

Reservation (Ruby and Brown 1986:179). However, many Samish chose to remain in their old village sites. In 1996, the Samish Indian Tribe was re-recognized by the Federal Government.

Officials of the University of Washington, Department of Anthropology, have determined, pursuant to 25 U.S.C. 3001(9), that the human remains described above represent the physical remains of one individual of Native American ancestry. Lastly, officials of the Washington State Department of Natural Resources and the University of Washington, Department of Anthropology, have determined, pursuant to 25 U.S.C. 3001(2), that there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and the Lummi Tribe of the Lummi Reservation, Washington; Samish Indian Tribe, Washington; and the Swinomish Indians of the Swinomish Reservation, Washington.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains should contact Maurice Major, Cultural Resource Specialist, Washington State Department of Natural Resources; PO Box 47000, 1111 Washington St. SE., Olympia, WA 98504-7000, telephone (360) 902-1298, before March 18, 2011. Repatriation of the human remains to the Samish Indian Tribe, Washington, may proceed after that date if no additional claimants come forward.

The Washington State Department of Natural Resources is responsible for notifying the Lummi Tribe of the Lummi Reservation, Washington; Samish Indian Tribe, Washington; and the Swinomish Indians of the Swinomish Reservation, Washington, that this notice has been published.

Dated: February 11, 2011.

**David Tarler,**

*Acting Manager, National NAGPRA Program.*

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Air Act

Notice is hereby given that on February 10, 2011 a proposed Consent Decree ("proposed Decree") in *United States v. CEMEX, Inc. and CEMEX Construction Materials Atlantic, LLC*, Civil Action No. 3:11-cv-00037, was lodged with the United States District Court for the Southern District of Ohio.

In this action under Sections 113(b) and 167 of the Clean Air Act, 42 U.S.C.

7413(b) and 7477, the United States seeks injunctive relief and civil penalties for violations of the Prevention of Significant Deterioration ("PSD") provisions of the Clean Air Act, 42 U.S.C. 7470-7492, and the PSD regulation incorporated into the federally enforceable Ohio State Implementation Plan ("Ohio SIP"), and Title V of the Clean Air Act, 42 U.S.C. 7661-7661f, and Title V's implementing federal and Ohio regulations, at a portland cement manufacturing plant located in Greene County, Ohio.

The proposed Decree resolves the United States' claims against CEMEX, Inc. and CEMEX Construction Materials Atlantic, LLC ("Defendants") by requiring Defendants to install and operate appropriate emission controls at their kiln, and requires Defendants to pay a civil penalty of \$1,400,000, two-thirds of which will go to the United States and one-third of which will go to the Plaintiff Intervener, the State of Ohio.

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](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. CEMEX, Inc. and CEMEX Construction Materials Atlantic, LLC*, D.J. Ref. No. 90-5-2-1-08990.

The proposed Decree may be examined at the office of the United States Attorney for the Southern District of Ohio, Room 602, Federal Building, 200 West Second Street, Dayton, Ohio 45402, and at the United States Environmental Protection Agency (Region 5) Records Center, Room 714, 77 West Jackson Boulevard, Chicago, Illinois 60604. During the public comment period, the proposed Decree may also be examined on the following Department of Justice Web site: <http://www.usdoj.gov/enrd/ConsentDecrees.html>. A copy of the proposed Decree may also be obtained via U.S. mail by making a written request to 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 number (202) 514-0097 (phone confirmation number (202) 514-1547). In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$17.75 (25 cents per page reproduction cost) payable to the

U.S. Treasury or, if requesting by e-mail or fax, please 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. 2011-3473 Filed 2-15-11; 8:45 am]

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## DEPARTMENT OF LABOR

### Comment Request for Information Collection for the Unemployment Insurance (UI) Facilitation of Claimant Reemployment Employment and Training Administration 9047 Report, Extension Without Revision

**AGENCY:** Employment and Training Administration (ETA).

**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 the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that the 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 is soliciting comments concerning the collection of data about the proposed extension of the UI Facilitation of Claimant Reemployment (current expiration date is July 31, 2011).

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.

**DATES:** Written comments must be submitted to the office listed in the addressee's section below on or before April 18, 2011.

**ADDRESSES:** Submit comments to Andrew W. Spisak, Office of Workforce Security, Employment and Training Administration, U. S. Department of Labor, Room S-4519, 200 Constitution Avenue, NW., Washington, DC 20210; telephone: 202-693-3196 (this is not a toll-free number); fax: 202-693-3975; e-mail: [spisak.andrew@dol.gov](mailto:spisak.andrew@dol.gov).