

**DEPARTMENT OF JUSTICE****Notice of Lodging of Proposed Settlement Agreement Under the Comprehensive Environmental Response, Compensation, and Liability Act**

On May 11, 2017, a proposed Settlement Agreement was lodged with the Circuit Court of Cook County, Illinois, in the case entitled *In the Matter of the Rehabilitation of Centaur Insurance Company*, No. 87 CH 8615.

The Centaur Insurance Company ("Centaur") is in rehabilitation under the jurisdiction of the Circuit Court of Cook County, Illinois County Department, Chancery Division. In that proceeding, the United States has asserted claims totaling \$10 million on behalf of the Environmental Protection Agency under an insurance policy issued by Centaur to LCP Chemicals, Inc. ("LCP") in 1982 (the "Policy"). The Policy is an Excess Umbrella Liability policy with a liability limit of \$10 million in excess of \$11 of underlying liability. The claims under the Policy are based on LCP's liability to EPA under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9601, *et seq.*, at three Superfund sites: The LCP Chemicals Site in Brunswick, Georgia ("Brunswick Site"), the Hanlin-Allied-Olin Superfund Site in Moundsville, West Virginia ("Moundsville Site"), and the LCP Chemicals, Inc. Superfund Site in Linden, New Jersey ("Linden Site"). The Office of the Deputy Receiver, Illinois Department of Insurance ("Rehabilitator"), has been appointed as the rehabilitator of Centaur under the Illinois statutes governing insurance receiverships.

The Settlement Agreement will require the Rehabilitator to pay EPA \$8,750,000, to be allocated as follows: \$2,916,667 for the Brunswick Site, \$2,916,667 for the Moundsville Site, and \$2,916,666 for the Linden Site. In exchange for this payment, the United States, on behalf of EPA, promises not to file a civil action against the Rehabilitator or Centaur for all liabilities under the Policy arising under CERCLA for the Brunswick Site, the Moundsville Site, the Linden Site, or any other site. The Settlement Agreement preserves the United States' right to file (a) any claim based on any other insurance policy issued by Centaur, (b) any claim by EPA under the Policy based on statutes other than CERCLA, and (c) any claims of federal agencies other than EPA under the Policy.

The publication of this notice opens a period for public comment on the Settlement Agreement. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *In the Matter of the Rehabilitation of Centaur Insurance Company*, No. 87 CH 8615 (Ill. Circuit Ct. Cook County), D.J. Ref. No. 90-11-3-10462. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By email .....	<i>pubcomment-ees.enrd@usdoj.gov.</i>
By mail .....	Assistant Attorney General, U.S. DOJ-ENRD, P.O. Box 7611, Washington, D.C. 20044-7611.

*During the public comment period, the Settlement Agreement may be examined and downloaded at this Justice Department Web site: <https://www.justice.gov/enrd/consent-decrees>.*

We will provide a paper copy of the Settlement Agreement upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ-ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Please enclose a check or money order for \$1.50 (25 cents per page reproduction cost) payable to the United States Treasury.

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

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

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**BILLING CODE 4410-15-P**

**NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES****National Endowment for the Arts****Arts Advisory Panel Meetings**

**AGENCY:** National Endowment for the Arts, National Foundation on the Arts and Humanities.

**ACTION:** Notice of meetings.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act, as amended, notice is hereby given that 11 meetings of the Arts Advisory Panel to the National Council on the Arts will be held by teleconference.

**DATES:** All meetings are Eastern time and ending times are approximate:

*Musical Theater* (review of applications): This meeting will be closed.

*Date and time:* June 22, 2017; 2:00 p.m. to 4:00 p.m.

*Local Arts Agencies* (review of applications): This meeting will be closed.

*Date and time:* June 27, 2017; 3:00 p.m. to 5:00 p.m.

*Music* (review of applications): This meeting will be closed.

*Date and time:* June 27, 2017; 12:00 p.m. to 2:00 p.m.

*Music* (review of applications): This meeting will be closed.

*Date and time:* June 27, 2017; 3:00 p.m. to 5:00 p.m.

*Visual Arts* (review of applications): This meeting will be closed.

*Date and time:* June 27, 2017; 11:30 a.m. to 1:30 p.m.

*Visual Arts* (review of applications): This meeting will be closed.

*Date and time:* June 27, 2017; 2:30 p.m. to 4:30 p.m.

*Music* (review of applications): This meeting will be closed.

*Date and time:* June 28, 2017; 1:00 p.m. to 3:00 p.m.

*Visual Arts* (review of applications): This meeting will be closed.

*Date and time:* June 28, 2017; 11:30 a.m. to 1:30 p.m.

*Visual Arts* (review of applications): This meeting will be closed.

*Date and time:* June 28, 2017; 2:30 p.m. to 4:30 p.m.

*Theater* (review of applications): This meeting will be closed.

*Date and time:* July 6, 2017; 1:00 p.m. to 3:00 p.m.

*Theater* (review of applications): This meeting will be closed.

*Date and time:* July 6, 2017; 4:00 p.m. to 6:00 p.m.

**ADDRESSES:** National Endowment for the Arts, Constitution Center, 400 7th St. SW., Washington, DC, 20506.

**FOR FURTHER INFORMATION CONTACT:**

Further information with reference to these meetings can be obtained from Ms. Sherry P. Hale, Office of Guidelines & Panel Operations, National Endowment for the Arts, Washington, DC 20506; [hales@arts.gov](mailto:hales@arts.gov), or call 202/682-5696.

