

The proposed Consent Decree resolves claims of the United States, on behalf of the Environmental Protection Agency ("EPA"), under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9601 *et seq.*, in connection with the Solvents Recovery Service of New England, Inc. Superfund Site ("SRS Site") and the Old Southington Landfill Superfund Site ("OSL Site"), both in Southington, Connecticut, against the defendant.

The proposed Consent Decree requires Anderson & Sons, Inc. to pay \$53,290 for the SRS Site and \$19,710 for the OSL Site.

The Consent Decree provides that the settlor is entitled to contribution protection as provided by Section 113(f)(2) of CERCLA, 42 U.S.C. 9613(f)(2), for matters addressed by the settlement.

The Department of Justice will receive for a period of 30 days from the date of this publication comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, 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. Anderson & Sons, Inc.*, No. 3:09-cv-2096, D.J. No. 90-7-1-23/11. 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 Connecticut, 157 Church Street, New Haven, CT 06510. 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). Copies of the proposed Consent Decree may 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. In requesting a copy of the proposed Consent Decree, please enclose a check in the amount of

\$9.50 (25 cent per page reproduction cost), payable to the U.S. Treasury.

**Maureen Katz,**

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

[FR Doc. 2010-160 Filed 1-8-10; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to The Comprehensive Environmental Response Compensation and Liability Act (CERCLA)

Notice is hereby given that on January 5, 2010, a proposed Consent Decree in *United States v. Louis Vinagro Jr.*, CIV No. 07-264S (D.R.I.) was lodged with the United States District Court for the District of Rhode Island.

The proposed Consent Decree is between the United States on behalf of the United States Environmental Protection Agency ("EPA") and Louis Vinagro, Jr. ("Defendant") The proposed Consent Decree resolves claims against the Defendant under Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9607 related to the Green Hill Road Superfund Site in Johnston, Rhode Island. Under the proposed Consent Decree, the Defendant agrees to sell property he owns and pay to the United States from the proceeds \$1,975,000.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the 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. Louis Vinagro Jr.*, CIV No. 07-264S (D.R.I.), D.J. Ref. 90-11-2-407/5.

The proposed Consent Decree may be examined at the Office of the United States Attorney, District of Rhode Island, 50 Kennedy Plaza, 8th Floor, Providence, RI 02903 and at the United States Environmental Protection Agency, Region I, 5 Post Office Square, Suite 100, Boston, MA 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 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. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$9.75 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if by e-mail or fax, forward a check in that amount to the Consent Decree Library at the stated address.

**Maureen Katz,**

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

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decrees Under The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)

Notice is hereby given that on December 18, 2009, two proposed Consent Decrees in the case of *U.S. v. Mascot Mines, Inc., et al.*, Civil Action No. 08-383-EJL, with Defendants Mascot Mines, Inc. and Nabob Silver-Lead Company and with Defendant United Resource Holdings Group, Inc., were lodged with the United States District Court for the District of Idaho.

The United States filed a complaint in September 2008 alleging that the defendants are liable pursuant to Section 107(a) of CERCLA for response costs incurred and to be incurred by the United States in connection with Operable Unit Three of the Bunker Hill Mining and Metallurgical Complex Superfund Site in northern Idaho. The proposed Consent Decrees grant each settling defendant a covenant not to sue for response costs, as well as natural resource damages, in connection with the Site. The Coeur d'Alene Tribe is a co-trustee of injured natural resources at the Site and a party to the proposed Consent Decrees. The settlements are based on an analysis of each settling defendant's limited ability to pay and require payments totaling \$90,000. The settlements also require assignment of interest in insurance policies to a trust, for the benefit of EPA and the natural resource trustees, and payment of two percent of net smelter returns generated from any future mining activities.

For thirty (30) days after the date of this publication, the Department of

Justice will receive comments relating to the Consent Decrees. 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. In either case, the comments should refer to *U.S. v. Mascot Mines, Inc., et al.*, D.J. Ref. No. 90-11-3-128/7.

