

Dated: July 5, 2012.

**Mariah Soriano,**

*Acting Manager, National NAGPRA Program.*

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## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### Notice of Proposed Information Collection; General Provisions

**AGENCY:** Office of Surface Mining Reclamation and Enforcement, Interior.

**ACTION:** Notice and request for comments.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, the Office of Surface Mining Reclamation and Enforcement (OSM) is announcing its intention to seek the Office of Management and Budget (OMB) approval to continue the collection of information for our General provisions. This information collection activity was previously approved by OMB and assigned clearance number 1029-0094.

**DATES:** Comments on the proposed information collection must be received by October 1, 2012, to be assured of consideration.

**ADDRESSES:** Comments may be mailed to Adrienne Alsop, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave. NW., Room 203—SIB, Washington, DC 20240. Comments may also be submitted electronically to [aalsop@osmre.gov](mailto:aalsop@osmre.gov).

**FOR FURTHER INFORMATION CONTACT:** To request additional information about this collection of information, contact Adrienne Alsop, at (202) 208-2818 or by email listed previously.

**SUPPLEMENTARY INFORMATION:** OMB regulations at 5 CFR part 1320, which implementing provisions of the Paperwork Reduction Act of 1995 (Pub. L. 104-13), require that interested members of the public and affected agencies have an opportunity to comment on information collection and recordkeeping activities [see 5 CFR 1320.8(d)]. This notice identifies an information collection that OSM will be submitting to OMB for approval, the collection contained in 30 CFR part 700—General (1029-0094). OSM will seek a 3-year term of approval for this information collection activity. We may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

Comments are invited on: (1) The need for the collection of information for the performance of the functions of the agency; (2) the accuracy of the agency's burden estimates; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the information collection burden on respondents, such as use of automated means of collection of the information. A summary of the public comments will accompany OSM's submission of the information collection requests to OMB.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

*Title:* 30 CFR Part 700—General.

*OMB Control Number:* 1029-0094.

*Summary:* This Part establishes procedures and requirements for terminating jurisdiction of surface coal mining and reclamation operations, petitions for rulemaking, and citizen suits filed under the Surface Mining Control and Reclamation Act of 1977.

*Bureau Form Number:* None.

*Frequency of Collection:* Once.

*Description of Respondents:* State and tribal regulatory authorities, private citizens and citizen groups, and surface coal mining companies.

*Total Annual Responses:* 3.

*Total Annual Burden Hours:* 65.

Dated: July 23, 2012.

**Andrew F. DeVito,**

*Chief, Division of Regulatory Support.*

[FR Doc. 2012-18810 Filed 8-1-12; 8:45 am]

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## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on July 27, 2012, a proposed Amendment to Consent Decree was lodged with the United States District Court for the Northern District of Ohio in *United States v. Lorain County Metropolitan Park District, et al.*, Civil Action No. 1:08-cv-03026.

Under a consent decree previously entered by the district court in this action under Sections 106 and 107 of

the Comprehensive Environmental Response, Compensation and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9606 and 9607, the former General Motors Corporation, now known as Motors Liquidation Company ("GM"), was one of several Settling Defendants responsible for implementing a remedial action to address releases and threatened releases of hazardous substances at and from the Ford Road Industrial Landfill Site (the "Site") in Elyria, Ohio. Pursuant to financial assurance requirements of the consent decree, GM obtained a performance bond from Westchester Fire Insurance Company ("Westchester"). After filing for bankruptcy in 2009, GM stopped participating in implementation of the remedial action at the Site.

Under the proposed Amendment to Consent Decree, Westchester will become a party to the consent decree and become responsible for financing implementation of the remedial action at the Site, up to a \$589,322 limit that corresponds to the outstanding amount of the original performance bond issued by Westchester. Westchester's obligations will include: (1) Reimbursing 50 percent of the response costs incurred by the other Settling Defendants between June 1, 2009, when GM stopped participating in implementation of the consent decree, and the effective date of the Amendment to Consent Decree; (2) monthly reimbursement of 50 percent of the ongoing remedial costs incurred by the other Settling Defendants after the effective date of the Amendment to Consent Decree; (3) acceleration of remaining payments (up to the \$589,322 limit) in accordance with instructions to be provided by EPA, in the event that EPA takes over implementation of any Work, pursuant to provisions of the previously entered consent decree. In addition, to guarantee performance of its obligations under the proposed Amendment to Consent Decree, Westchester will establish a trust for the benefit of EPA, and maintain a trust balance that is equal to its outstanding liability relating to the Site.

