

Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Patrick Henry Building, Suite 1600, 601 D Street NW., Washington, DC 20530.

Dated: March 8, 2010.

**Lynn Bryant,**

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

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## DEPARTMENT OF JUSTICE

[OMB Number 1190-0001]

### Civil Rights Division; Agency Information Collection Activities: Proposed Collection; Comments Requested

**ACTION:** 60-day notice of information collection under review: Procedures for the Administration of Section 5 of the Voting Rights Act of 1965.

The Department of Justice (DOJ), Civil Rights Divisions (CRT) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval 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 "thirty days" until May 11, 2010. This process is conducted in accordance with 5 CFR 1320.10.

If you have 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 Robert S. Berman, U.S. Department of Justice, Voting Section, Civil Rights Division, 950 Pennsylvania Avenue, NW., 7243 NWB, Washington, DC 20530.

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 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:* Procedures for the Administration of Section 5 of the Voting Rights Act of 1965.

(3) *Agency form number:* None.

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

*Abstract:* Jurisdictions specially covered under the Voting Rights Act are required to comply with Section 5 of the Act before they may implement any change in a standard, practice, or procedure affecting voting. One option for such compliance is to submit that change to Attorney General for review and establish that the proposed voting changes are not racially discriminatory. The procedures facilitate the provision of information that will enable the Attorney General to make the required determination.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* It is estimated that 4,109 respondents will complete each form within approximately 10.02 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* There are an estimated 41,172 total annual burden hours associated with this collection.

If additional information is required contact: Lynn Bryant, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Patrick Henry Building, Suite 1600, 601 D Street NW., Washington, DC 20530.

Dated: March 8, 2010.

**Lynn Bryant,**

*Department Clearance Officer, PA, U.S. Department of Justice.*

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## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on March 8, 2010, a proposed consent decree ("proposed Decree") in *United States v. Norfolk Southern Railway Co.*, Civil Action No. 1:08-cv-01707, was lodged with the United States District Court for the District of South Carolina, Aiken Division.

In this action under Sections 301 and 311 of the Clean Water Act, 33 U.S.C. 1311 and 1321, and Section 301(a) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9603(a) ("CERCLA"), the United States sought penalties and injunctive relief for releases of chlorine and diesel fuel following the January 6, 2005 derailment of the defendant's train in Graniteville, South Carolina, which resulted in the death of nine people, evacuation of the surrounding community, and environmental injury including the death of hundreds of fish in nearby waters. The proposed Decree requires the defendant to pay \$4 million to the United States as a civil penalty, provide enhanced emergency response training to certain employees, restock impacted waters with fish, and post the number for the National Response Center's incident report hotline in the office of its General Superintendent of Transportation. In addition, the proposed Decree requires the defendant to conduct a Supplemental Environmental Project ("SEP") designed to control erosion and improve water quality in impacted waters. The proposed Decree provides the defendant with a covenant not to sue for the allegations contained in the United States' amended complaint.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed 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](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. Norfolk Southern Railway Co.*, D.J. Ref. 90-5-1-1-09024.

The proposed Decree may be examined at the Office of the United States Attorney for the District of South Carolina, 1441 Main Street, Suite 500, Columbia, S.C. 29201 and at U.S. EPA