

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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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. 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