

the Atlantic Richfield Company was responsible for under CERCLA. EPA estimates that the value of the work to be done by the Atlantic Richfield Company is in excess of \$6.1 million.

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. Comments should be addressed to the Assistant Attorney General, Environmental and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. the Atlantic Richfield Company, et. al.*, DJ#90-11-3-07993/3.

The Consent Decree may be examined at U.S. EPA Region 8, 999 18th Street, Suite 500, Denver, Colorado, 80202. 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 \$20.00 for the Decree (excluding appendices), \$51 for the Decree with attachments payable to the United States Treasury.

**Robert Brook,**

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

[FR Doc. 04-25533 Filed 11-17-04; 8:45 am]

**BILLING CODE 4410-15-M**

**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA")**

Under the policy set out at 28 CFR 50.7, notice is hereby given that on November 4, 2004, the United States lodged with the United States District Court for the District of Montana a proposed consent decree ("Consent Decree") in the case of *United States v. Atlantic Richfield Company, et al.*, Civil Action No. CV-89-39-SEH. The Consent Decree pertains to certain Superfund sites within the Clark Fork River Basin in southwestern Montana that have not been the subject of prior settlements with the United States—the

Anaconda Smelter Superfund Site, the Clark Fork River Superfund Site, the Warm Springs Ponds Superfund Site, and the Butte Superfund Site, (collectively, the "Remaining Clark Fork Site").

The proposed settlement would resolve the claims brought by the United States against ARCO under section 107 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9607, for the recovery of response costs previously paid by EPA, through July 31, 2002, with accrued interest, in responding to releases and threatened releases of hazardous substances at the Remaining Clark Fork Sites. The Consent Decree would simultaneously resolve, subject to certain reservations, most of the defenses and all of the counterclaims asserted by ARCO against the United States for the past cost claims at the Remaining Clark Fork Sites, as well as the future response costs and future response actions at these sites.

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. Comments should be addressed to the Assistant Attorney General, Environmental and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. ARCO*, DOJ Case Number 90-11-2-430.

The proposed Consent Decree may be examined at the office of the United States Attorney for the District of Montana, 2929 Third Avenue North, Suite 400, Billings, Montana 59101, and at U.S. EPA Region VIII Montana Office, Federal Building, 10 West 15th Street, Suite 3200, Helena, Montana 59624. 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 of the Consent Decree, please reference *United States v. ARCO*, DOJ Case Number 90-11-2-430, and enclose a check in the amount of \$10.00

(25 cents per page reproduction costs) payable to the U.S. Treasury.

**Robert D. Brook,**

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

[FR Doc. 04-25535 Filed 11-17-04; 8:45 am]

**BILLING CODE 4410-15-M**

**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Consent Decree Under Comprehensive Environmental Response, Compensation and Liability Act**

Under 28 CFR 50.7, notice is hereby given that on October 25, 2004, a proposed Consent Decree in *United States v. Esso Standard Oil Co. S.A. Ltd.*, Civil Action No. 2004/0139, was lodged with the United States District Court for the District of Virgin Islands.

In this action, the United States asserted claims against Esso Standard Oil Co. S.A. Ltd. (Esso) under Section 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. 9607(a), for recovery of response costs incurred regarding the Tutu Wellfield Superfund Site, in St. Thomas, USVI (Site). The proposed consent decree embodies an agreement with Esso to pay \$3 million of response costs. The decree provides Esso with a covenant not to sue under Section 107(a) of CERCLA.

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. Comments should be addressed to the Assistant Attorney General, Environmental and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Esso Standard Oil Co. S.A. Ltd.*, D.J. 90-11-3-1510/1.

The Consent Decree may be examined at the Office of the United States Attorney, 1108 King Street, Suite 201, Christensted, St. Croix, VI 00820, and at the Region II Office of the U.S. Environmental Protection Agency, Region II Records Center, 290 Broadway, 17th Floor, New York, NY 10007-1866. During the public comment period, the Consent Decree also may be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 2004-7611 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 \$5.00 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Ronald G. Gluck,**

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

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Proposed Information Collection Request Submitted for Public Comment and Recommendations; Nonproduction Questionnaire

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, 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/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. 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.

