

to the lineal descendants, Indian Tribes, or Native Hawaiian organizations stated in this notice may proceed.

DATES: Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request with information in support of the claim to Tuzigoot National Monument at the address in this notice by April 18, 2022.

FOR FURTHER INFORMATION CONTACT: Lloyd Masayumtewa, Superintendent, Tuzigoot National Monument, P.O. Box 219, Camp Verde, AZ 86322, telephone (928) 567-5276, email Lloyd_Masayumtewa@nps.gov.

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent to repatriate cultural items under the control of the U.S. Department of the Interior, National Park Service, Tuzigoot National Monument, Clarkdale, AZ, that meet the definition of unassociated funerary objects under 25 U.S.C. 3001.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the Superintendent, Tuzigoot National Monument.

This notice corrects the number of unassociated funerary objects published in a Notice of Intent to Repatriate in the **Federal Register** on June 25, 2021 (86 FR 33736-33737, June 25, 2021). During preparation for repatriation, it was discovered that two objects had been inadvertently omitted from the published notice. Transfer of control of the items in this correction notice has not occurred.

Correction

In the **Federal Register** (86 FR 33736, June 25, 2021), column 3, paragraph 6 under the heading "History and Description of the Cultural Items," is corrected by substituting the following paragraph:

Between 1933-1934, 18 cultural items were removed from Hatalacva Pueblo in Yavapai County, AZ. The 18 unassociated funerary objects are 14 bowls, one pendant, one cup, one necklace, and one awl.

In the **Federal Register** (86 FR 33737, June 25, 2021), column 1, paragraph 1 is corrected by substituting the following paragraph:

Between 1933-1934, 7,172 cultural items were removed from Tuzigoot Pueblo in Yavapai County, AZ. The

7,172 unassociated funerary objects are one bow, two basketry fragments, one spindle whorl, two axes, one crystal, one prayer stick, 19 dendrochronology samples, 14 jars, 84 bowls, four miniature bowls, four pitchers, four ladles, one miniature jar, 6,969 beads, 12 pendants, 19 bracelets, three unworked shells, eight projectile points, six necklaces, five rings, four worked shells, one worked sherd, two worked bones, two drills, two unworked bones, and one pigment.

In the **Federal Register** (86 FR 33737, June 25, 2021), column 2, paragraphs 1 and 2 are corrected by substituting the following paragraphs:

Pursuant to 25 U.S.C. 3001(3)(B), the 8,086 cultural items described above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony and are believed, by a preponderance of the evidence, to have been removed from a specific burial site of a Native American individual.

Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the 8,086 unassociated funerary objects and the Hopi Tribe of Arizona.

Additional Requestors and Disposition

Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request with information in support of the claim to Lloyd Masayumtewa, Superintendent, Tuzigoot National Monument, P.O. Box 219, Camp Verde, AZ 86322, telephone (928) 567-5276, email Lloyd_Masayumtewa@nps.gov, by April 18, 2022. After that date, if no additional claimants have come forward, transfer of control of the unassociated funerary objects to the Hopi Tribe of Arizona may proceed.

The U.S. Department of the Interior, National Park Service, Tuzigoot National Monument is responsible for notifying the Ak-Chin Indian Community [*previously* listed as the Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona]; Fort McDowell Yavapai Nation, Arizona; Gila River Indian Community of the Gila River Indian Reservation, Arizona; Hopi Tribe of Arizona; Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona; Tohono O'odham Nation of Arizona; Yavapai-Apache Nation of the Camp Verde Indian Reservation, Arizona; Yavapai-Prescott Indian Tribe [*previously* listed as Yavapai-Prescott Tribe of the Yavapai

Reservation, Arizona]; and the Zuni Tribe of the Zuni Reservation, New Mexico that this notice has been published.

Dated: March 9, 2022.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2022-05628 Filed 3-16-22; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

[S1D1S SS08011000 SX064A000
222S180110; S2D2S SS08011000
SX064A000 22XS501520]

Notice of Intent To Prepare an Environmental Impact Statement for Navajo Transitional Energy Company's Spring Creek Mine Federal Mining Plan Modification for Federal Coal Lease MTM-94378

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

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: The Office of Surface Mining Reclamation and Enforcement (OSMRE) is publishing this notice to announce that, consistent with direction from the U.S. District Court of Montana, it will prepare an Environmental Impact Statement (EIS) for Navajo Transitional Energy Company's (NTEC) Federal mining plan modification for Federal Coal Lease MTM-94378 (the Project). With this notice, OSMRE also announces that it will hold a public scoping meeting, including a 30-day public scoping period to receive comments on the environmental issues that OSMRE should analyze in this EIS. The Spring Creek Mine (SCM) is located in Big Horn County, Montana, approximately 32 miles from Sheridan, Wyoming. The SCM started operation in 1974 and is expected to continue to operate until at least 2025 under the current approved mining plan. The proposed Project would allow 184.1 acres of additional surface disturbance and recovery of an additional 51.5 million tons (Mt) of Federal coal. Under the proposed Project, SCM would continue to mine approximately 13-18 million tons per year (Mtpy) and the production would extend for an additional 3-4 years, depending on production rates. OSMRE plans to analyze the environmental effects of an annual production rate of 18 Mtpy for 4 additional years of production, which is the maximum estimated future annual production rate. This rate is below the

maximum permitted production rate of 30 Mtpy established by the Montana Department of Environmental Quality (MDEQ)-Air Quality Division (AQD) Air Quality Permit MAQP #1120-12.

