

Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9606 and 9607, with respect to the Beede Waste Oil Superfund Site in Plaistow, New Hampshire. Pursuant to the Consent Decree, Davenport—a *de minimis* party at the Site—will pay \$120,000.00 toward financing the work at the Site.

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 emailed to [pubcomment-ees.enrd@usdoj.gov](mailto: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. Davenport Realty Trust, et al.*, Civil Action No. 1:07-cv-00010-PB, D.J. Ref. 90-11-3-07039/9. Commenters may request an opportunity for a public meeting in the affected area, in accordance with Section 7003(d) of RCRA, 42 U.S.C. § 6973(d).

The proposed Consent Decree may be examined at the Office of the United States Attorney, District of New Hampshire, 53 Pleasant Street, Concord, New Hampshire 03301, and at the United States Environmental Protection Agency, Region I, 5 Post Office Square, Suite 100, Boston, Massachusetts 02109-3912. During the public comment period, the proposed Consent Decree may also be examined on the following Department of Justice Web site, [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](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](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. If requesting a copy by mail from the Consent Decree Library, please enclose a check in the amount of \$5.50 (\$.025 per page reproduction cost) payable to the United States Treasury or, if requesting by e-mail or fax, forward a check in that amount to the Consent Decree Library at the stated address.

**Maureen Katz,**

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

[FR Doc. 2010-761 Filed 1-15-10; 8:45 am]

**BILLING CODE 4410-15-P**

**DEPARTMENT OF JUSTICE**

**Notice of Lodging Proposed Consent Decree**

Pursuant to Section 122(d)(2) of CERCLA, 42 U.S.C. 9622(d)(2), notice is hereby given that on January 8, 2010, a proposed Consent Decree in *U.S. v. The City and County of Denver*, Civil Action No. 1:97-cv-1611, was lodged with the United States District Court for the District of Colorado.

The proposed Consent Decree concerns a complaint filed by the United States against the City and County of Denver, Colorado, in which the United States sought a declaratory judgment that a "disposal fee" established by ordinance by the City and County of Denver ("Denver") was void and unenforceable against the United States and other persons performing remedial actions at operable units of the Denver Radium Superfund Site ("Site") and a permanent injunction prohibiting Denver from enforcing the disposal fee against those entities. Denver counterclaimed against the United States pursuant to Section 107 of CERCLA, 42 U.S.C. 9607, seeking its claimed response costs relating to the Site.

Under the proposed Consent Decree, the United States will pay Denver the sum of \$550,000 in settlement of Denver's counterclaims against the United States. In addition, among other provisions of the proposed Consent Decree, Denver releases the United States, its contractors, and potentially responsible parties acting under the direction of the United States, from any obligation to pay fees pursuant to Denver's ordinance; Denver agrees to implement certain institutional controls regarding the Site; and that under certain conditions, Denver is granted a covenant not to sue for future CERCLA liability at sites to which it sends wastes removed from the Site.

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 Daniel Pinkston, Environmental Defense Section, Environment and Natural Resources Section, U.S. Department of Justice, 1961 Stout Street, 8th Floor, Denver, Colorado 80294, [daniel.pinkston@usdoj.gov](mailto:daniel.pinkston@usdoj.gov), and refer to *U.S. v. The City and County of Denver*, DJ # 90-11-6-18417.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the District of Colorado, Alfred A. Arraj United States Courthouse, Room A105, 901 19th

Street, Denver, CO 80294-3589. In addition, the proposed Consent Decree may be viewed at [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html).

**Maureen M. Katz,**

*Assistant Section Chief, Environment & Natural Resources Division.*

[FR Doc. 2010-727 Filed 1-15-10; 8:45 am]

**BILLING CODE P**

**DEPARTMENT OF JUSTICE**

**Office of Justice Programs**

**[OMB Number 1121-0306]**

**Agency Information Collection Activities: Proposed Collection; Comments Requested**

**ACTION:** 60-Day notice of information collection under review: Reinstatement, with change, of a previously approved collection for which approval has expired, State Court Processing Statistics 2009.

The Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, will be submitting the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for "sixty days" until March 22, 2010. This process is conducted in accordance with 5 CFR 1320.10.

If you have additional comments, especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact: Thomas H. Cohen, (202) 514-8344, Bureau of Justice Statistics, Office of Justice Programs, Department of Justice, 810 Seventh Street, NW., Washington, DC 20531 or [Thomas.H.Cohen@usdoj.gov](mailto:Thomas.H.Cohen@usdoj.gov).

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 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