

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)

Notice is hereby given that on March 28, 2008, a proposed Consent Decree in *United States v. Atlanta Gas Light Company, et al.*, Civil Action No. 6:08-cv-00442-ACC-GJK (M.D. Fla.), was lodged with the United States District Court for the Middle District of Florida. The proposed Consent Decree resolves the United States' claims against: Atlanta Gas Light Company; City of Sanford; Florida Power & Light Company; Florida Power Corporation; and Florida Public Utilities Company (collectively the "Settling Defendants"), for cost recovery and injunctive relief under Sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, relating to the release or threatened release of hazardous substances into the environment at or from the Sanford Gasification Plant Superfund Alternative Site ("Site") located in Sanford, Seminole County, Florida.

The Consent Decree requires Settling Defendants to undertake the remedial action selected by the United States Environmental Protection Agency for the Site and to reimburse the United States for all of the government's past cost and future oversight cost incurred or to be incurred, plus interest, in connection with the remedial action at the Site. The estimated value of the cash payments and work performed by the Settling Defendants that the United States will receive under the terms of the Consent Decree is \$12,703,224.58.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to pubcomment-ees.enrd@usdoj.gov or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Atlanta Gas Light Company, et al.*, D.J. Ref. 90-11-2-07157.

The proposed Consent Decree may be examined at the United States Attorney's Office, 500 W. Church Street, Suite 300, Orlando, FL 32805, and the United States Environmental Protection Agency, Region 4, 61 Forsyth Street, Atlanta, GA 30303. During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site, http://www.usdoj.gov/enrd/Consent_Decrees.html. A copy of the proposed Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood (tonia.fleetwood@usdoj.gov), fax no. (202) 514-0097, phone confirmation no. (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$13.75 (25 cents per page reproduction cost) for a copy exclusive of appendices, or \$110.75 (25 cents per page reproduction cost) for a copy including appendices payable to the "U.S. Treasury" or, if by e-mail or fax, forward a check in that amount to the Consent Decree Library at the stated address.

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Henry S. Friedman,

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

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DEPARTMENT OF LABOR

Employee Benefits Security Administration**Proposed Extension of Information Collection Request Submitted for Public Comment; Procedure for Application for Exemption From the Prohibited Transaction Provisions of Section 408(a) of the Employee Retirement Security Act (ERISA)**

AGENCY: Employee Benefits Security Administration, Department of Labor.

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA 95). This program helps to 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, the Employee Benefits Security Administration is soliciting comments on the proposed extension of the information collection provisions included in the procedure for

applications for exemption from the prohibited transaction provisions of section 408(a) of the Employee Retirement Income Security Act of 1974 (ERISA) (29 CFR 2570.30, *et seq.*). A copy of the information collection request (ICR) can be obtained by contacting the individual shown in the **ADDRESSES** section of this notice or at <http://www.RegInfo.gov>.

DATES: Written comments must be submitted to the office shown in the **ADDRESSES** section on or before June 2, 2008.

ADDRESSES: G. Christopher Cosby, Department of Labor, Employee Benefits Security Administration, 200 Constitution Avenue, NW., Washington, DC 20210, (202) 693-8410, Fax (202) 693-4745 (these are not toll-free numbers).

SUPPLEMENTARY INFORMATION:**I. Background**

Section 408(a) of ERISA provides that the Secretary may grant exemptions from the prohibited transaction provisions of sections 406 and 407(a) of ERISA and directs the Secretary to establish an exemption procedure with respect to such provisions. In this regard, the Department previously issued a regulation which describes the procedures that must be followed in filing for such exemptions (29 CFR 2570.30 *et seq.*). Under section 408(a) of ERISA, in order for the Secretary to grant an exemption, it must be determined that such exemption is "(1) Administratively feasible; (2) in the interests of the plan and its participants and beneficiaries; and (3) protective of the rights of participants and beneficiaries." In order to make such determination, the Department requires full information regarding all aspects of the transaction, including the specific circumstances surrounding the transaction, and the parties and assets involved. Thus, sections 2570.34 and 2570.35 of the exemption procedures regulation lists the information that must be supplied by the applicant. This information includes: Identifying information (name, type of plan, EIN number, etc.); an estimate of the number of plan participants; a detailed description of the transaction and the parties for which an exemption is requested; statements regarding what section of ERISA is thought to be in violation and whether the transaction(s) involved have already been entered into; a statement of whether the transaction is customary in the industry; a statement of the hardship or economic loss, if any, which would result if the exemption were denied; a statement

explaining why the proposed exemption would be administratively feasible, in the interests of the plan and protective of the rights of plan participants and beneficiaries; and several other statements. In addition, the applicant must certify that the information supplied is accurate and complete.

