

*collection*: Form Number: ATF Form 3311.4. Component: Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Department of Justice.

4. *Affected public who will be asked or required to respond, as well as a brief abstract*: Affected Public: Private Sector—for or not for profit institutions, Federal Government. Abstract: ATF Form 3311.4 provides a uniform mean for industry members with a valid Federal importer or manufacturer license, to request firearms marking variance.

5. *Obligation to Respond*: Required to obtain or retain a benefit.

6. *Total Estimated Number of Respondents*: 2,064.

7. *Estimated Time per Respondent*: 30 minutes.

8. *Frequency*: Once annually.

9. *Total Estimated Annual Time Burden*: 1,032 hours.

10. *Total Estimated Annual Other Costs Burden*: The cost burden for this portion of the collection is \$485. However, if respondents choose to submit ATF Form 3311.4 by email or fax the cost will be reduced.

*If additional information is required, contact*: Darwin Arceo, Department Clearance Officer, Policy and Planning Staff, Justice Management Division, United States Department of Justice, Two Constitution Square, 145 N Street NE, 4W-218 Washington, DC 20530.

Dated: July 12, 2023.

**Darwin Arceo**,

*Department Clearance Officer for PRA, U.S. Department of Justice.*

[FR Doc. 2023-15069 Filed 7-14-23; 8:45 am]

**BILLING CODE 4410-14-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Consent Decree Under the Resource Conservation and Recovery Act, the Clean Air Act, the Comprehensive Environmental Response, Compensation, and Liability Act, and the Emergency Planning and Community Right-To-Know Act

On July 11, 2023, the Department of Justice lodged a proposed consent decree with the United States District Court for the District of Wyoming in the lawsuit entitled *United States of America v. J.R. Simplot Company*, Civil Action No. 1:23-cv-322. If approved by the court, the consent decree would resolve the claims of the United States against J.R. Simplot Company (Simplot) for injunctive relief and civil penalties for alleged violations of the Resource Conservation and Recovery Act (RCRA); for injunctive relief and civil penalties

for alleged violations of the Clean Air Act (CAA); and for civil penalties for alleged violations of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Emergency Planning And Community Right-To-Know Act (EPCRA), at Simplot's phosphoric acid and fertilizer manufacturing plant located near Pocatello, Idaho, known as the Don Plant. The consent decree would require Simplot to (1) implement compliance projects at the Don Plant; (2) comply with specified requirements for management of wastes or other materials at the facility and in the facility's phosphogypsum stack system, (3) comply with specified requirements for the eventual closure and long-term care of the facility, and provide financial assurance to cover the estimated cost of such obligations; and (4) continue groundwater and surface monitoring and reporting—monitoring and reporting that is currently required by a prior CERCLA consent decree under which Simplot also is required to implement remedial measures to address the release of hazardous substances into the environment as a result of past operations at the facility; and (5) comply with specified operational practices for air emissions controls, and replace the existing cooling towers by June 2026 with cooling pond(s) to reduce fluoride emissions into the air from the Don Plant, subject to a contingency that, if applicable, alternatively requires implementation of an EPA-approved plant to reduce fluoride emissions to the greatest extent practicable. The consent decree would also require Simplot to revise the annual Toxic Chemical Release Inventory Reporting Forms it submitted under EPCRA for years 2004–2012 to include estimates of compounds that previously were not included in those reports. In addition, the consent decree would require Simplot to pay a civil penalty of \$1.5 million. In return for Simplot's compliance with these requirements, the consent decree would resolve past RCRA, CAA, CERCLA, and EPCRA violations at the Don Plant that the United States' complaint alleges. Provided that Simplot remains in compliance with consent decree's requirements for the management of wastes or other materials, under the consent decree the United States would also covenant not to sue Simplot under RCRA for its management of wastes or other materials at the Don Plant facility.

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 of America v. J.R. Simplot Company*, D.J. Ref. No. 90-7-1-08388/23. 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: <http://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 \$127.25 (25 cents per page reproduction cost) payable to the United States Treasury. For a paper copy without the Appendices and signature pages, the cost is \$18.25.

**Kathryn C. Macdonald**,

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

[FR Doc. 2023-15046 Filed 7-14-23; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

[Application Number L-11989]

### Proposed Exemption for Certain Prohibited Transactions Involving the Association of Washington Business (AWB) HealthChoice Employee Benefits Trust Located in Olympia, Washington

**AGENCY**: Employee Benefits Security Administration, Labor.

**ACTION**: Notice of proposed exemption; extension of comment period.

**SUMMARY**: The Department of Labor (the Department) is extending the comment period for the proposed individual exemption for certain prohibited transactions involving the Association

of Washington Business (AWB) HealthChoice Employee Benefits Trust (the proposed exemption). As discussed in the **DATES** section below, the Department is extending the comment period through August 14, 2023.

