

through signage, newspaper press releases, and website postings.

This order is posted in accordance with 43 CFR 423.60. Violation of this prohibition or any prohibition listed in 43 CFR part 423 is punishable by fine or imprisonment of not more than six months, or both.

Dated: January 14, 2008.

**Robert Schroeder,**

*Acting Area Manager, Central California Area Office.*

[FR Doc. 08-650 Filed 2-12-08; 8:45 am]

**BILLING CODE 4310-MN-M**

## DEPARTMENT OF THE INTERIOR

### Bureau of Reclamation

#### **Change of Use for the Waterway Between Smittle Creek Day Use Area, Oak Shores Day Use Area, and Big Island at Lake Berryessa, Napa, CA**

**AGENCY:** Bureau of Reclamation, Interior.

**ACTION:** Notice of change in public use.

**SUMMARY:** The Bureau of Reclamation Mid-Pacific Region, Central California Area Office will change public use of the Big Island area at Lake Berryessa, specifically the waterway between the Smittle Creek Day Use Area, the Oak Shores Day Use Area, and Big Island. Use will change from a gasoline-powered motorized zone to an electric trolling motor-only zone.

**DATES:** The change of use will become effective February 1, 2008 and continue indefinitely.

**ADDRESSES:** A map of the proposed change is available at Reclamation's Lake Berryessa Visitor Center, located at 5520 Knoxville Rd., Napa, California 94558. The Visitor Center is open to the public from 10 a.m. to 4 p.m., Wednesday through Sunday. The map is also on Lake Berryessa's Web site at: [http://www.usbr.gov/mp/ccao/field\\_offices/lake\\_berryessa/docs/map\\_resort.pdf](http://www.usbr.gov/mp/ccao/field_offices/lake_berryessa/docs/map_resort.pdf). To have a map mailed to your address, fax your request to 707-966-0409 or send your request to the above address, Attention: Big Island Change of Use Map Request.

**FOR FURTHER INFORMATION CONTACT:** Bureau of Reclamation, Mid-Pacific Region Public Affairs Office, at 916-978-5100, or contact Janet Rogers, Park Manager, Lake Berryessa Recreation Resource Branch at 707-966-2111 or via e-mail at [jlrogers@mp.usbr.gov](mailto:jlrogers@mp.usbr.gov).

**SUPPLEMENTARY INFORMATION:** This action is being taken under 43 CFR part 423 to protect safety and prevent additional resource degradation.

Reclamation will change public use of the Big Island Area, located within a special use area between Smittle Creek and Oak Shores Day Use Area. This change in use is consistent with the Record of Decision (ROD) for *Future Recreation Use and Operations of Lake Berryessa*, issued in June of 2006, section III. 6, *Land and Water Use Classification*. This change will serve to reduce the impacts of noise on visitors and wildlife, provide the opportunity for a more primitive recreation experience, and enhance public safety, while helping to protect the natural resources in this area.

Presently, this area is a 5 mph boating zone and is used for swimming, boating, both motorized and non-motorized, fishing, and wildlife viewing. Reclamation will designate the change of use area by placing a series of signs on buoys identifying the non-gasoline motorized zone. The public will be notified of the changes through signage, newspaper press releases, and Web site postings.

This order is posted in accordance with 43 CFR 423.60. Violation of this prohibition or any prohibition listed in 43 CFR part 423 is punishable by fine or imprisonment for not more than six months or both.

Dated: January 25, 2008.

**Robert Schroeder,**

*Acting Area Manager, Central California Area Office.*

[FR Doc. 08-649 Filed 2-12-08; 8:45 am]

**BILLING CODE 4310-MN-M**

## DEPARTMENT OF JUSTICE

### **Notice of Lodging of Consent Decree Under the Residential Lead-Based Paint Hazard Reduction Act**

Notice is hereby given that on January 28, 2008 a proposed Consent Decree in *United States v. VIP Properties, LLC, George L. and Toni Dufour Living Trust, Edward Anderson d/b/a Edric Associates, 50th Penn, LLC, David C. Brown, Hillsboro Homes, LLC, Richard O. Hanousek, Victor Yalom, Bisanz Family Limited and Jersey Company*, Civil Action No. 08-CV-246 (PJS/RLE) was lodged with the United States District Court for the District of Minnesota.

