

- 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 submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Request to the Attorney General for Assumption of Concurrent Federal Criminal Jurisdiction.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* No form. *Component:* Office of Tribal Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* *Primary:* Tribal governments. *Other:* None.

Abstract: The Department of Justice is publishing a proposed rule to establish the procedures for an Indian tribe whose Indian country is subject to State criminal jurisdiction under Public Law 280 (18 U.S.C. 1162(a)) to request that the United States accept concurrent criminal jurisdiction within the tribe's Indian country, and for the Attorney General to decide whether to consent to such a request. The purpose of the collection is to provide information from the requesting tribe sufficient for the Attorney General to make a decision whether to consent to the request.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* Fewer than 350 respondents; 80 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* There are an estimated 28,000 annual total burden hours associated with this collection.

Fewer than 350 Indian tribes are eligible for the assumption of

concurrent criminal jurisdiction by the United States. The Department of Justice does not know how many eligible tribes will, in fact, make such a request. The information collection will require Indian tribes seeking assumption of concurrent criminal jurisdiction by the United States to provide certain information relating to public safety within the Indian country of the tribe.

If additional information is required, contact: Jerri Murray, Department Clearance Officer, Policy and Planning Staff, Justice Management Division, U.S. Department of Justice, Two Constitution Square, 145 N Street NE., Suite 2E-508, Washington, DC 20530.

Jerri Murray,

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

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DEPARTMENT OF JUSTICE

Notice of Lodging of Third Amendment to Consent Decree Under the Clean Air Act

Under 28 U.S.C. 50.7, notice is hereby given that on February 28, 2012, a proposed Third Amendment to the Consent Decree entered in the case of *United States, et al. v. ConocoPhillips Company*, Civil Action No. H-05-0258, was lodged with the United States District Court for the Southern District of Texas.

Under the original Consent Decree, ConocoPhillips Company ("COPC") agreed to implement innovative pollution control technologies to reduce emissions of nitrogen oxides, sulfur dioxide, and particulate matter from refinery process units at nine refineries owned and operated by COPC. COPC also agreed to adopt facility-wide enhanced benzene waste monitoring and fugitive emission control programs. Subsequently, the Court entered First and Second Amendments to the Consent Decree and a new owner (WRB Refining) of two of the refineries—the Wood River and Borger Refineries—was added as a defendant. COPC remained a defendant with respect to those two refineries because it continued to operate them.

COPC still is obligated to comply with the Consent Decree as amended. However, under the Third Amendment, COPC will undertake a demonstration project and emissions tests at a recently installed delayed coking unit at its Wood River Refinery in order to enable the parties to establish new limits and controls for the coke drum steam vents and coker quench water tank. COPC also

will pay civil penalties of \$249,000, \$98,500, and \$21,000 to resolve alleged Benzene Waste Operations NESHAP ("BWON") violations at its Borger, Trainer, and Wood River Refineries, respectively. In addition, for the resolution of the BWON claims at its Wood River Refinery, COPC will perform a Supplemental Environmental Project valued at \$77,000 to retrofit diesel school buses with pollution controls. Finally, several minor and non-material modifications are included in the Third Amendment.

In the Third Amendment, the United States is joined by all Co-Plaintiffs to the original Consent Decree: the State of Illinois, the State of Louisiana, the State of New Jersey, the Commonwealth of Pennsylvania, and the Northwest Clean Air Agency in the State of Washington.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Third Amendment. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either 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, et al. v. ConocoPhillips Company*, D. J. Ref. No. 90-5-2-1-06722/1.

During the public comment period, the Third Amendment may be examined on the following Department of Justice Web site: http://www.usdoj.gov/enrd/Consent_Decrees.html. A copy of the Third Amendment 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 emailing a request to "Consent Decree Copy" (EESDCopy.ENRD@usdoj.gov), fax number (202) 514-0097; phone confirmation number (202) 514-5271. If requesting a copy from the Consent Decree Library by mail, please enclose a check in the amount of \$13.75 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if requesting by email or fax, forward a check in that amount to the Consent Decree Library at the address given above.

Robert D. Brook,

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

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