

Defendant, Portland Terminal Railroad Company. The Consent Decree provides that the Railroad will pay seventy percent of the United States' past costs, a total of \$550,000. In addition, the Railroad agrees to pay 87.5% of the United States' future costs, provided that the selected remedy for the site is based on a particular land use.

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, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Portland Terminal Railroad Company*, D.J. Ref. 90-11-3-07801.

The Consent Decree may be examined at the Office of the United States Attorney, District of Oregon, 1000 SW Third Ave., Suite 600, Portland, OR 97204-2902. During the comment period, the Consent Decree may be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the 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 \$13.50 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Robert E. Maher, Jr.,**

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

[FR Doc. 06-5018 Filed 5-31-06; 8:45am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Settlement Agreement Under the Comprehensive Environmental Response, Compensation and Liability Act

Notice is hereby given that on May 18, 2006, a proposed Settlement Agreement in *In re W.R. Grace & Co., et al.*, Case Number Case No. 01-01139 (JFK), was lodged with the United States Bankruptcy Court for the District of Delaware.

On or around December 17, 2004, the United States filed a supplemental proof of claim in the *W.R. Grace & Co.* ("Grace") bankruptcy proceeding

seeking costs incurred and to be incurred at the Wauconda Sand and Gravel Superfund Site in Wauconda, Illinois pursuant to Section 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9607(a). Grace is one of several potentially responsible parties at the Site. Some, but not all, of the other potentially responsible parties have formed the Wauconda Task Group ("WTG") to perform cleanup work at the Site. The proposed Settlement Agreement would withdraw the United States' supplemental proof of claim related to the Wauconda Site upon payment of \$1.25 million to the WTG, at least 55% of which shall only be used to fund a public water system in Wauconda, Illinois. Grace's payment to WTG would be made pursuant to a separate Stipulation between Grace and the WTG (to which the United States is not a party), and must be separately approved by the Bankruptcy Court.

The Department of Justice will receive comments relating to the Settlement Agreement for a period of fifteen (15) days from the date of this publication. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *In re W.R. Grace & Co.* and D.J. Ref. Number 90-11-2-07106/5.

The decree may be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the 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 \$2.00 payable to the U.S. Treasury.

**Robert D. Brook,**

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

[FR Doc. 06-5020 Filed 5-31-06; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review: Comment Request

May 25, 2006.

The Department of Labor (DOL) has submitted the following public

information collection requests (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35). A copy of each ICR, with applicable supporting documentation, may be obtained by contacting Darrin King on 202-693-4129 (this is not a toll-free number) or e-mail: [king.darrin@dol.gov](mailto:king.darrin@dol.gov).

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Mine Safety and Health Administration (MSHA), Office of Management and Budget, Room 10235, Washington, DC 20503, 202-395-7316 (this is not a toll-free number), within 30 days from the date of this publication in the **Federal Register**.

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 submission of responses.

*Agency:* Mine Safety and Health Administration.

*Type of Review:* Extension of currently approved collection.

*Title:* Notification of Methane Detected in Mine Atmosphere.

*OMB Number:* 1219-0103.

*Frequency:* On occasion and weekly.

*Type of Response:* Recordkeeping and Reporting.

*Affected Public:* Business or other for-profit.

*Number of Respondents:* 8.

| Collection of information  | Estimated number of annual re-sponses | Average re-sponse time | Estimated annual burden hours |
|--|---------------------------------------|------------------------|-------------------------------|
| Notifying MSHA .....   | 1                                     | 0.25                   | 0.25                          |
| Weekly Certification Record .....                                  | 416                                   | 0.08                   | 34.5                          |
| Informing affected persons when a hazardous condition occurs ..... | 8                                     | 0.17                   | 1.3                           |
| <b>Total</b> .....   | <b>425</b>                            | .....                  | <b>36</b>                     |

*Total Annualized Capital/Startup Costs:* \$0.

*Total Annual Costs (operating/maintaining systems or purchasing services):* \$0.