**DATES:** Submit comments on or before January 18, 2005.

**ADDRESSES:** Send comments to Justin Heung, 200 Constitution Avenue, C-5311, 202-693-3560, [heung.justin@dol.gov](mailto:heung.justin@dol.gov), Fax: 202.693.3584.

**FOR FURTHER INFORMATION CONTACT:** Justin Heung, 200 Constitution Avenue, C-5311, 202-693-3560, [heung.justin@dol.gov](mailto:heung.justin@dol.gov), Fax: 202.693.3584.

**SUPPLEMENTARY INFORMATION:**

#### I. Background

Sections 222, 223 and 249 of the Trade Act of 1974, as amended, require the Secretary of Labor to issue a determination for groups of workers as to their eligibility to apply for Trade Adjustment Assistance (TAA). After reviewing all of the information obtained for each petition for trade

adjustment assistance filed with the Department, a determination is issued as to whether the statutory criteria for certification are met.

The information collected in ETA Form 9118 is used by the Secretary to specifically determine whether petitioning worker groups that perform a service are related to production of articles. If worker groups are related to production of articles, the form will request contact information so that sufficient article production and sales data may be collected from the appropriate contact to assess whether the production that service workers support is adversely affected by trade, and to adequately assess whether the group eligibility requirements detailed in section 223 of the Trade Act of 1974, as amended, have been met.

#### II. Desired Focus of Comments

Currently, the Employment and Training Administration is soliciting comments concerning the proposed extension of the Non-Production Questionnaire.

- 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.

A copy of the proposed information collection request (ICR) can be obtained by contacting the office listed above in the **ADDRESSES** section of this notice.

#### III. Current Actions

*Type of Review:* Extension.  
*Agency:* Employment and Training Administration.

*Title:* Non-production questionnaire.  
*OMB Number:* 1205-0447.

*Affected Public:* Individuals or households/business or other for-profit/not-for-profit institutions/farms/Federal Government/State, local or tribal government.

*Burden:* 810 Responses x 3.5 hours = 2,835 hours.

*Total Respondents:* 810.

*Frequency:* On occasion.

*Total Responses:* 810.

*Average Time per Response:* 3.5 hours.

*Estimated Total Burden Hours:* 2,835.

*Total Burden Cost (capital/startup):* \$0.

*Total Burden Cost (operating/maintaining):* \$0.

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

Dated: November 12, 2004.

**Shirley Smith,**

*Administrator, Office of National Response.*

[FR Doc. E4-3246 Filed 11-17-04; 8:45 am]

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## DEPARTMENT OF LABOR

### Bureau of Labor Statistics

#### Federal Economic Statistics Advisory Committee; Notice of Open Meeting and Agenda

The seventh meeting of the Federal Economic Statistics Advisory Committee will be held on December 14, 2004 in the Postal Square Building, 2 Massachusetts Avenue NE., Washington, DC. A meeting that had been scheduled for June 11, 2004, which would have been the Committee's seventh meeting, was canceled because that date was declared a national day of mourning for former President Ronald Reagan and Federal offices were closed.

The Federal Economic Statistics Advisory Committee is a technical committee composed of economists, statisticians, and behavioral scientists who are recognized for their attainments and objectivity in their respective fields. Committee members are called upon to analyze issues involved in producing Federal economic statistics and recommend practices that will lead to optimum efficiency, effectiveness, and cooperation among the Department of Labor, Bureau of Labor Statistics and the Department of Commerce, Bureau of Economic Analysis and Bureau of the Census.

The meeting will be held in Meeting Rooms 1 and 2 of the Postal Square Building Conference Center. The schedule and agenda for the meeting are as follows:

- 9 a.m. Opening session
- 9:45 a.m. Alternative measures of household income
- 1 p.m. Priorities for future meetings