

Seneca-Cayuga Tribe of Oklahoma; Shawnee Tribe, Oklahoma; Sokaogon Chippewa Community, Wisconsin; Turtle Mountain Band of Chippewa Indians of North Dakota; and the Wyandotte Nation, Oklahoma.

### History and Description of the Remains

At an unknown date, human remains representing, at minimum, two individuals were removed from an unknown location described as "Mound Builder grave, Mound B" in Marion County, OH. The human remains were acquired by the Longyear Museum of Anthropology between 1948 and 1979, and accessioned as part of the Howe Collection (catalog number A372). The human remains were subsequently assigned index number 464 in the Colgate Collection database. No known individuals were identified. No associated funerary objects are present.

### Determinations Made by the Longyear Museum of Anthropology

Officials of the Longyear Museum of Anthropology have determined that:

- Based on the presence of Native American artifacts in the Howe Collection, the description of the site from which the human remains were recovered, and the records in the Longyear Museum of Anthropology, the human remains are Native American.
- Pursuant to 25 U.S.C. 3001(2), a relationship of shared group identity cannot be reasonably traced between the Native American human remains and any present-day Indian tribe.
- The 1795 Treaty of Greenville (7 Stat. 49, December 2, 1795), indicates that the land from which the Native American human remains were removed is the aboriginal land of the Absentee-Shawnee Tribe of Indians of Oklahoma; Delaware Tribe of Indians, Oklahoma; Eastern Shawnee Tribe of Oklahoma; Little Traverse Bay Bands of Odawa Indians, Michigan; Shawnee Tribe, Oklahoma; and the Wyandotte Nation, Oklahoma. The Little Traverse Bay Bands of Odawa Indians, Michigan, have at least two signatories on the 1795 Treaty of Greenville (La Malice and Keenoshameek), which ceded land to the United States Government, including land that is now Marion County, OH.
- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of two individuals of Native American ancestry.
- Pursuant to 43 CFR 10.11(c)(1), the disposition of the human remains is to the Little Traverse Bay Bands of Odawa Indians, Michigan.

### Additional Requestors and Disposition

Representatives of any Indian tribe that believes itself to be culturally affiliated with the human remains or any other Indian tribe that believes it satisfies the criteria in 43 CFR 10.11(c)(1) should contact Dr. Jordan Kerber, Longyear Museum of Anthropology, Department of Sociology and Anthropology, Colgate University, 13 Oak Dr., Hamilton, NY 13346, telephone (315) 228-7559, before September 27, 2012. Disposition of the human remains to the Little Traverse Bay Bands of Odawa Indians, Michigan, may proceed after that date if no additional requestors come forward.

The Longyear Museum of Anthropology is responsible for notifying the Absentee-Shawnee Tribe of Indians of Oklahoma; Delaware Tribe of Indians, Oklahoma; Eastern Shawnee Tribe of Oklahoma; Little Traverse Bay Bands of Odawa Indians, Michigan; Shawnee Tribe, Oklahoma; and the Wyandotte Nation, Oklahoma, that this notice has been published.

Dated: July 31, 2012.

**Melanie O'Brien,**

*Acting Manager, National NAGPRA Program.*

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**BILLING CODE 4312-50-P**

## DEPARTMENT OF JUSTICE

[OMB Number 1103-0102]

### Agency Information Collection Activities; Revision of a Previously Approved Collection; Comments Requested; COPS Progress Report

**ACTION:** 30-Day Notice.

The Department of Justice (DOJ) Office of Community Oriented Policing Services (COPS) will be submitting 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 77, Number 116, Pages 36001-36002, on June 15, 2012, allowing for a 60 day comment period.

The purpose of this notice is to allow for an additional 30 days for public comment until September 27, 2012. 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 Danielle Ouellette, Department of Justice Office of Community Oriented Policing Services, 145 N Street NE., Washington, DC 20530.

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 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.

### Overview of This Information Collection

(1) *Type of Information Collection:* Extension of a previously approved collection; comments requested.

(2) *Title of the Form/Collection:* COPS Progress Report.

(3) *Agency form number, if any, and the applicable component of the Department sponsoring the collection:* None. U.S. Department of Justice Office of Community Oriented Policing Services.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Under the Violent Crime and Control Act of 1994, the U.S. Department of Justice COPS Office would require the completion of the COPS Progress Report by recipients of COPS hiring and non-hiring grants. Grant recipients must complete this report in order to inform COPS of their activities with their awarded grant funding.

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 approximately 7,600 annual, quarterly,

and final report respondents can complete the report in an average of 25 minutes.

(5) *An estimate of the total public burden (in hours) associated with the collection:* There are an estimated 3,167 total annual burden hours associated with this collection.

If additional information is required contact: Jerri Murray, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., Room 2E-508, Washington, DC 20530.

