

*Summary:* Sections 506 and 511 of Public Law 95–87 provide that persons seeking permit revisions; renewals; or transfer, assignment, or sale of their permit rights for coal mining activities submit relevant information to the regulatory authority to allow the regulatory authority to determine whether the applicant meets the requirements for the action anticipated.

*Bureau Form Number:* None.

*Frequency of Collection:* Once.

*Description of Respondents:* Surface coal mining permit applicants and State regulatory authorities.

*Total Annual Responses:* 3,510 responses from permit applicants and 3,343 responses from State regulatory authorities.

*Total Annual Burden Hours:* 242,179.

*Total Annual Non-wage Costs:* \$902,920.

Dated: July 18, 2013.

**Andrew F. DeVito,**

*Chief, Division of Regulatory Support.*

[FR Doc. 2013–17829 Filed 7–23–13; 8:45 am]

**BILLING CODE 4310–05–P**

**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Proposed Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act, the Resource Conservation and Recovery Act, and the Clean Water Act**

On July 18, 2013, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Southern District of Illinois in the lawsuit entitled *United States v. Chemetco, Inc.*, Civil Action Nos. 00–670 and 00–677. The United States and the State of Illinois (the “State”) are plaintiffs in that consolidated environmental enforcement action concerning the Chemetco Superfund Site in Hartford, Illinois (the “Chemetco Site” or the “Site”). The United States and the State also are co-signatories to the proposed Consent Decree with the Chapter 7 Bankruptcy Estate of Chemetco, Inc. (the “Estate”), as represented by the Chapter 7 Trustee for the Estate, and Paradigm Minerals and Environmental Services LLC (“Paradigm”).

The proposed Consent Decree would regulate the sale and reprocessing of slag and other metal-bearing materials at the Chemetco Site under an Asset Purchase and Processing Agreement between the Estate and Paradigm (the “Processing Agreement”). Work under that Processing Agreement—which was approved by a set of Bankruptcy Court

Orders—would decrease the volume of material that needs to be contained or remediated as a waste, thereby reducing the potential cost of any final remedy for the Chemetco Site under the Comprehensive Environmental Response, Compensation, and Liability Act. The Processing Agreement also requires that a fixed portion of the revenue from the reprocessing operation be deposited in a specially-established environmental escrow account and used for remediation of the Site. The Consent Decree would require that the work at the Site by Paradigm and the Estate conform to a detailed set of EPA-approved work plans appended to the Decree. The Decree also requires Paradigm to post financial assurance as backing for its commitment to assure the clean closure of the reprocessing area after its work is completed. All EPA costs of overseeing the sale and reprocessing activities would be reimbursed under the settlement.

In addition, the proposed Consent Decree would resolve claims against the Estate under the Resource Conservation and Recovery Act (“RCRA”) and the Clean Water Act in exchange for: (i) \$471,000 to be transferred from a RCRA Financial Assurance Trust Fund established by Chemetco to a Superfund Special Account that can be used to fund cleanup work at the Site; (ii) a \$500,000 allowed claim for civil penalties against the Estate; and (iii) conditions limiting the sale of a parking lot area that was created by filling a portion of a wetland with slag.

The publication of this notice opens a period for public comment on the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Chemetco, Inc.*, D.J. Ref. No. 90–5–1–1–4516. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By email .....	<i>pubcomment-ees.enrd@usdoj.gov.</i>
By mail .....	Assistant Attorney General U.S. DOJ–ENRD, P.O. Box 7611, Washington, DC 20044–7611.

The United States also intends to hold a public meeting on the proposed Consent Decree pursuant to section 7003(d) of RCRA. The meeting will be held at 6:30 p.m. on August 6, 2013, at the Hartford Community Center, located

at 715 N. Delmar Avenue in Hartford, Illinois.

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). We will provide a paper copy of the Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ–ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for \$147.25 (25 cents per page reproduction cost) payable to the United States Treasury. For a paper copy without the exhibits, the cost is \$28.50.

**Maureen Katz,**

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

[FR Doc. 2013–17735 Filed 7–23–13; 8:45 am]

**BILLING CODE 4410–15–P**

**DEPARTMENT OF JUSTICE**

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

On June 26, 2013, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Southern District of Illinois in the lawsuit entitled *United States, et al. v. Gateway Energy & Coke Company, et al.*, Civil Action No. 3:13–cv–00616–DRH–SCW.

The United States, on behalf of the U.S. Environmental Protection Agency, has filed a complaint under the Clean Air Act asserting claims relating to two Midwestern heat recovery coking facilities, one of which is located in Granite City, Illinois (the “Gateway Facility”), and the other of which is located in Franklin Furnace, Ohio (the “Haverhill Facility”). The United States seeks civil penalties and injunctive relief against the owners and operators of the Gateway and Haverhill Facilities. The Haverhill Coke Company, LLC, formerly known as the Haverhill North Coke Company, is an owner and operator of the Haverhill Facility along with SunCoke Energy, Inc. (“SunCoke”) (together “the Haverhill Defendants”). The Gateway Energy & Coke Company, LLC is an owner and operator of the Gateway Facility along with SunCoke (together “the Gateway Defendants”).

