

simultaneously lodged a proposed Consent Decree with the United States District Court for the District of Colorado in the lawsuit entitled *United States v. Jamesway Cartage, Inc.*, Civil Action No. 1:13-cv-01816. In its Complaint the United States seeks reimbursement of response costs incurred for response actions taken at or in connection with the release or threatened release of hazardous substances at the BioEnergy of Colorado Superfund Site located on 821 West 56th Avenue, City and Adams County, Colorado 80216. BioEnergy of Colorado, LLC, now defunct, operated a bio-diesel production facility at the Site under a lease arrangement with Jamesway Cartage, Inc., the Site owner. EPA removed low pH, caustic materials and methanol used by BioEnergy in the production of bio-fuel that had been spilled, leaked, or abandoned at the Site. Under the settlement Jamesway stipulates to entry of judgment for the full amount of EPA's past response costs, including interest (\$332,801.43), and is required to sell the property within two years and pay 90% of the sales proceeds to satisfy the judgment amount. In return, the United States covenants not to sue or to take administrative action against Settling Defendant pursuant to Section 107(a) of CERCLA, 42 U.S.C. 9607(a), to recover Past Response Costs.

The publication of this notice opens a period for public comment. Comments should be addressed to the Acting Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Jamesway Cartage, Inc.*, D.J. Ref. No. DOJ #90-11-3-10524. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	Send them to:
By email ...	<a href="mailto:pubcomment-ees.enrd@usdoj.gov">pubcomment-ees.enrd@usdoj.gov</a> .
By mail .....	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, D.C. 20044-7611.

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). We will provide a paper copy of the Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree

Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Please enclose a check or money order for \$6.00 (25 cents per page reproduction cost) payable to the United States Treasury.

**Bob Brook,**

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

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## DEPARTMENT OF JUSTICE

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

On July 10, 2013, the Department of Justice lodged a proposed consent decree with the United States District Court for the Southern District of Texas in the lawsuit entitled *United States v. Shell Oil Co., et al.*, Civil Action No. 4:13-cv-2009.

In the Complaint, the United States alleges that Shell Oil Co. and two of its affiliated partnerships ("Shell") violated, at their petroleum refinery and chemical plant in Deer Park, Texas, various provisions of the Clean Air Act, 42 U.S.C. 7401 *et seq.*; the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9609(c) and 9613(b); and the Emergency Planning and Community Right-To-Know Act, 42 U.S.C. 11045(b)(3).

Under the consent decree, Shell will implement innovative pollution control technologies to reduce emissions of sulfur dioxide, volatile organic compounds ("VOCs"), and hazardous air pollutants from the twelve flares it operates at its Deer Park facility. Shell has agreed to limit the waste gas it sends to its flares by installing and/or operating systems that will recover and recycle waste gas back into plant processes (*i.e.*, flare gas recovery) and Shell has agreed to an overall "cap" on the volume of waste gas it flares. For waste gas that is flared, Shell will operate numerous monitoring systems and comply with several operating parameters to ensure that the flares adequately combust the gases. In addition, at a cost of between \$15 and \$60 million, Shell will undertake numerous activities at its wastewater treatment plant, its tanks, and its benzene extraction unit to reduce VOC emissions and mitigate the effect of alleged past excess VOC emissions. Shell also will install a \$1 million state-of-the-art monitor at its fenceline to record benzene emissions and make the

results available to the public, as well as spend \$200,000 to retrofit publicly-owned diesel vehicles in the vicinity of the plant to reduce emissions. Finally, Shell will pay a civil penalty of \$2.6 million.

The publication of this notice opens a period of public comment on the consent decree. Comments should be addressed to the Acting Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Shell Oil Co., et al.*, D.J. Ref. No. 90-5-2-1-09388/1. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments—	Send them to—
By email ...	<a href="mailto:pubcomment-ees.enrd@usdoj.gov">pubcomment-ees.enrd@usdoj.gov</a> .
By mail .....	Acting Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

During the public comment period, the consent decree may be examined and downloaded at this Department of Justice Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). We will provide a paper copy of the consent decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Please enclose a check in the amount of \$62.50 (25 cents per page reproduction cost) payable to the United States Treasury.