**DATES:** Written comments and requests for a public hearing on the proposed exemption must be received by the Department by August 14, 2023.

**ADDRESSES:** All written comments and requests for a hearing should be sent to the Employee Benefits Security Administration (EBSA), Office of Exemption Determinations, Attention: Application No. L-11989 via email to [OED@dol.gov](mailto:OED@dol.gov) or online through <https://www.regulations.gov>. Any such comments or requests should be sent by the end of the scheduled comment period. The application for the exemption and the comments received will be available for public inspection in the Public Disclosure Room of the Employee Benefits Security Administration, U.S. Department of Labor, Room N-1515, 200 Constitution Avenue NW, Washington, DC 20210. Comments and hearing requests will also be available online at <https://www.regulations.gov> at no charge. See **SUPPLEMENTARY INFORMATION** below for additional information regarding comments.

**FOR FURTHER INFORMATION CONTACT:** Susan Wilker, Office of Exemption Determinations, Employee Benefits Security Administration, U.S. Department of Labor, (202) 693-8557 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:** On June 14, 2023, the Department published the proposed exemption in the **Federal Register** (87 FR 14197). The proposal established a July 31, 2023, deadline for the public to submit comments. The Department has been informed that AWB had to redistribute its notice to interested parties package due to an incomplete first distribution. Therefore, the Department is extending the proposed exemption's comment period until August 14, 2023, to provide additional time for interested parties to prepare and submit their comments.

Persons are encouraged to submit all comments electronically and not to send paper copies. Comments should state the nature of the person's interest in the proposed exemption and how the person would be adversely affected by the exemption, if granted. Any person who may be adversely affected by an exemption can request a hearing on the exemption. A request for a hearing must state: (1) The name, address, telephone number, and email address of the person making the request; (2) the

nature of the person's interest in the exemption and the manner in which the person would be adversely affected by the exemption; and (3) a statement of the issues to be addressed and a general description of the evidence to be presented at the hearing. The Department will grant a request for a hearing made in accordance with the requirements above where a hearing is necessary to fully explore material factual issues identified by the person requesting the hearing. A notice of such hearing shall be published by the Department in the **Federal Register**. The Department may decline to hold a hearing if: (1) the request for the hearing does not meet the requirements above; (2) the only issues identified for exploration at the hearing are matters of law; or (3) the factual issues identified can be fully explored through the submission of evidence in written (including electronic) form.

**Warning:** All comments received will be included in the public record without change and may be made available online at <https://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be confidential or other information whose disclosure is restricted by statute. If you submit a comment, EBSA recommends that you include your name and other contact information in the body of your comment, but DO NOT submit information that you consider to be confidential, or otherwise protected (such as a Social Security number or an unlisted phone number) or confidential business information that you do not want publicly disclosed. However, if EBSA cannot read your comment due to technical difficulties and cannot contact you for clarification, EBSA might not be able to consider your comment.

Additionally, the <https://www.regulations.gov> website is an "anonymous access" system, which means EBSA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email directly to EBSA without going through <https://www.regulations.gov>, your email address will be automatically captured and included as part of the comment that is placed in the public record and made available on the internet.

Signed at Washington, DC.

**George Christopher Cosby,**  
Director, Office of Exemption Determinations,  
Employee Benefits Security Administration,  
U.S. Department of Labor.

[FR Doc. 2023-15018 Filed 7-14-23; 8:45 am]

**BILLING CODE 4510-29-P**

## DEPARTMENT OF LABOR

### Agency Information Collection Activities; Submission for OMB Review; Comment Request; Loans to Plan Participants and Beneficiaries Who Are Parties in Interest With Respect to the Plan Regulation

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** The Department of Labor (DOL) is submitting this Employee Benefits Security Administration (EBSA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

**DATES:** The OMB will consider all written comments that the agency receives on or before August 16, 2023.

**ADDRESSES:** Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

*Comments are invited on:* (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

**FOR FURTHER INFORMATION CONTACT:** Nicole Bouchet by telephone at 202-693-0213, or by email at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

**SUPPLEMENTARY INFORMATION:** The collected information will be used by plan participants and beneficiaries wishing to obtain plan loans. It also will be used by plan administrators in administering their plans' loan program. The Department also will use the information in any enforcement proceedings regarding plan loans. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on February 8, 2023 (88 FR 8317).