DATES: OSMRE requests comments concerning the scope of the analysis in the EIS, and identification of relevant information, studies, and analyses. All comments must be received April 18, 2022. The public scoping meeting will be held via Zoom from 4:00–6:00 p.m. MST on March 31, 2022. Please register to attend and provide verbal comments during the Zoom public scoping meeting at the following address: (<https://www.osmre.gov/laws-and-regulations/nepa/projects>). There will also be a telephone number provided upon registration.

ADDRESSES:

You may submit comments related to the Project by any of the following methods:

- *Email:* SCM_LBA1_EIS@wwcengineering.com.
- *Mail:* ATTN: Spring Creek Mining Plan Modification EIS, C/O: Logan Sholar, OSMRE Western Regions 5, 7–11, P.O. Box 25065, Lakewood, CO 80225-0065.

FOR FURTHER INFORMATION CONTACT:

Logan Sholar, NEPA Project Manager; telephone (303) 236-6038; email: lsholar@osmre.gov or at the address and email provided in the **ADDRESSES** section.

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern Time, Monday through Friday.

SUPPLEMENTARY INFORMATION: OSMRE Regions 5, 7–11 will prepare an EIS for SCM's mining plan modification to address issues identified by the U.S. District Court for the District of Montana (the Court) in a 2021 ruling related to the environmental analysis previously prepared by OSMRE for Federal Coal Lease MTM 94378. In accordance with the Mineral Leasing Act of 1920, the Department of the Interior Assistant Secretary for Land and Minerals Management (ASLM) must approve, disapprove, or approve the Project with conditions because the Project contains leased Federal coal. The SCM is operated by NTEC under State Mine Permit C1979012, issued by MDEQ, in accordance with its regulatory authority.

On February 3, 2021, the Court held that OSMRE failed to adequately examine the impacts of coal transportation, non-greenhouse gas emissions, and greenhouse gas emissions in preparing their 2012

Environmental Assessment and recommending approval of the mining plan modification for Federal Coal Lease MTM-94378. The Court deferred vacatur of the mining plan modification decision for 240 days and is allowing OSMRE to conduct remedial NEPA analysis. On August 5, 2021, OSMRE notified the Court that it would prepare an EIS and requested an extension of the deferred vacatur until April 1, 2023, which the Court granted.

Purpose and Need for the Proposed Action:

The purpose of this EIS is to respond to the Court's ruling and analyze the effects of coal transportation and greenhouse and non-greenhouse gas emissions resulting from the proposed Project. The EIS will also consider any new information available in analyzing potential impacts to other resources in the environment that could result from the Project.

The Project is needed to allow NTEC, the current mine operator, the opportunity to exercise its valid existing rights for Federal Coal Lease MTM-94378 granted by the Bureau of Land Management.

Preliminary Proposed Project

The proposed Project would allow 184.1 acres of additional surface disturbance and recovery of an additional 51.5 Mt of federal coal. SCM started operation in 1974 and is expected to continue to operate until approximately 2025 under the current, approved mining plan. The proposed Project would extend the life of the mine for 3–4 years, allowing an additional 13–18 Mtpy, depending on production rates.

Summary of Expected Impacts

The Agency has completed internal scoping and identified preliminary analysis issues that will be evaluated in the EIS. Reasonably foreseeable effects of mining Federal coal will be evaluated for the following resources:

- Air Quality (measured as concentration of criteria air pollutants regulated under the National Ambient Air Quality Standards, Hazardous Air Pollutants, and Air Quality Related Values such as visibility (haze) and atmospheric deposition)
- Combustion of greenhouse gases as it relates to climate change measured in terms of carbon dioxide equivalent for both 20-year and 100-year global warming potentials
- Surface water and groundwater quality and quantity
- Socio-economic effects, including changes to state and local taxes, royalties, fees, lease bids and bonuses,

as well as payroll benefits as well as effects to Environmental Justice populations

- Federally listed threatened/endangered species
- Geology
- Soils
- Cultural Resources
- Visual Resources
- Wildlife

Anticipated Permits and Authorizations

None at this time.

Schedule for the Decision-Making Process

The Department plans to issue the Record of Decision on or before April 1, 2023.

Public Scoping Process

All public scoping comments must be submitted by email or by mail to the addresses listed under **ADDRESSES**. 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 public at any time. While you may request in your comment to withhold your personal identifying information from public review, OSMRE cannot guarantee that this will occur.

