

## DEPARTMENT OF JUSTICE

**Notice of Lodging of Consent Decree for Relief Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980**

Under 28 CFR 50.7, notice is hereby given that on May 16, 2003, a proposed Consent Decree resolving the United States' claims in *United States of America v. Edward Schwarz, et al.*, Civil Action No. 1:02-CV-568, was lodged with the United States District Court for the Western District of Michigan.

In this action the United States sought recovery of response costs incurred in performing a removal action at the Orbit Enterprise Superfund Site located at 344 through 368 Burnham Street in Battle Creek, Michigan ("the Site"), pursuant to section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability of 1980, as amended ("CERCLA"), 42 U.S.C. 9607(a). The United States asserts that Donald and Charlotte Walter, whose estates are now represented by the defendants, owned and operated the Site during the time that hazardous substances were released at the Site.

Pursuant to the Consent Decree, the defendants will pay the United States \$400,000 of the \$725,202.97 in past response costs incurred by the EPA (including administrative, enforcement, and indirect costs) in performing a removal action at the Site. This payment will be due within 30 days after entry of the Consent Decree, and will resolve the United States' cost recovery claim the Walters' liability for failing to respond to an EPA information request issued pursuant to section 104(e) of CERCLA, and the EPA lien previously placed on the Site property.

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, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States of America v. Edward Schwarz, et al.*, Civil Action No. 1:02-CV-568, DOJ Ref. No. 90-11-3-07524.

The Consent Decree may be examined at the Office of the United States Attorney, 330 Ionia Avenue NW., Grand Rapids, MI 49503, and at U.S. EPA, Region 5, 77 West Jackson Boulevard, Chicago, IL 60604. During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site, [http://](http://www.usdoj.gov/enrd/open.html)

[www.usdoj.gov/enrd/open.html](http://www.usdoj.gov/enrd/open.html), a copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, PO 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, please enclose a check in the amount of \$6.25 payable to the U.S. Treasury.

**William Brighton,**

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## DEPARTMENT OF JUSTICE

**Drug Enforcement Administration****Agency Information Collection Activities: Proposed Collection; Comments Requested**

**ACTION:** 30-day Notice of Information Collection Under Review: Extension of a Currently Approved Collection, U.S. Official Order Forms for Schedules I and II Controlled Substances (Accountable Forms), Order Form Requisition.

The Department of Justice (DOJ), Drug Enforcement Administration (DEA) 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 66, page 16830 on April 7, 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 July 14, 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.

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: U.S. Official Order Forms for Schedules I and II Controlled Substances (Accountable Forms), Order Form Requisition.

(3) Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection: Form Number: DEA Form 222, DEA Form 222a. Office of Diversion Control, Drug Enforcement Administration, U.S. Department of Justice.

(4) Affected public who will be asked or required to respond, as well as a brief abstract: Primary: Business or other for-profit. Other: Federal Government, State, Local or Tribal Government, nonprofit entities. Abstract: DEA-222 is used to transfer or purchase Schedule I and II controlled substances and data is needed to provide an audit of transfer and purchase. DEA-222a Requisition Form is used to obtain the DEA-222 Order Form. Respondents are DEA registrants eligible to handle these controlled substances.

(5) An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond: It is estimated that there are a total of 100,870 respondents to this information collection. It is estimated to take 0.05 hours for a purchaser to requisition DEA Forms 222, using DEA Form 222a. It is estimated to take purchasers 0.333 hours to complete,