**SUPPLEMENTARY INFORMATION:** The closed portions of meetings are for the purpose of Panel review, discussion, evaluation, and recommendations on financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including information given in confidence to the agency. In accordance with the determination of the Chairman of July 5, 2016, these sessions will be closed to the public pursuant to

subsection (c)(6) of section 552b of title 5, United States Code.

Dated: May 12, 2017.

**Sherry P. Hale,**

*Staff Assistant, National Endowment for the Arts.*

[FR Doc. 2017-09971 Filed 5-16-17; 8:45 am]

**BILLING CODE 7537-01-P**

## **NUCLEAR REGULATORY COMMISSION**

**[EA-16-167; Docket Nos. 11006088 and NRC-2017-0114; License No. XMAT427]**

### **In the Matter of Airgas Specialty Gases, Inc.; Order Approving Direct and Indirect Transfers of Control of License**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Order; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is issuing an Order approving a request, submitted by Shipping International, Inc. (SII), working under a power of attorney signed by Airgas USA, LLC, seeking the NRC's consent to the direct and indirect transfers of control of Export License XMAT427. In addition, SII requested approval of a conforming license amendment to reflect the new name of the holder of the license from Airgas Specialty Gases, Inc., to Airgas USA, LLC.

**DATES:** The Order was issued on April 26, 2017.

**ADDRESSES:** Please refer to NRC-2017-0114 when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this document using any of the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2017-0114. Address questions about NRC dockets to Carol Gallagher; telephone: 301-415-3463; email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov). For questions about the Order contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *NRC's Agencywide Documents Access and Management System:* You may obtain publicly-available documents online in the Agencywide Documents Access and Management System (ADAMS) Public Documents collection at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "ADAMS Public Documents" and then select "Begin

Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that a document is referenced in this document.

- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

**FOR FURTHER INFORMATION CONTACT:**

Andrea R. Jones, Office of International Programs, telephone: 301-287-9072, email: [Andrea.Jones2@nrc.gov](mailto:Andrea.Jones2@nrc.gov); U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

**SUPPLEMENTARY INFORMATION:** The text of the Order is attached.

Dated: May 8, 2017.

For the Nuclear Regulatory Commission.

**David L. Skeen,**

*Acting Director, Office of Internal Programs.*

### **United States of America**

#### **U.S. Nuclear Regulatory Commission**

**In the Matter of Airgas Specialty Gases, Inc.; EA-16-167; Docket No. 11006088; License No. XMAT427**

### **Order Approving Direct and Indirect Transfers of Control of Export License I.**

As of April 1, 2016, Airgas Specialty Gases, Inc. ("ASG"), a Texas corporation and holder of one U.S. Nuclear Regulatory Commission (NRC) export license (XMAT427), was merged into Airgas USA, LLC, a Delaware limited liability company, with Airgas USA, LLC, being the surviving entity and ASG not existing as a separate legal entity after the merger. Prior to this restructuring, both ASG and Airgas USA, LLC, were subsidiaries of Airgas, Inc. On May 23, 2016, Airgas, Inc. was acquired by L'Air Liquide, S.A. ("Air Liquide"), a public company in France. American Air Liquide Holdings, Inc. and Air Liquide International S.A., which were subsidiaries of Air Liquide before the May 23, 2016, acquisition, continued to exist. Following the May 23, 2016, acquisition, Airgas USA, LLC, remained a wholly-owned subsidiary of Airgas, Inc., but Airgas, Inc. became a wholly-owned subsidiary of American Air Liquide Holdings, Inc. American Air Liquide Holdings, Inc. is owned by American Air Liquide, Inc. (97.33033% ownership) and Carba Holdings, AG (2.66967% ownership), both of which are owned by Air Liquide International

S.A. Air Liquide International S.A. is a direct subsidiary of Air Liquide (the ultimate parent company).

## **II.**

On December 5, 2016, after a review of records associated with ASG's indirect and direct transfers of control and records associated with the export of nuclear material to China on May 9, 2016, the NRC issued a Notice of Violation (NOV) to ASG (Agencywide Documents Access and Management System (ADAMS) Accession No. ML16245A279). The NRC determined that three violations of NRC requirements occurred. The violations involved: (1) The direct transfer of control of XMAT427 without Commission approval as required by Title 10 of the *Code of Federal Regulations* (10 CFR), Section 110.50(d), and Section 184 of the Atomic Energy Act (AEA) of 1954, as amended (42 U.S.C. 2234); (2) the indirect transfer of control of XMAT427 without written Commission consent as required by Section 184 of the AEA; and (3) the export of nuclear material without obtaining a specific license as required by 10 CFR 110.5. Specifically, 10 CFR 110.50(d) states that a "specific license may be transferred, disposed of or assigned to another person only with the approval of the Commission by license amendment." Section 184 of the AEA states, in part, that no NRC license shall be transferred, directly or indirectly, through transfer of control of any license to any person, unless the Commission shall, after securing full information, find that the transfer is in accordance with the provisions of this Act, and shall give its consent in writing. And 10 CFR 110.5 states, in part, that no person may export any nuclear material listed in 10 CFR 110.9 unless authorized by a general or specific license issued under 10 CFR part 110. Because ASG did not receive Commission approval, the NRC did not have the opportunity to review the planned transfers of control to ensure that the transferee possessed the appropriate authority over the license being directly or indirectly acquired and controlled. The violations associated with the indirect and direct transfers of control of XMAT427, without Commission approval, were categorized collectively, in accordance with the NRC Enforcement Policy, as a Severity Level IV problem because of the low radiological or programmatic significance associated with the particular circumstances of the case. Because the activities conducted under XMAT427 do not involve the actual storage of licensed material, the NRC