

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Air Act

Notice is hereby given that on March 4, 2008, a proposed Consent Decree in *United States v. Riverside Cement Company*, Civil Action No. CV 08–01284 ABC (JCRx), was lodged with the United States District Court for the Central District of California.

The proposed Consent Decree resolves the United States' claims against Riverside Cement Company ("RCC") under Section 113(b) of the Clean Air Act ("CAA"), 42 U.S.C. 7413(b), for alleged violations of the Clean Air Act and the federally approved California State Implementation Plan ("SIP"), including Mohave Desert Air Quality Management District Rule 1161 ("Rule 1161"), at a portland cement manufacturing facility owned and operated by RCC in Oro Grande, California ("Facility"). The Consent Decree requires RCC to pay a civil penalty of \$394,000, plus interest accruing thereon from the date of lodging, and requires RCC to shut down its older cement kilns (kilns 1–7) by no later than August 31, 2008 or 120 days after its new cement kiln reaches 90 percent of its operating capacity, whichever is earlier; to comply with enhanced baghouse inspection requirements until the older kilns are shut down; and to comply with the Portland Cement NESHAP, Rule 1161, and its Title V operating permit.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044–7611, and should refer to *United States v. Riverside Cement Company*, D.J. Ref. 90–5–2–1–09021.

The proposed Consent Decree may be examined at the Office of the United States Attorney, 300 North Los Angeles Street, Los Angeles, CA 90012, and at U.S. EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105. During the public comment period, the proposed Consent Decree may also be examined on the following Department of Justice Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy of the proposed 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 number (202) 514–0097, phone confirmation number (202) 514–1547. When requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$7.50 for the Consent Decree (25 cents per page reproduction cost), payable to the U.S. Treasury or, if by e-mail or fax, forward a check in that amount to the Consent Decree Library at the stated address.

**Henry S. Friedman,**

*Environmental Enforcement Section,  
Environment and Natural Resources Division.*  
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**BILLING CODE 4410–15–P**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review; Comment Request

March 6, 2008.

The Department of Labor (DOL) hereby announces the submission of 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; including among other things a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the RegInfo.gov Web site at <http://www.reginfo.gov/public/do/PRAMain> or by contacting Darrin King on 202–693–4129 (this is not a toll-free number)/e-mail: [king.darrin@dol.gov](mailto:king.darrin@dol.gov).

Interested parties are encouraged to send comments to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Employee Benefits Security Administration (EBSA), Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: 202–395–7316/Fax: 202–395–6974 (these are not toll-free numbers), E-mail: [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov) within 30 days from the date of this publication in the **Federal Register**. In order to ensure the appropriate consideration, comments should reference the OMB Control Number (see below).

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:* Employee Benefits Security Administration.

*Type of Review:* Extension without change of currently approved collection.

*Title:* Class Exemption 77–4 for Certain Transactions Between Investment Companies and Employee Benefit Plans.

*OMB Number:* 1210–0049.

*Affected Public:* Private Sector: Business or other for-profits.

*Total Estimated Number of Respondents:* 900.

*Total Estimated Annual Burden Hours:* 10,301.

*Total Estimated Annual Costs Burden:* \$167,000.

*Description:* Prohibited Transaction Class Exemption 77–4 permits an employee benefit plan to purchase and sell shares of an open-end investment company (mutual fund) when a fiduciary with respect to the plan is also the investment advisor for the mutual fund. Without the exemption, certain aspects of these transactions might be prohibited by sections 406 and 407(a) of the Employee Retirement Income Security Act of 1974. The third-party disclosure requirements contained in the Exemption are designed to help protect the interests of plan participants and beneficiaries from potential abuse when a fiduciary exercises the Exemption. For additional information, see related notice published at 72 FR 72762 on December 21, 2007.

*Agency:* Employee Benefits Security Administration.

*Type of Review:* Extension without change of currently approved collection.

*Title:* Class Exemption 81–8 for Investment of Plan Assets in Certain Types of Short-Term Investments.

*OMB Number:* 1210–0061.

*Affected Public:* Private Sector: Business or other for-profits.