529/9). The Consent Decree may be examined at U.S. Environmental Protection Agency, Office of Regional Counsel, EPA Region 9, 75 Hawthorne Street, San Francisco, CA 94105 (contact Stephen Berninger, (415) 972-3909). 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/ConsentDecrees.html>. A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, U.S. Department of Justice, P.O. Box 7611, 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 refer to *United States of America v. Bud's Oil Service, Inc.*, Case No. CV 10-7032 GAF (AJWx) (C.D. Cal.) (DOJ Ref. No. 90-11-3-06529/9), and enclose a check in the amount of \$ 6.50 (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 Katz,**

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

[FR Doc. 2010-25423 Filed 10-7-10; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

### Notice of Proposed Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act

Notice is hereby given that on October 4, 2010, a proposed Consent Decree in *United States v. Quality Distribution, Inc.*, Civil Action No. 1:10-cv-05098-NLH-KMW, was lodged with the United States District Court for the District of New Jersey.

The proposed Consent Decree will settle the United States' claims on behalf of the U.S. Environmental Protection Agency ("EPA") against

Defendant Quality Distribution, Inc. (“QDI”), pursuant to Sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”), 42 U.S.C. 9606 and 9607, with respect to the Chemical Leaman Tank Lines, Inc. Superfund Site, in Bridgeport, Logan Township, Gloucester County, New Jersey (“Site”). The Site is on the National Priorities List established pursuant to Section 105(a) of CERCLA, 42 U.S.C. 9605(a). Pursuant to the Consent Decree, QDI will: pay \$1,570,000 in reimbursement of the United States’ past response costs for “Operable Unit 2” (“OU2”), a category of remedial action addressing sources of groundwater contamination at the Site; reimburse the United States for its future response costs related to OU2 and to “Operable Unit 3,” a category of remedial action addressing wetland contamination at the Site. In addition, QDI will finance and perform a remedy selected by EPA for OU2, estimated to cost \$5,030,000.

The Department of Justice will receive comments relating to the proposed Consent Decree for a period of 30 days from the date of this publication. Comments on the Consent Decree should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to [pubcommentees.enrd@usdoj.gov](mailto:pubcommentees.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. Quality Distribution, Inc.*, Civil Action No. 1:10-cv-05098-NLH-KMW, D.J. Ref. 90-11-2-296/2.

The proposed Consent Decree may be examined at the Office of the United States Attorney, District of New Jersey, Camden Federal Building and U.S. Courthouse, 401 Market Street, 4th Floor, Camden, NJ 08101, and at EPA, Region 2, 290 Broadway, New York, New York 10007-1866. During the public comment period, the proposed Consent Decree may also be examined at 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 number (202) 514-0097, phone confirmation number (202) 514-1547. If requesting a copy by mail from the Consent Decree Library, please enclose a check to cover the 25 cents-per-page reproduction cost, in the amount of \$70.00 for the Consent

Decree with appendices or \$12.00 without appendices, payable to the U.S. Treasury, or if requesting by e-mail or fax, forward a check in that amount to the Consent Decree Library at the above-referenced address.

**Maureen Katz,**

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

[FR Doc. 2010-25419 Filed 10-7-10; 8:45 am]

**BILLING CODE 4410-15-P**

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## DEPARTMENT OF LABOR

### Bureau of Labor Statistics

#### Proposed Collection, Comment Request

**ACTION:** Notice; correction.

**SUMMARY:** The Department of Labor published a document in the **Federal Register** of October 4, 2010, concerning a request for comments on the proposed revision of the National Compensation Survey (1220-0164). The document contained an incorrect date for submission of comments.

**FOR FURTHER INFORMATION CONTACT:** Nora Kincaid, BLS Clearance Officer, at 202-691-7628 (this is not a toll free number). (See **ADDRESSES** section.)

#### Correction

In the **Federal Register** of October 4, 2010, 75 FR 61178, in the second column, correct the **DATES** caption to read:

**DATES:** Written comments must be submitted to the office listed in the **ADDRESSES** section of this notice on or before December 3, 2010.

Signed at Washington, DC, this 5th day of October 2010.

**Kimberly Hill,**

*Chief, Division of Management Systems, Bureau of Labor Statistics.*

[FR Doc. 2010-25404 Filed 10-7-10; 8:45 am]

**BILLING CODE 4510-24-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-72,855]

#### Barnstead Thermolyne Corporation, a Subsidiary of Thermo Fisher Scientific, Including On-Site Leased Workers From Sedona Staffing and Per Mar, Dubuque, IA; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended (“Act”), 19 U.S.C. 2273, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on February 22, 2010, applicable to workers of Barnstead Thermolyne Corporation, a subsidiary of Thermo Fisher Scientific, including on-site leased workers from Sedona Staffing, Dubuque, Iowa. The notice was published in the **Federal Register** on April 23, 2010 (75 FR 21361).

At the request of a State agency, the Department reviewed the certification for workers of the subject firm. The workers are engaged in activities related to the production of scientific laboratory equipment.

New information shows that workers leased from Per Mar were employed on-site at the Dubuque, Iowa location of Barnstead Thermolyne Corporation, a subsidiary of Thermo Fisher Scientific. The Department has determined that these workers were sufficiently under the control of the subject firm to be considered leased workers.

Based on these findings, the Department is amending this certification to include workers leased from Per Mar working on-site at the Dubuque, Iowa location of Barnstead Thermolyne Corporation, a subsidiary of Thermo Fisher Scientific.

The amended notice applicable to TA-W-72,855 is hereby issued as follows:

All workers of Barnstead Thermolyne Corporation, including on-site leased workers from Sedona Staffing and Per Mar, Dubuque, Iowa, who became totally or partially separated from employment on or after November 11, 2008, through February 22, 2012 and all workers in the group threatened with total or partial separation from employment on the date of certification through two years from the date of certification, are eligible to apply for adjustment assistance under Chapter 2 of Title II of the Trade Act of 1974, as amended.