*Description:* Sections 103(c), (I), and (j) of the Federal Mine Safety and Health Act of 1977 authorizes the inspection, recordkeeping and reporting requirements implemented in 30 CFR part 57, Subpart T—Safety Standards for Methane in Metal and Nonmetal mines. Methane is a flammable gas found in underground mining. Methane is a colorless, odorless, tasteless gas, and it tends to rise to the roof of a mine because it is lighter than air. Although methane itself is nontoxic, its presence reduces oxygen content by dilution when mixed with air, and consequently can act as an asphyxiant when present in large quantities. Methane mixed with

air is explosive in the range of 5 to 15 percent, provided that 12 percent or more oxygen is present. The presence of dust containing volatile matter in the mine atmosphere may further enhance the explosion potential of methane in a mine.

Metal and Nonmetal mine operators are required to notify MSHA as soon as possible if any of the following events occur: (a) There is an outburst that results in 0.25 percent or more methane in the mine atmosphere; (b) there is a blowout that results in 0.25 percent or more methane in the mine atmosphere; (c) there is an ignition of methane; (d) air sample results indicate 0.25 percent or more methane in the mine atmosphere of a Subcategory I–B, I–C, II–B, V–B, or Category VI mine. If methane reaches 2.0 percent in a

Category IV mine; or methane reaches 0.25 percent in the mine atmosphere of a Subcategory I–B, II–B, V–B, and VI mines, MSHA shall be notified immediately so that it can determine if further action is necessary. Additionally, MSHA investigates these occurrences to determine that the mine is placed in the proper category.

*Agency:* Mine Safety and Health Administration.

*Type of Review:* Extension of currently approved collection.

*Title:* Safety Standards for Roof Bolts in Metal and Nonmetal Mines and Underground Coal Mines.

*OMB Number:* 1219–0121.

*Frequency:* On occasion.

*Type of Response:* Recordkeeping.

*Affected Public:* Business or other for-profit.

| Collection of information        | Number of re-spondents | Estimated annual re-sponses | Average re-sponse time (hours) | Estimated annual burden hours |
|----------------------------------|------------------------|-----------------------------|--------------------------------|-------------------------------|
| Metal/Nonmetal Surface .....     | 20                     | 40                          | 0.05                           | 2                             |
| Metal/Nonmetal Underground ..... | 200                    | 800                         | 0.05                           | 40                            |
| Underground Coal .....           | 634                    | 2,536                       | 0.05                           | 127                           |
| <b>Total</b> .....               | <b>854</b>             | <b>3,376</b>                | .....                          | <b>169</b>                    |

*Total Annualized Capital/Startup Costs:* \$0.

*Total Annual Costs (operating/maintaining systems or purchasing services):* \$0.

*Description:* 30 CFR part 56/57.3203 and 75.204 address the quality of rock fixtures and their installation. Roof and rock bolts and accessories are an integral part of ground control systems and are used to prevent the fall of roof, face, and ribs. These standards require that metal and nonmetal and coal mine operators obtain a certification from the manufacturer that rock bolts and accessories are manufactured and tested in accordance with the 1995 American Society for Testing and Materials (ASTM) publication “Standard Specification for Roof and Rock Bolts and Accessories” (ASTM F432–95).

The manufacturer’s certification assures mine operators that the material they use meets technical requirements

established to promote safety and eliminates the concern that mine operators need to have the same engineering knowledge of the ASTM standard as manufacturers. The certifications also are made available to an Authorized Representative of the Secretary to attest to the appropriate testing and manufacture of the rock bolts and accessories.

**Darrin A. King,**

*Acting Departmental Clearance Officer.*

[FR Doc. E6–8457 Filed 5–31–06; 8:45 am]

**BILLING CODE 4510–43–P**

**DEPARTMENT OF LABOR**

**Employment and Training Administration**

**Workforce Investment Act; Lower Living Standard Income Level**

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Notice of determination of lower living standard income level.

**SUMMARY:** Under Title I of the Workforce Investment Act of 1998 (Pub. L.105–220) (WIA), the Secretary of Labor annually determines the Lower Living Standard Income Level (LLSIL) for uses described in the Law. WIA defines the term “Low Income Individual” as one who qualifies under various criteria, including an individual who received income for a six-month period that does not exceed the higher of the poverty line or 70 percent of the LLSIL. This