

**DEPARTMENT OF JUSTICE****Civil Division; Agency Information Collection Activities: Proposed Collection; Comments Requested**

**ACTION:** 30-Day notice of Information Collection Under Review: Extension of a Currently Approved Collection; Annuity Broker Qualification Declaration Form.

The Department of Justice (DOJ), Civil Division has submitted 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. This proposed information collection was previously published in the **Federal Register** Volume 68, Number 49, page 12103 on March 13, 2003, allowing for a 60 day comment period.

The purpose of this notice is to allow for an additional 30 days for public comment until August 4, 2003. This process is conducted in accordance with 5 CFR 1320.10.

Written comments and/or suggestions regarding the items contained in this notice, especially the estimated public burden and associated response time, should be directed to The Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC 20503, facsimile (202) 395-5806.

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:

(1) 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;

(2) 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;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) 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:* Annuity Broker Qualification Declaration Form.

(3) *Agency form number, if any, and the applicable component of the department sponsoring the collection:* Form Number: none. Civil Division, Torts Branch, Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Annuity Brokers.

*Other:* None. The information collection requirement contained in this rule will be used to determine whether a broker meets the minimum qualifications to be listed as an annuity broker pursuant to section 11015(b) of Public Law 107-273.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply:* It is estimated that 400 respondents will complete the application in approximately 1 hour per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The estimated total public burden associated with this application is 400 hours.

If additional information is required contact: Mrs. Brenda E. Dyer, Deputy Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, Suite 1600, Patrick Henry Building, 601 D Street NW., Washington, DC 20503.

Dated: May 30, 2003.

**Brenda E. Dyer,**

*Deputy Clearance Officer, United States Department of Justice.*

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**DEPARTMENT OF JUSTICE****Notice of Lodging of Amended Consent Decree Under the Clean Air Act**

In accordance with 28 CFR 50.7, notice is hereby given that on May 22, 2003, a proposed Amended Consent Decree in *United States v. Gopher State Ethanol, Inc.*, ("Gopher State"), Civil Action No. CV02-3793 JEL/RLE, was lodged with the United States District Court for the District of Minnesota.

In this action the United States asserted claims against the owners and operators of an ethanol dry mill in St.

Paul, Minnesota, pursuant to section 113(b) of the Clean Air Act ("Act"), 42 U.S.C. 7413(b) (1983), amended by, 42 U.S.C. 7413(b) (Supp. 1991). The United States sought injunctive relief and civil penalties for violations of the Prevention of Significant Deterioration ("PSD") provisions of the Act and regulations promulgated thereunder. The original Consent Decree with Gopher State was lodged on October 2, 2002. The public comment period closed on January 24, 2003. This Amended Consent Decree includes changes made to the settlement in response to comments received during the public comment period. The changes include additional limitations on Gopher State's "wet cake" production, a by-product of the ethanol manufacturing process used as animal feed, and the requirement to install an additional baghouse for further reductions of particulate matter emissions.

The Department of Justice will receive comments relating to the Gopher State Amended Consent Decree for a period of fifteen (15) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to: *United States v. Gopher State Ethanol, Inc.*, D.J. Ref. 90-5-2-1-07784/8.

The Amended Consent Decree may be examined at the Office of the Attorney General, NCL Towers Suite 900, 445 Minnesota Street, St. Paul, MN 55101-2127, and at U.S. EPA Region 5, 77 West Jackson Blvd., Chicago, IL 60604. During the public comment period the Amended Consent Decree may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the Amended Consent Decree 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 \$9.75 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**William D. Brighton,**

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

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