The Department of Justice will receive comments relating to the Amendment to 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. The comments should refer to *United States v. Lorain County*

*Metropolitan Park District, et. al.*, DJ # 90-11-3-09102.

During the public comment period, the Amendment to Consent 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 Amendment to 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 emailing a request to "Consent Decree Copy" ([EESDCopy.ENRD@usdoj.gov](mailto:EESDCopy.ENRD@usdoj.gov)), fax number (202) 514-0097, phone confirmation number (202) 514-5271. In requesting a copy of the Amendment to Consent Decree from the Consent Decree Library, please enclose a check in the amount of \$8.75 (25 cents per page reproduction cost) 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.

**Maureen Katz,**

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

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**DEPARTMENT OF LABOR**

**Employment and Training Administration**

**Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974, as amended (19 U.S.C. 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers by (TA-W) number issued during the period of July 16, 2012 through July 20, 2012.

In order for an affirmative determination to be made for workers of a primary firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(a) of the Act must be met.

I. Under Section 222(a)(2)(A), the following must be satisfied:

(1) A significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) The sales or production, or both, of such firm have decreased absolutely; and

(3) One of the following must be satisfied:

(A) Imports of articles or services like or directly competitive with articles produced or services supplied by such firm have increased;

(B) Imports of articles like or directly competitive with articles into which one or more component parts produced by such firm are directly incorporated, have increased;

(C) Imports of articles directly incorporating one or more component parts produced outside the United States that are like or directly competitive with imports of articles incorporating one or more component parts produced by such firm have increased;

(D) Imports of articles like or directly competitive with articles which are produced directly using services supplied by such firm, have increased; and

(4) The increase in imports contributed importantly to such workers' separation or threat of separation and to the decline in the sales or production of such firm; or

II. Section 222(a)(2)(B) all of the following must be satisfied:

(1) A significant number or proportion of the Workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) One of the following must be satisfied:

(A) There has been a shift by the workers' firm to a foreign country in the production of articles or supply of services like or directly competitive with those produced/supplied by the workers' firm;

(B) There has been an acquisition from a foreign country by the workers' firm of articles/services that are like or directly competitive with those produced/supplied by the workers' firm; and

(3) The shift/acquisition contributed importantly to the workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected workers in public agencies and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(b) of the Act must be met.

(1) A significant number or proportion of the workers in the public agency have become totally or partially separated, or are threatened to become totally or partially separated;

(2) The public agency has acquired from a foreign country services like or

directly competitive with services which are supplied by such agency; and

(3) The acquisition of services contributed importantly to such workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected secondary workers of a firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(c) of the Act must be met.

(1) A significant number or proportion of the workers in the workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) The workers' firm is a Supplier or Downstream Producer to a firm that employed a group of workers who received a certification of eligibility under Section 222(a) of the Act, and such supply or production is related to the article or service that was the basis for such certification; and

(3) Either—

(A) The workers' firm is a supplier and the component parts it supplied to the firm described in paragraph (2) accounted for at least 20 percent of the production or sales of the workers' firm; or

(B) A loss of business by the workers' firm with the firm described in paragraph (2) contributed importantly to the workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected workers in firms identified by the International Trade Commission and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(f) of the Act must be met.

(1) The workers' firm is publicly identified by name by the International Trade Commission as a member of a domestic industry in an investigation resulting in—

(A) An affirmative determination of serious injury or threat thereof under section 202(b)(1);

(B) An affirmative determination of market disruption or threat thereof under section 421(b)(1); or

(C) An affirmative final determination of Material injury or threat thereof under section 705(b)(1)(A) or 735(b)(1)(A) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)(1)(A) and 1673d(b)(1)(A));

(2) The petition is filed during the 1-year period beginning on the date on which—