

Amendment to Consent Decree in *United States and the State of Minnesota v. Koch Petroleum Group, L.P.* (Civil Action No. 00–CV–2756), which was lodged with the United States District Court for the District of Minnesota on June 23, 2006. Koch recently changed its corporate name and is now known as Flint Hills Resources, LP (“FHR”).

The parties are amending the April 25, 2001, Consent Decree in this national, multi-facility Clean Air Act (“Act”) enforcement action against FHR pursuant to Section 113(b) of the Clean Air Act (“CAA”), 42 U.S.C. 7413(b) (1983), *amended by*, 42 U.S.C. 7413(b) (Supp. 1991). The original settlement, covering three refineries, was entered by the Court on April 25, 2001, as part of EPA’s Petroleum Refinery Initiative. The proposed Amendment allows FHR additional time to conduct studies of various nitrogen oxide (“NO<sub>x</sub>”) reducing catalysts and to decide on the final NO<sub>x</sub> control scheme for the fluidized catalytic cracking unit (“FCCU”) at the Pine Bend, Minnesota, facility. Second, the Amendment establishes a process to address any leaks of process fluids into the non-contract, recirculating cooling tower systems as required by the National Emission Standard for Benzene Waste Operations, 40 CFR part 61, subpart FF. Third, and finally, the Amendment exempts two heaters in the FHR system from the application of current or next generation ultra low-NO<sub>x</sub> burners, but requires FHR to install specific control technology and accept restrictive emission limits for these two heaters.

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 and the State of Minnesota v. Koch Petroleum Group, L.P.*, D.J. Ref 90–5–2–1–07110.

The First Amendment to Consent Decree may be examined at the Office of the United States Attorney, District of Minnesota, 600 U.S. Courthouse, 300 South Fourth Street, Minneapolis, MN 55415. During the public comment period the Amendment may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the Amendment 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 \$5.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Robert Brook,**

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

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## DEPARTMENT OF JUSTICE

### Bureau of Alcohol, Tobacco, Firearms and Explosives

#### Agency Information Collection Activities: Proposed Collection; Comments Requested

**ACTION:** 60-day notice of information collection under review: Application For Restoration of Explosives Privileges [1140–0064].

The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), 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. Comments are encouraged and will be accepted for “sixty days” until September 5, 2006. This process is conducted in accordance with 5 CFR 1320.10.

If you have comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Francis Burroughs, Explosives Industry Programs Branch, 650 Massachusetts Avenue, NW., Room 500, Washington, DC 20226.

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:

- 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 agencies 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.

Overview of this information collection:

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Application For Restoration of Explosives Privileges.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: ATF F 5400.29. Bureau of Alcohol, Tobacco, Firearms and Explosives.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals or households. Other: Business or other for-profit. ATF F 5400.29 is required in order to determine whether or not explosive privileges may be restored. The form is used to conduct an investigation to establish if it is likely that the applicant will act in a manner dangerous to public safety or contrary to public interest.

(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 500 respondents will complete a 30 minute form.

(6) *An estimate of the total public burden (in hours) associated with the collection:* There are an estimated 250 annual total burden hours associated with this collection.

*If additional information is required contact:* Lynn Bryant, Deputy Department Clearance Officer, Policy and Planning Staff, Justice Management Division, Department of Justice, Patrick Henry Building, Suite 1600, 601 D Street NW., Washington, DC 20530.

**Lynn Bryant,**

*Deputy Department Clearance Officer, Department of Justice.*

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