

collection: Form Number: ATF Form 3311.4. Component: Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Department of Justice.

4. *Affected public who will be asked or required to respond, as well as a brief abstract*: Affected Public: Private Sector—for or not for profit institutions, Federal Government. Abstract: ATF Form 3311.4 provides a uniform mean for industry members with a valid Federal importer or manufacturer license, to request firearms marking variance.

5. *Obligation to Respond*: Required to obtain or retain a benefit.

6. *Total Estimated Number of Respondents*: 2,064.

7. *Estimated Time per Respondent*: 30 minutes.

8. *Frequency*: Once annually.

9. *Total Estimated Annual Time Burden*: 1,032 hours.

10. *Total Estimated Annual Other Costs Burden*: The cost burden for this portion of the collection is \$485. However, if respondents choose to submit ATF Form 3311.4 by email or fax the cost will be reduced.

If additional information is required, contact: Darwin Arceo, Department Clearance Officer, Policy and Planning Staff, Justice Management Division, United States Department of Justice, Two Constitution Square, 145 N Street NE, 4W-218 Washington, DC 20530.

Dated: July 12, 2023.

Darwin Arceo,

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

[FR Doc. 2023-15069 Filed 7-14-23; 8:45 am]

BILLING CODE 4410-14-P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Resource Conservation and Recovery Act, the Clean Air Act, the Comprehensive Environmental Response, Compensation, and Liability Act, and the Emergency Planning and Community Right-To-Know Act

On July 11, 2023, the Department of Justice lodged a proposed consent decree with the United States District Court for the District of Wyoming in the lawsuit entitled *United States of America v. J.R. Simplot Company*, Civil Action No. 1:23-cv-322. If approved by the court, the consent decree would resolve the claims of the United States against J.R. Simplot Company (Simplot) for injunctive relief and civil penalties for alleged violations of the Resource Conservation and Recovery Act (RCRA); for injunctive relief and civil penalties

for alleged violations of the Clean Air Act (CAA); and for civil penalties for alleged violations of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Emergency Planning And Community Right-To-Know Act (EPCRA), at Simplot's phosphoric acid and fertilizer manufacturing plant located near Pocatello, Idaho, known as the Don Plant. The consent decree would require Simplot to (1) implement compliance projects at the Don Plant; (2) comply with specified requirements for management of wastes or other materials at the facility and in the facility's phosphogypsum stack system, (3) comply with specified requirements for the eventual closure and long-term care of the facility, and provide financial assurance to cover the estimated cost of such obligations; and (4) continue groundwater and surface monitoring and reporting—monitoring and reporting that is currently required by a prior CERCLA consent decree under which Simplot also is required to implement remedial measures to address the release of hazardous substances into the environment as a result of past operations at the facility; and (5) comply with specified operational practices for air emissions controls, and replace the existing cooling towers by June 2026 with cooling pond(s) to reduce fluoride emissions into the air from the Don Plant, subject to a contingency that, if applicable, alternatively requires implementation of an EPA-approved plant to reduce fluoride emissions to the greatest extent practicable. The consent decree would also require Simplot to revise the annual Toxic Chemical Release Inventory Reporting Forms it submitted under EPCRA for years 2004–2012 to include estimates of compounds that previously were not included in those reports. In addition, the consent decree would require Simplot to pay a civil penalty of \$1.5 million. In return for Simplot's compliance with these requirements, the consent decree would resolve past RCRA, CAA, CERCLA, and EPCRA violations at the Don Plant that the United States' complaint alleges. Provided that Simplot remains in compliance with consent decree's requirements for the management of wastes or other materials, under the consent decree the United States would also covenant not to sue Simplot under RCRA for its management of wastes or other materials at the Don Plant facility.

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 of America v. J.R. Simplot Company*, D.J. Ref. No. 90-7-1-08388/23. 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 website: <http://www.justice.gov/enrd/consent-decrees>. 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 \$127.25 (25 cents per page reproduction cost) payable to the United States Treasury. For a paper copy without the Appendices and signature pages, the cost is \$18.25.

Kathryn C. Macdonald,

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

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DEPARTMENT OF LABOR

Employee Benefits Security Administration

[Application Number L-11989]

Proposed Exemption for Certain Prohibited Transactions Involving the Association of Washington Business (AWB) HealthChoice Employee Benefits Trust Located in Olympia, Washington

AGENCY: Employee Benefits Security Administration, Labor.

ACTION: Notice of proposed exemption; extension of comment period.

SUMMARY: The Department of Labor (the Department) is extending the comment period for the proposed individual exemption for certain prohibited transactions involving the Association