

In this action the United States sought injunctive relief and response costs from Bollman Trucking Company, Christiana Motor Freight Company, and F & H Transport Inc. ("Settling Defendants"), in connection with the Halby Chemical Superfund Site in Wilmington, New Castle County, Delaware ("the Halby Site"). The Consent Decree requires that the Settling Defendants pay a total of \$75,000 in reimbursement of response costs relating to the Halby Site.

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. Please address comments to the Assistant Attorney General, Environmental and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and refer to *United States v. Bollman Trucking Company, Christiana Motor Freight Company, and F & H Transport Inc.*, D.J. Ref. 90-11-2-719/3.

The Consent Decree may be examined at the Office of the United States Attorney for the District of Delaware, 1201 Market Street, Suite 1100, Wilmington, DE 19899-2046 and at U.S. EPA Region III, 1650 Arch Street, Philadelphia, PA 19103. During the public comment period, the Consent Decree, may also 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 \$8.00 for the Consent Decree only or \$42.75 for the Consent Decree and attachments (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Robert Brook,**

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

[FR Doc. 03-23790 Filed 9-17-03; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging Proposed Consent Decree

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States of America v. Madison County Executive Airport Authority*, in the United States District Court for the Northern District of Alabama, CV-03-H-2484-NE, was lodged with the United States District Court for the Northern District of Alabama on September 8, 2003.

This proposed Consent Decree concerns a complaint filed by the United States against Madison County Executive Airport Authority, pursuant to CWA Section 301(a), 33 U.S.C. 1311(a), to obtain injunctive relief from the Defendant for violating the Clean Water Act by discharging pollutants without a permit into waters of the United States. The proposed Consent Decree resolves these allegations by requiring the Defendants to restore the impacted areas and to perform mitigation.

The Department of Justice will accept written comments relating to this proposed Consent Decree for thirty (30) days from the date of publication of this Notice. Please address comments to John Charles Bell, Assistant United States Attorney for the Northern District of Alabama, United States Department of Justice, 1801 4th Avenue, North, Birmingham, Alabama 35203 and refer to Madison County Executive Airport Authority, DJ#-5-1-1-16579.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the Northern District of Alabama, 1729 Hugo Black Courthouse, Birmingham, Alabama 35203. In addition, the proposed Consent Decree may be viewed at <http://www.usdoj.gov/enrd/open.html>.

**John Charles Bell,**

*Assistant United States Attorney.*

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## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review; Comment Request

September 11, 2003.

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

information collection request (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 this ICR, with applicable supporting documentation, may be obtained by calling the Department of Labor. To obtain documentation, contact 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 Bureau of Labor Statistics (BLS), 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:* Bureau of Labor Statistics.

*Type of Review:* Revision of a currently approved collection.

*Title:* BLS/OSHS Federal/State Cooperative Agreement (Application Package).

*OMB Number:* 1220-0149.

*Affected Public:* State, Local, or Tribal govt.

*Frequency:* Quarterly and annually.

*Type of Response:* Recordkeeping and reporting.

*Number of Respondents:* 56.

Information collection requirements	Total respondents	Frequency	Annual responses	Average response time (hours)	Annual burden hours
BLS-OSHS Work Statements .....	56	Annually	56	2	112
BLS-OSHS1 .....	56	Annually	56	2	112
BLS-OSHS2 .....	56	Quarterly	224	1	224
Total: .....	.....	.....	336	.....	448

*Total Annualized capital/startup costs:* \$0.

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

*Description:* This collection is approved for an abbreviated period to allow BLS to develop the capability to accept electronic submission of responses, including electronic signatures, by the time of next submission of this collection. If BLS is unable to accommodate this deadline, it must report the reasons to OMB at the earliest possible time.

**Ira L. Mills,**

*Departmental Clearance Officer.*

[FR Doc. 03-23844 Filed 9-17-03; 8:45 am]

**BILLING CODE 4510-24-M**

## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

#### Proposed Extension of Information Collection Request Submitted for Public Comment; Summary Plan Description Requirements under ERISA

**AGENCY:** Employee Benefits Security Administration, Department of Labor.

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (Department), as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA 95). This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Employee Benefits Security Administration is soliciting comments on the proposed extension of the Summary Plan Description Requirements under ERISA.

A copy of the information collection request (ICR) can be obtained by contacting the individual shown in the **ADDRESSES** section of this notice.

**DATES:** Written comments must be submitted to the office shown in the *Addresses* section on or before November 17, 2003.

**ADDRESSES:** Gerald B. Lindrew, Office of Policy and Research, Employee Benefits Security Administration, 200 Constitution Avenue NW., Washington, DC 20210, (202) 693-8410; FAX (202) 219-5333 (these are not toll-free numbers).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Section 104(b) of the Employee Retirement Income Security Act of 1974 (ERISA) requires that the administrator of an employee benefit plan furnish plan participants and certain beneficiaries with a Summary Plan Description (SPD) which describes, in language understandable to an average plan participant, the benefits and rights and obligations of participants in the plan. The information required to be contained in the SPD is set forth in section 102(b) of the statute. To the extent that there is a material modification in the terms of the plan or a change in the required content of the SPD, section 104(b)(1) requires that the administrator furnish participants and beneficiaries with a summary of material modifications (SMM) or summary of material reduction (SMR). Information collection requests pertaining to SPD and SMM or SMR are found in regulations at 29 CFR 2520.102-2 and 102-3, and 29 CFR 104b-2 and 104b-3.

##### II. Review Focus

The Department is particularly interested in comments that:

- 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 submissions of responses.

##### III. Current Actions

The Office of Management and Budget's (OMB) approval of this ICR will expire on November 30, 2003. After considering comments received in response to this notice, the Department intends to submit the ICR to OMB for continuing approval. No change to the existing ICR is proposed or made at this time.

*Agency:* Employee Benefits Security Administration, Department of Labor.

*Title:* Summary Plan Description Requirements under ERISA.

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

*OMB Number:* 1210-0039.

*Affected Public:* Individuals or households; business or other for-profit; not-for-profit institutions.

*Respondents:* 900,000.

*Responses:* 50,000,000.

*Estimated Total Burden Hours:* 1,100,000.

*Estimated Total Burden Cost (Operating and Maintenance):* \$400,000,000.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of the information collection request; they will also become a matter of public record.

Dated: September 12, 2003.

**Gerald B. Lindrew,**

*Deputy Director, Office of Policy and Research, Employee Benefits Security Administration.*

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