During the comment period, the Consent Decrees may 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 Consent Decrees 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. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$32.25 (25 cents per page reproduction cost) payable to the United States Treasury or, if 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.*

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**DEPARTMENT OF LABOR**

**Office of the Secretary**

**Submission for OMB Emergency Review: Comment Request**

January 5, 2010.

The Department of Labor has submitted the following information collection request (ICR), utilizing emergency review procedures, to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35) and 5 CFR 1320.13. OMB approval has been requested by January 19, 2010. A copy of this ICR, with applicable supporting documentation; including among other things a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the RegInfo.gov Web site at <http://www.reginfo.gov/public/do/PRAMain> or by contacting Darrin King on 202-693-4129 (this is

not a toll-free number)/*e-mail: DOL\_PRA\_PUBLIC@dol.gov*. Interested parties are encouraged to send comments to the Office of Information and Regulatory Affairs, *Attn: OMB Desk Officer for the Department of Labor—Employee Benefits Security Administration (EBSA), Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: 202-395-7316/Fax: 202-395-6974* (these are not toll-free numbers), *E-mail: OIRA\_submission@omb.eop.gov*. Comments and questions about the ICR listed below should be received 5 days prior to the requested OMB approval date. Please note, an additional opportunity to comment will be provided when this ICR is resubmitted to OMB under standard PRA clearance procedures and pursuant to 5 CFR 1320.10.

The OMB 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.

*Agency:* Employee Benefits Security Administration.

*Title of Collection:* Model Employer CHIP Notice.

*OMB Control Number:* 1210-NEW.

*Frequency of Collection:* On occasion.

*Affected Public:* Individuals or households; Business or other for-profit; Not-for-profit institutions.

*Total Estimated Number of Respondents:* 7,056,000.

*Total Estimated Number of Responses:* 203,794,701.

*Total Estimated Annual Burden Hours:* 1,053,000.

*Total Net Estimated Annual Costs Burden (other than hourly costs):* \$25,271,000.

*Description:* On February 4, 2009, President Obama signed the Children's Health Insurance Program Reauthorization Act of 2009 (CHIPRA,

Pub. L. 111-3). Under ERISA section 701(f)(3)(B)(i)(I), PHS Act section 2701(f)(3)(B)(i)(I), and section 9801(f)(3)(B)(i)(I) of the Internal Revenue Code, as added by CHIPRA, an employer that maintains a group health plan in a State that provides medical assistance under a State Medicaid plan under title XIX of the Social Security Act (SSA), or child health assistance under a State child health plan under title XXI of the SSA, in the form of premium assistance for the purchase of coverage under a group health plan, is required to make certain disclosures. Specifically, the employer is required to notify each employee of potential opportunities currently available in the State in which the employee resides for premium assistance under Medicaid and CHIP for health coverage of the employee or the employee's dependents.

ERISA section 701(f)(3)(B)(i)(II) requires the Department of Labor to provide employers with model language for the Employer CHIP Notices to enable them to timely comply with this requirement. The Model Employer CHIP Notice is required to include information on how an employee may contact the State in which the employee resides for additional information regarding potential opportunities for premium assistance, including how to apply for such assistance.

Section 311(b)(1)(D) of CHIPRA provides that the Departments of Labor and Health and Human Services shall develop the initial Model Employer CHIP Notice under ERISA section 701(f)(3)(B)(i)(II), and the Department of Labor shall provide such notices to employers, by February 4, 2010. Moreover, each employer is required to provide the initial annual notices to such employer's employees beginning with the first plan year that begins after the date on which the initial model notices are first issued. The ICR relates to the Model Employer Chip Notice.

*Why are we requesting Emergency Processing?* If the Department were required to comply with standard PRA clearance procedures, it would not be able to publish the model notices on a timely basis.

Dated: January 5, 2010.

**Darrin A. King,**

*Departmental Clearance Officer.*

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