Section 408(a) of ERISA requires that before granting an exemption from 406(a) the Secretary "shall require that adequate notice be given to interested parties, and shall afford interested persons opportunity to present views." Thus, section 2570.43 of the exemption procedures regulation requires that the applicant for an exemption provide interested persons with a copy of the **Federal Register** notice containing the proposed exemption and a statement which informs them of their right to comment on the proposed exemption.

II. Review Focus

The Department of Labor (Department) is particularly interested in comments that:

- 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

The Office of Management and Budget's (OMB) approval of this ICR will expire on July 31, 2008. After considering comments received in response to this notice, the Department intends to submit the ICR to OMB for continuing approval. No change to the existing ICR is proposed or made at this time.

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

Agency: Employee Benefits Security Administration, Department of Labor.

Title: Procedure for Application for Prohibited Transaction Exemption Regulation pursuant to 29 CFR 2570.30, *et seq.*

Type of Review: Extension of a currently approved collection of information.

OMB Number: 1210-0060.

Affected Public: Individuals or households; business or other for-profit; not-for-profit institutions.

Respondents: 84.

Responses: 143.

Average Response time: 25 hours.

Estimated Total Burden Hours: 0.

Estimated Total Burden Dollars: \$373,000.

Joseph S. Piacentini,

*Director, Office of Policy and Research,
Employee Benefits Security Administration.*
[FR Doc. E8-6767 Filed 4-1-08; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

Proposed Information Collection Request for the Unemployment Insurance (UI) State Quality Service Plan (SQSP); Comment Request

AGENCY: Employment and Training Administration, Department of Labor.

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with a provision of the Paperwork Reduction Act of 1995 at 44 U.S.C. 3506(c)(2)(A). This program helps to 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, the Employment and Training Administration (ETA) is soliciting comments concerning the proposed extension of the State Quality Service Plan (SQSP).

Guidelines for completion and submittal of the SQSP are contained in ETA Handbook 336, 18th Edition. Fiscal year-specific information such as DOL's strategic goals and program areas that warrant special attention will be provided in an advisory that will

initiate the planning process each year. The requirements of the reporting and data collection process itself remain unchanged from year to year.

Copies of the SQSP Handbook may be obtained by contacting the addressee below. The Handbook is also available electronically at <http://www.workforcesecurity.doleta.gov>.

A copy of the proposed information collection request (ICR) can be obtained by contacting the office listed below in the addressee section of this notice or by accessing: <http://www.doleta.gov/OMBCN/OMBControlNumber.cfm>.

DATES: Submit comments to the office listed in the addressee section below on or before June 2, 2008.

ADDRESSES: Submit comments to Delores A. Mackall, Office of Workforce Security, Employment and Training Administration, U.S. Department of Labor, Room S-4231, 200 Constitution Avenue, NW., Washington, DC 20210; telephone: 202-693-3183 (this is not a toll-free number), fax: 202-693-3975 or by e-mail: mackall.delores@dol.gov.

SUPPLEMENTARY INFORMATION:

I. Background: As part of UI Performs, a comprehensive performance management system implemented in 1995 for the UI program, SQSP is the principal vehicle that state UI agencies use to plan, record and manage program improvement efforts as they strive for excellence in service. The SQSP which serves as the State Plan for the UI program is also the grant agreement. The statutory basis for the SQSP is Title III, section 302 of the Social Security Act, which authorizes the Secretary of Labor to provide funds to administer the UI programs, and sections 303(a)(8) and (9) which govern the expenditures of those funds. The SQSP represents an approach to tie program performance with the budget and planning process.

II. Desired Focus of Comments:

Currently, the Department of Labor is soliciting comments concerning the proposed extension collection of the UI SQSP. 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