Dated: August 22, 2012.

**Jerri Murray,**

*Department Clearance Officer, PRA, U.S. Department of Justice.*

[FR Doc. 2012-21074 Filed 8-27-12; 8:45 am]

**BILLING CODE 4410-AT-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Clean Water Act

Notice is hereby given that on August 23, 2012, a proposed Consent Decree was lodged with the United States District Court for the District of Massachusetts in *Conservation Law Foundation, Inc. and United States v. Boston Water and Sewer Commission, et al.*, Civil Action No. 10-cv-10250-RGS (D. Mass.).

The Consent Decree resolves the United States' and the Conservation Law Foundation's claims of violations under Section 301 of the Clean Water Act, 33 U.S.C. 1311, relating to discharges of pollutants from the Boston Water and Sewer Commission's municipal separate storm sewer system ("MS4") and wastewater collection system into Boston Harbor and its tributaries. The Consent Decree requires the BWSC to develop and implement various programs to address these discharges, including (a) Improvements to BWSC's program to identify and eliminate illicit discharges to its MS4, (b) stormwater modeling, (c) stormwater control through best management practices, (c) capacity, management, operation and maintenance corrective action, (d) construction site inspection and enforcement, and (e) industrial facility stormwater pollution prevention. BWSC will also pay a civil penalty of \$235,000 and implement a supplemental environmental project worth at least \$160,000 involving the lining of at least 25 leaking private sewer laterals that have been identified as sources of sewage to BWSC's storm drains.

For a period of thirty (30) days from the date of this publication, the United States Department of Justice will receive comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, and should either be emailed to [pubcommentees.enrd@usdoj.gov](mailto:pubcommentees.enrd@usdoj.gov) or mailed to U.S. Department of Justice, P.O. Box 7611, Washington, DC 20044-7611. The comments should refer to *Conservation Law Foundation, Inc. and United States v. Boston Water and Sewer Commission, et al.*, D.J. Ref. #90-5-1-1-10166.

During the public comment period, the proposed Consent Decree may 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 Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, Washington, DC 20044-7611 or by faxing or emailing a request to "Consent Decree Copy" ([EESCDCopy.ENRD@usdoj.gov](mailto:EESCDCopy.ENRD@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-5271. If requesting a copy from the Consent Decree Library by mail, please enclose a check in the amount of \$19.50 (\$.25 per page reproduction cost for the 78 page proposed Consent Decree) payable to the U.S. Treasury. If you would also like a copy of the attachments to the proposed Consent Decree, please so note and include an additional \$36.00 (25 cents per page for the 144 pages of attachments). If requesting by email or fax, forward a check in that amount to the Consent Decree Library at the address given above.

**Ronald G. Gluck,**

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

[FR Doc. 2012-21148 Filed 8-27-12; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Agency Information Collection Activities; Submission for OMB Review; Comment Request; Health Standards for Diesel Particulate Matter Exposure (Underground Metal and Nonmetal Mines)

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (DOL) is submitting the Mine Safety and Health Administration (MSHA) sponsored information collection

request (ICR) titled, "Health Standards for Diesel Particulate Matter Exposure (Underground Metal and Nonmetal Mines)," to the Office of Management and Budget (OMB) for review and approval for continued use in accordance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501 et seq.).

**DATES:** Submit comments on or before September 27, 2012.

**ADDRESSES:** A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the RegInfo.gov Web site, <http://www.reginfo.gov/public/do/PRAMain>, on the day following publication of this notice or by contacting Michel Smyth by telephone at 202-693-4129 (this is not a toll-free number) or sending an email to [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

Submit comments about this request to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL-MSHA, Office of Management and Budget, Room 10235, 725 17th Street NW., Washington, DC 20503, Telephone: 202-395-6929/Fax: 202-395-6881 (these are not toll-free numbers), email: [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov).

**FOR FURTHER INFORMATION CONTACT:** Michel Smyth by telephone at 202-693-4129 (this is not a toll-free number) or by email at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

**Authority:** 44 U.S.C. 3507(a)(1)(D).

**SUPPLEMENTARY INFORMATION:** Diesel particulate matter (DPM) is a probable carcinogen that consists of tiny particles present in diesel engine exhaust that can readily penetrate into the deepest recesses of the lungs. Despite ventilation, the confined underground mine work environment may contribute to significant concentrations of particles produced by equipment used in the mine. Underground miners are exposed to higher concentrations of DPM than any other occupational group. As a result, they face a significantly greater risk than other workers do of developing such diseases as lung cancer, heart failure, serious allergic responses, and other cardiopulmonary problems.

The DPM regulation established a permissible exposure limit to total carbon, which is a surrogate for measuring a miner's exposure to DPM. These regulations include a number of other requirements for the protection of miners' health. The DPM regulations contain information collection requirements for underground metal and non-metal mine operators under