

On the LBA tract, there are two mineable seams, the Anderson Rider, which ranges from about 2 feet to 49 feet thick and averages about 26 feet thick, and the merged Anderson/Canyon Seams, which range from about 46 feet to 120 feet thick and average about 68 feet thick. Overall, the two mineable seams average about 94 feet thick over the LBA tract. The two seams are continuous over the entire tract with no outcrops or subcrops. Overburden depth to the upper Anderson Rider ranges from approximately 50 feet to 449 feet thick and averages approximately 163 feet thick. The interburden to the merged Anderson/Canyon Seams ranges from approximately 0 feet to 190 feet thick and averages approximately 88 feet thick.

The tract contains an estimated 167,001,577 tons of mineable coal. This estimate of mineable reserves includes the main seams mentioned above but does not include any tonnage from localized seams or splits containing less than 5 feet of coal. The total mineable stripping ratio of the coal in Bank Cubic Yards per ton is approximately 2.8:1. Potential bidders for the LBA should consider the recovery rate expected from multiple seam mining.

The Hay Creek II LBA coal is ranked as subbituminous C. The overall average quality on an as-received basis is 8,297 British Thermal Units per pound containing approximately 0.27 percent sulfur. These quality averages place the coal reserves near the lower end of the range of coal quality currently being mined in the Wyoming portion of the Powder River Basin.

The tract will be leased to the qualified bidder of the highest cash amount provided that the high bid meets or exceeds the BLM's estimate of the fair market value (FMV) of the tract. The minimum bid for the tract is \$100 per acre or fraction thereof. No bid that is less than \$100 per acre, or fraction thereof, will be considered. The bids should be sent by certified mail, return receipt requested, or be hand-delivered. The BLM Wyoming State Office Cashier will issue a receipt for each hand-delivered bid. Bids received after 4 p.m. local time on Tuesday, September 17, 2013, will not be considered. The minimum bid is not intended to represent FMV. The FMV of the tract will be determined by the Authorized Officer after the sale. The lease that may be issued as a result of this offering will provide for payment of an annual rental of \$3 per acre, or fraction thereof, and a royalty payment to the United States of 12.5 percent of the value of coal produced by surface mining methods.

The value of the coal will be determined in accordance with 30 CFR 1206.250.

Pursuant to the regulation at 43 CFR 3473.2(f), the applicant for the Hay Creek II Tract, Kiewit Mining Properties, Inc., has paid a total case-by-case cost recovery processing fee in the amount of \$199,243. The successful bidder for the Hay Creek II Tract, if someone other than the applicant, must pay to the BLM the \$199,243 previously paid by Kiewit Mining Properties, Inc. Additionally, the successful bidder must pay all processing costs the BLM will incur after the date this sale notice is published in the **Federal Register**, which are estimated to be \$10,000.

Bidding instructions for the LBA tract offered and the terms and conditions of the proposed coal lease are available from the BLM Wyoming State Office at the address above. Case file documents, WYW172684, are available for inspection at the BLM Wyoming State Office.

**Donald A. Simpson,**  
State Director.

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**BILLING CODE 4310-22-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Consent Decree Under the Clean Air Act ("CAA")

On July 31, 2013, the Department of Justice lodged a proposed Consent Decree ("Decree") with the United States District Court for the District of Utah in the lawsuit entitled *United States and State of Utah, Utah Division of Air Quality v. Chevron U.S.A. Inc.*, Civil Action No. 2:13-cv-00721-EJF.

In this action the United States and the State of Utah, Utah Division of Air Quality filed a complaint and consent decree concurrently against Chevron U.S.A., Inc. ("Chevron" or "Defendant") seeking mitigation relief and civil penalties under Sections 113(b) and 167 of the Clean Air Act ("CAA" or "the Act"), 42 U.S.C. 7413(b) and 7475, and Utah Code Ann. §§ 19-2-104 and 107, for the Defendant's alleged violations at the petroleum refinery ("Refinery") operated by Chevron located in Salt Lake City, Utah. The Defendant operated the Refinery in violation of various provisions of the CAA which include failing to obtain the necessary prevention of significant deterioration ("PSD") permit and to install controls under the Act to reduce the pollutant nitrogen oxides ("NOx"). The Decree requires the Settling Defendant to install pollution controls at the Refinery to

mitigate the harm caused by the Refinery's excess emissions and pay the sum of \$384,000 dollars cash, including interest, to the United States as a civil penalty.