The Project web page located at (<https://www.osmre.gov/laws-and-regulations/nepa/projects>) will include the description of the Project as submitted by NTEC, a map of the proposed mining plan modification, and information about how to submit public comment on issues or concerns related to the Project.

OSMRE will review and consider all public scoping comments received and prepare a Scoping Summary Report. The Scoping Summary Report will be used by OSMRE to identify issues to be included in the EIS analysis, resources and issues that can be dismissed from detailed analysis because they are not present or not affected by the Project, and potential alternatives to be analyzed.

Request for Identification of Potential Alternatives, Information, and Analyses Relevant to the Proposed Action

In addition to comments concerning the scope of the EIS analysis, commenters are encouraged to identify relevant information, studies, and analyses that would assist the Department in making its decision and identify potential alternatives to the Project.

Lead and Cooperating Agencies

OSMRE is the lead agency for this EIS. The BLM and MDEQ have been invited to be cooperating agencies on the OSMRE EIS. Other federal agencies, state, tribal, and local governments with jurisdiction by law or special expertise that are interested in participating in the preparation of this EIS should contact the above mentioned NEPA Project Manager.

Decision Maker

Assistant Secretary for Lands and Minerals Management.

Nature of Decision To Be Made

Informed by the EIS analysis, OSMRE will make a recommendation to the ASLM to approve, disapprove, or approve with conditions the mining plan modification for Federal Coal Lease MTM-94378. The ASLM will consider OSMRE's recommendation when deciding to approve, disapprove, or approve with conditions the mining plan modification for Federal Coal Lease MTM-94378. OSMRE's recommendation to the ASLM is based, at a minimum, on the documentation specified at 30 CFR 746.13.

David Berry,

Regional Director, Interior Regions 5, 7-11.

[FR Doc. 2022-05623 Filed 3-16-22; 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

On March 3, 2022, the Department of Justice lodged a proposed consent decree with the United States District Court for the Northern District of Indiana in the lawsuit entitled *United States and State of Indiana v. Northern Indiana Public Service Company, LLC*, Civil Action No. 2:22-cv-48.

The United States and the State of Indiana (the "State") filed a complaint in this lawsuit under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The United States and the State's complaint names Northern Indiana Public Service Company, LLC ("NIPSCO"), as the defendant. The complaint requests recovery of costs that the United States and the State incurred responding to releases of hazardous substances at the Town of Pines Superfund Site ("the "Site") in Porter County, Indiana. The complaint

also seeks injunctive relief. The United States, the State, and NIPSCO signed the consent decree to resolve the claims in the complaint. NIPSCO agrees to pay \$619,632.16 of the United States' response costs already incurred, to pay for the United States' and the State's costs to be incurred, and to perform the remedial action that EPA selected for the Operable Unit 2 portion of the Site at an estimated cost of \$11.8 million. In return, the United States and the State of Indiana agree not to sue the defendant under sections 106 and 107 of CERCLA for work done under the consent decree and for Past Response Costs and Future Response Costs as defined by the decree.

The publication of this 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 and State of Indiana v. Northern Indiana Public Service Company*, D.J. Ref. No. 90-11-3-12060. 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 website: <https://www.justice.gov/enrd/consent-decrees>. 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 \$53 (25 cents per page reproduction cost) payable to the United States Treasury. For a paper copy without the appendices, the cost is \$13.

Patricia Mckenna,

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

[FR Doc. 2022-05579 Filed 3-16-22; 8:45 am]

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DEPARTMENT OF LABOR

Employee Benefits Security Administration

Agency Information Collection Activities; Request for Public Comment

AGENCY: Employee Benefits Security Administration (EBSA), Department of Labor.

ACTION: Notice.

SUMMARY: The Department of Labor (the Department), in accordance with the Paperwork Reduction Act, provides the general public and Federal agencies with an opportunity to comment on proposed and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. The Employee Benefits Security Administration (EBSA) is soliciting comments on the proposed extension of the information collection requests (ICRs) contained in the documents described below. A copy of the ICRs may be obtained by contacting the office listed in the **ADDRESSES** section of this notice. ICRs also are available at [reginfo.gov \(http://www.reginfo.gov/public/do/PRAMain\)](http://www.reginfo.gov/public/do/PRAMain).

DATES: Written comments must be submitted to the office shown in the **ADDRESSES** section on or before May 16, 2022.

ADDRESSES: James Butikofer, Department of Labor, Employee Benefits Security Administration, 200 Constitution Avenue NW, Room N-5718, Washington, DC 20210, or ebbsa.opr@dol.gov.

SUPPLEMENTARY INFORMATION:

I. Current Actions

This notice requests public comment on the Department's request for extension of the Office of Management and Budget's (OMB) approval of ICRs contained in the rules and prohibited transaction exemptions described below. The Department is not proposing any changes to the existing ICRs at this time. An agency may not conduct or sponsor, and a person is not required to respond to, an information collection unless it displays a valid OMB control number. A summary of the ICRs and the current burden estimates follows:

Agency: Employee Benefits Security Administration, Department of Labor.