

5 CFR 1320.10. Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the 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 submission of responses.

*Overview of this information collection:*

(1) *Type of Information Collection:* Revision of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Application for Cancellation of Removal for Certain Permanent Residents (42A); Application for Cancellation of Removal and Adjustment of Status for Certain Nonpermanent Residents (42B).

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Numbers: EOIR-42A, EOIR-42B. Executive Office for Immigration Review, United States Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individual aliens determined to be removable from the United States. Other: None. Abstract: This information collection is necessary to determine the statutory eligibility of individual aliens who have been determined to be removable from the United States for cancellation of their removal, as well as to provide information relevant to a favorable exercise of discretion.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* It is estimated that 34,815 respondents will complete the form annually with an average of 5 hours, 50 minutes per response.

(6) *An estimate of the total public burden (in hours) associated with the*

*collection:* There are an estimated 202,971 total annual burden hours associated with this collection.

If additional information is required contact: Jerri Murray, Department Clearance Officer, U.S. Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., Room 3W-1407B, Washington, DC 20530.

Dated: February 26, 2014.

**Jerri Murray,**

*Department Clearance Officer for PRA, United States Department of Justice.*

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**BILLING CODE 4410-30-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging Proposed Consent Decree

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States v. Nally & Hamilton Enterprises, Inc.*, Civil Action No. 6:14-cv-00055-DLB, was lodged with the United States District Court for the Eastern District of Kentucky on March 7, 2014.

This proposed Consent Decree concerns a complaint filed by the United States against Nally & Hamilton Enterprises, Inc., pursuant to Section 309 of the Clean Water Act, 33 U.S.C. 1319, to obtain injunctive relief from and impose civil penalties against the Defendant for violating the Clean Water Act by discharging pollutants without a permit into waters of the United States. The proposed Consent Decree resolves these allegations by requiring the Defendant to restore the impacted areas and perform mitigation and to pay a civil penalty.

The Department of Justice will accept written comments relating to this proposed Consent Decree for thirty (30) days from the date of publication of this Notice. Please address comments to Leslie M. Hill, United States Department of Justice, Environment and Natural Resources Division, Post Office Box 7611, Washington, DC 20044-7611 and refer to *United States v. Nally & Hamilton Enterprises, Inc.*, DJ # 90-5-1-1-18987.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the Eastern District of Kentucky, 35 West 5th Street, Covington, Kentucky 41012. In addition, the proposed Consent Decree may be examined electronically at [http://www.justice.gov/enrd/Consent\\_Decrees.html](http://www.justice.gov/enrd/Consent_Decrees.html).

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**Cherie L. Rogers,**

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

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Modification To Consent Decree With Dairyland Power Cooperative Under the Clean Air Act

On March 10, 2014, the Department of Justice lodged a proposed modification to a Consent Decree with the United States District Court for the Western District of Wisconsin in the lawsuit entitled *United States of America v. Dairyland Power Cooperative*, Civ. Action No. 12-cv-462 (W.D. Wis.). The Consent Decree was entered in August 2012, and resolved the United States' claims in Case. No. 12-cv-462, as well as similar claims brought by the Sierra Club in related litigation in *Sierra Club v. Dairyland Power Coop.*, Civ. Action No. 10-cv-303-bbc.

The original Consent Decree resolved Clean Air Act New Source Review and Title V violations at two coal-fired power plants owned and operated by Dairyland Power Cooperative ("DPC"). See 77 FR 39,737 (July 5, 2012). Both plants are located in Wisconsin: The Alma/J.P. Madgett plant in Buffalo County, and the Genoa plant in Vernon County. The proposed modification would extend by eight months the time for Dairyland to comply with the Consent Decree's 30-day rolling average sulfur dioxide emission rate for one of the units at the Alma/J.P. Madgett plant. The extension relates to permitting delays encountered by Dairyland during the construction of Decree-mandated pollution controls. The proposed modification also would require Dairyland to offset additional emissions caused by the delay by reducing overall pollution from the Alma/J.P. Madgett plant beyond the levels required by the original Consent Decree.

The publication of this notice opens a period for public comment on the proposed modification to the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Dairyland Power Cooperative*, Civ. Action No. 12-cv-462 (W.D. Wis.), D.J. Ref. 90-5-2-1-10163. All comments must be submitted no later than thirty (30) days after the