The publication of this notice opens a period for public comment on the Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Chevron U.S.A. Inc.*, D.J. Ref. No. 90-5-2-1-09645. 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:

To submit comments:	Send them to:
By e-mail .....	<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.justice.gov/enrd/Consent\\_Decrees.html](http://www.justice.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 \$15.25 (25 cents per page reproduction cost) payable to the United States Treasury.

**Robert Brook,**

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

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Comment Request for Information Collection: American Recovery and Reinvestment Act (ARRA), High Growth and Emerging Industries (HGEI) Grants, Extension With no Revisions

**AGENCY:** Employment and Training Administration (ETA), Labor.

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (Department), as part of its continuing

effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the 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 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.

As all of the ARRA HGEI grants will no longer be active once the current OMB-approved collection no. 1205-0478 expires on November 30, 2013, ETA is soliciting comments concerning the collection of data for the active Green Jobs Innovation Fund (GJIF) grants.

**DATES:** Written comments must be submitted to the office listed in the addresses section below on or before October 7, 2013.

**ADDRESSES:** Submit written comments to Sarah Sunderlin, Division of Strategic Investments, Room C4526, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210. Telephone number: 202-693-2963 (this is not a toll-free number). Individuals with hearing or speech impairments may access the telephone number above via TTY by calling the toll-free Federal Information Relay Service at 1-877-889-5627 (TTY/TDD). Fax: 202-693-3890. Email: [green.jobs@dol.gov](mailto:green.jobs@dol.gov). A copy of the proposed information collection request (ICR) can be obtained by contacting the office listed above.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

The American Recovery and Reinvestment Act of 2009 (The Recovery Act) was signed into law by President Obama on February 17, 2009. Funding directed to the Department of Labor from the Recovery Act provided \$750 million for a program of competitive grants for worker training and placement in high growth and emerging industries, which included \$500 million in funding for energy efficiency and renewable energy, often referred to as "green jobs." In the FY 2010 budget, approximately \$40 million in grant funds were authorized by the Workforce Investment Act (WIA) of 1998, Title I, Subtitle D, Section 171(d), Public Law 105-220 for GJIF. With grants funded through GJIF, the Department is emphasizing two key

workforce strategies that move participants along green career pathways by: (1) Forging linkages between Registered Apprenticeship and pre-apprenticeship programs, and/or (2) integrating the delivery of technical and basic skills training through community-based partnerships.

It is critical to record the impact of all these resources, current information on participants in these grants, and the services provided to them. ETA received initial approval for this information collection in June, 2010. The ARRA HGEI grants will all end by November 30, 2013, but to ensure that it can continue to obtain comprehensive information on participants served by and services provided with Federal resources, ETA proposes an extension with no revisions of the existing OMB-approved information collection set #1205-0478 for GJIF grantees.

##### **II. 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.

##### **III. Current Actions**

*Type of Review:* Extension with no revisions.

*Title:* American Recovery and Reinvestment Act (ARRA), High Growth and Emerging Industries (HGEI) Grants.

*OMB Number:* 1205-0478.

*Affected Public:* GJIF Grantees only. All ARRA HGEI grants will have ended prior to the expiration of the current OMB-approved ICR.

*Form(s):* ETA-9153.

*Total Annual Respondents:* 6.

*Annual Frequency:* Quarterly.

*Total Annual Responses:* 24.

*Average Time per Response:* 16 Hours.

*Estimated Total Annual Burden Hours:* 384 Hours.

*Total Annual Burden Cost for Respondents:* \$0.

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

Dated: July 31, 2013.

**Eric M. Seleznow,**

*Acting Assistant Secretary for Employment and Training, Labor.*

[FR Doc. 2013-19116 Filed 8-7-13; 8:45 am]

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## **DEPARTMENT OF LABOR**

### **Employment and Training Administration**

#### **Comment Request for Information Collection for Form ETA 9033, Attestation by Employers Using Alien Crewmembers for Longshore Activities in U.S. Ports and Form ETA 9033-A, Attestation by Employers Using Alien Crewmembers for Longshore Activities in the State of Alaska; Extension With Revisions**

**AGENCY:** Employment and Training Administration (ETA), Labor.

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (Department), as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the 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 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, ETA is soliciting comments concerning the collection of data about Form ETA 9033 *Attestation by Employers Using Alien Crewmembers for Longshore Activities in U.S. Ports* (OMB Control Number 1205-0309), which expires October 31, 2013, and Form ETA 9033A, *Attestation by Employers Using Alien Crewmembers for Longshore Activities in the State of Alaska* (currently under OMB Control Number 1205-0352), which expires October 31, 2014. These forms are used by employers to request permission to use foreign crewmen at U.S. Ports for longshore work.