**Maureen M. Katz,**

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

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Consent Decree under the Clean Air Act

On July 11, 2013, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the District of Maryland in the lawsuit entitled *United States v. Holcim (US) Inc. and St. Lawrence Cement Company, LLC*, Civil Action No. 1:11-cv-01119-CCB.

The United States filed this lawsuit under the Clean Air Act (“Act”). The United States’ complaint seeks injunctive relief and civil penalties for violations of: (a) the Prevention of Significant Deterioration (“PSD”) provisions of the Act, 42 U.S.C. 7470–92, and Maryland’s PSD program in the federally enforceable Maryland State Implementation Plan (“Maryland SIP”), Code of Maryland Regulations (“COMAR”), Title 26, Subtitle 11, Chapter 06.14, entitled “Control of PSD Sources,” and (b) Title V of the Act, 42 U.S.C. 7661–7661f, and Title V’s implementing federal regulations, 40 CFR part 70, and Maryland’s federally enforceable Title V program, COMAR 26.11.03, entitled “Permits, Approvals, and Registration—Title V Permits”, at Holcim’s portland cement plant in Hagerstown, Maryland. The Consent Decree requires the defendant to perform injunctive relief, pay a \$700,000 civil penalty, and perform an environmental mitigation project.

The publication of this notice opens a period for public comment on the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Holcim (US) Inc. and St. Lawrence Cement Company, LLC*, D.J. Ref. No. 90–5–2–1–09594. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By email .....	<i>pubcomment- ees.enrd@usdoj.gov.</i>
By mail .....	Assistant Attorney General U.S. DOJ—ENRD P.O. Box 7611 Washington, DC 20044–7611.

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). We will provide a paper copy of the Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for \$12.25 (25 cents per page

reproduction cost) payable to the United States Treasury.

**Robert D. Brook,**  
*Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*  
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**DEPARTMENT OF LABOR**

**Employment and Training Administration**

**Comment Request for Information Collection for the Benefits, Timeliness, and Quality Data Collection System; Extension With Revisions**

**AGENCY:** Employment and Training Administration, 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 the Paperwork Reduction Act of 1995 (PRA95) [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 is soliciting comments concerning the collection of data about the proposed extension of the Benefits Timeliness and Quality (BTQ) data collection system, which is part of the Unemployment Insurance (UI) Performs measurement system (current expiration date is February 28, 2014).

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 September 16, 2013.

**ADDRESSES:** Submit written comments to the Employment and Training Administration, Office of Unemployment Insurance, 200 Constitution Avenue NW., Room S4220, Washington, DC 20210, Attention:

Delores Ferrell. Telephone number: 202–693–3183 (this is not a toll-free number). Fax: 202–693–3975. Email: [Ferrell.Delores@dol.gov](mailto:Ferrell.Delores@dol.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

The Secretary of Labor, under the Social Security Act, Title III, Section 302 (42 U.S.C. 502), funds the necessary cost of proper and efficient administration of each state UI law. The BTQ program collects information and analyzes data. The BTQ data measure the timeliness and quality of states’ administrative actions and administrative decisions related to UI benefit payments.

**II. Review Focus**

The Department of Labor 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 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**

*Type of Review:* Extension with revisions.  
*Title:* Benefits, Timeliness, and Quality Review.  
*OMB Number:* 1205–0359.  
*Affected Public:* State governments.  
*Form(s):* ETA–9050, ETA–9051, ETA–9052, ETA–9054, ETA–9055, ETA–9056, ETA–9057.  
*Total Annual Respondents:* 53 state agencies.  
*Annual Frequency:* Monthly and Quarterly.  
*Total Annual Responses:* 28,836.  
*Average Time per Response:* 80.5 minutes.  
*Estimated Total Annual Burden Hours:* 38,692 hours.