The States of Illinois and Ohio are co-plaintiffs in this action. The State of Illinois asserts claims in this action relating to the Gateway Facility under the Illinois Environmental Protection

Act (“Illinois Act”), 415 ILCS 5/1 *et seq.* (2010), and seeks injunctive relief and civil penalties against the Gateway Defendants for violations of the Illinois Act. The State of Ohio asserts claims in this action relating to the Haverhill Facility under Chapter 3745 of the Ohio Revised Code (“ORC”), and the rules adopted thereunder, and seeks injunctive relief and civil penalties against the Haverhill Defendants for violations of ORC Chapter 3704. The Complaint alleges that the Gateway Defendants operated the Gateway Facility and the Haverhill Defendants operated the Haverhill Facility in excess of bypass venting limits specified in their Prevention of Significant Deterioration permits, and that the Haverhill Defendants failed to comply with emissions monitoring and reporting requirements.

The Consent Decree would require (1) installation of process equipment to provide redundancy that will allow hot coking gases to be routed to a pollution control device instead of vented directly to the atmosphere in the event of equipment downtime; (2) installation of continuous emissions monitoring systems for sulfur dioxide, at one bypass vent per process unit (two at the Haverhill Facility and one at the Gateway Facility); (3) payment of a civil penalty of \$1.995 million, of which \$1.27 million will go to the United States, \$575,000 to the State of Illinois, and \$150,000 to the State of Ohio; and (4) performance of a lead hazard abatement supplemental environmental project at a cost of \$255,000 at the Gateway Facility.

In a **Federal Register** Notice published on July 2, 2013, the Department of Justice announced its intention to receive comments relating to the Consent Decree for a period of thirty (30) days from the date of that publication. 78 FR 39770 (July 2, 2013). In response to a request, the Department of Justice is extending that public comment period for thirty (30) days, until September 3, 2013. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States, et al. v. Gateway Energy & Coke Company, et al.*, D.J. Ref. Nos. 90–5–2–1–09890 and 90–5–2–1–10065. Comments may be submitted either by email or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By email .....	<i>pubcomment-ees.enrd@usdoj.gov.</i>

<i>To submit comments:</i>	<i>Send them to:</i>
By mail .....	Assistant Attorney General U.S. DOJ–ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). We will provide a paper copy of the Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ–ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for \$29.75 (25 cents per page reproduction cost) payable to the United States Treasury. For a paper copy without the exhibits and signature pages, the cost is \$16.25.

**Maureen Katz,**  
*Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*  
[FR Doc. 2013–17734 Filed 7–23–13; 8:45 am]  
**BILLING CODE 4410–15–P**

**DEPARTMENT OF JUSTICE**  
**Notice of Lodging of Proposed Consent Decree Under the Clean Water Act**

On July 15, 2013, the Department of Justice lodged a proposed consent decree with the United States District Court for the Western District of Arkansas in the lawsuit entitled *United States v. Lion Oil Company*, Civil Action No. 1:13–cv–01059–SOH.

The United States filed this lawsuit under the Clean Water Act. The United States’ complaint seeks injunctive relief and civil penalties for discharges of pollutants, in violation of Section 301 of the Clean Water Act, at property located southwest of the city of El Dorado, Arkansas. The consent decree requires the defendant to perform injunctive relief and pay a \$504,000 penalty.

The publication of the notice opens a period for public comment on the consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Lion Oil Company*, D.J. Ref. No. 90–5–2–1–06064/4. All comments must be submitted no later than thirty (30) days after the publication date of this notice.

Comments may be submitted either by email or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By email ...	<i>pubcomment-ees.enrd@usdoj.gov.</i>
By mail .....	Assistant Attorney General, U.S. DOJ–ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the consent decree may be examined and downloaded at this Justice Department Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). We will provide a paper copy of the consent decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ–ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for \$9.50 (25 cents per page reproduction cost) payable to the United States Treasury.

**Maureen Katz,**  
*Assistant Section 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 Proposed Consent Decree Under the Clean Water Act**

On July 18, 2013, the Department of Justice lodged a proposed Consent Decree (“Decree”) with the United States District Court for the Middle District of Pennsylvania in the lawsuit entitled *United States v. XTO Energy, Inc.* (“Defendant”), Civil Action No. 4:13–cv–01954–MWB.

In this action the United States, on behalf of the Environmental Protection Agency (“EPA”), filed a complaint against Defendant seeking permanent injunctive relief and civil penalties under the Clean Water Act (“CWA”), 33 U.S.C. 1251–1387, resulting from unauthorized discharges of flowback fluid and produced fluid into waters of the United States from tanks and valves associated with Defendant’s hydraulic fracturing operations at Defendant’s well pad and storage facility located at 301 Marquardt Road, in Penn Township, Lycoming County, Pennsylvania. Produced fluid and flowback fluid contain contaminants such as barium, calcium, iron, magnesium, manganese, potassium, sodium, strontium, bromide, chloride,