The consent decree settles claims against the owners and management company of approximately 10 residential properties containing approximately 292 units located in the area of Minneapolis and St. Paul, Minnesota. The claims were brought on behalf of the Environmental Protection

Agency ("U.S. EPA") and the Department of Housing and Urban Development ("HUD") under the Residential Lead-Based Paint Hazard Reduction Act, 42 U.S.C. 4851 et seq. ("Lead Hazard Reduction Act"). The United States alleged in the complaint that the defendant failed to make one or more of the disclosures or to complete one or more of the disclosure activities required by the Lead Hazard Reduction Act.

Under the Consent Decree, the Defendants will certify that they are complying with residential lead paint notification requirements. They also have agreed to hire contractors to complete risk assessments and have agreed to abate all lead-based paint hazards identified in all of the residential properties managed by VIP. Defendants will pay a civil penalty of \$7,500. In addition, Defendants have agreed to perform a child health improvement project ("CHIP") designed to reduce incidences of childhood lead poisoning in the Twin Cities metropolitan area where Defendants' housing properties are located at a cost of \$50,000. Specifically, Defendants will work with the St. Paul Health Department and a not-for-profit community development organization to replace all of the windows in at least 35 properties in very low income, owner-occupied homes with children under the age of 6 in the Thomasdale, Rice Street, and Lower East Side of St. Paul neighborhoods.

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 U.S. Department of Justice, Washington, DC 20044-7611 P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. VIP Properties, et al.*, D.J. Ref. # 90-5-2-1-09280.

The Proposed Consent Decree may be examined at the Department of Housing and Urban Development, Office of General Counsel, 451 7th St. NW., Room 9262, Washington, DC 20410; at the office of the United States Attorney for the District of Minnesota, 600 U.S. Courthouse, 300 South Fourth Street, Minneapolis, Minnesota, 55415 (Attn. Assistant United States Attorney Gregory G. Brooker); and at U.S. EPA Region 5, 77 W. Jackson Blvd., Chicago, IL 60604. During the public comment period, the Consent Decree may also be

examined on the following Department of Justice Web site, to [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, 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 \$9.75 (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.

**Karen Dworkin,**

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

[FR Doc. E8-2579 Filed 2-12-08; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of First Modification To Consent Decree Under the Clean Air Act

Under 28 CFR 50.7, notice is hereby given that on February 7, 2008, a First Modification ("First Modification") to the November 2005 First Revised Consent Decree in the case of *United States, et al. v. Marathon Ashland Petroleum, LLC*, Civil Action No. 01-40119 (PVG), was lodged with the United States District Court for the Eastern District of Michigan.

Under the November 2005 First Revised Consent Decree, Marathon Ashland Petroleum ("MAP") (presently known as Marathon Petroleum Company) agreed to continue to implement pollution control provisions originally found in a Consent Decree entered in August of 2001, but the parties replaced some of the original control technologies that proved ineffective or potentially unsafe with alternative, proven technologies. The parties also extended some compliance deadlines while accelerating others, incorporated some new final emissions limits, and modified some provisions relating to reporting, recordkeeping, modification, and termination. MAP still is obligated to comply with the November 2005 First Revised Consent Decree, but under the First Modification, the parties eliminate provisions related to Plantwide Applicability Limits ("PALs") (which were unique to the Marathon decree)

and add provisions (which are found in other refinery consent decrees) relating to prohibitions on emissions credit generation. In addition, the First Modification extends and accelerates certain deadlines with the net effect of achieving greater emissions reductions. In the First Modification, the United States is joined by the State of Louisiana and the State of Minnesota.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the First Modification. 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, et al. v. Marathon Ashland Petroleum, LLC*, D.J. Ref. No. 90-5-2-1-07247.

The First Modification may be examined at the Office of the United States Attorney, 211 W. Fort St., Suite 2300, Detroit, Michigan 48226, and at U.S. EPA Region 5, 77 W. Jackson St., Chicago, IL 60604. During the public comment period, the First Modification 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 First Modification 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. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$5.75 (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.

**Robert D. Brook,**

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

[FR Doc. E8-2639 Filed 2-12-08; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

### Bureau of Alcohol, Tobacco, Firearms and Explosives

[OMB Number 1140-0047]

### Agency Information Collection Activities: Proposed Collection; Comments Requested

**ACTION:** 60-Day Notice of Information Collection Under Review: Race and National Origin Identification.

The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), 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. Comments are encouraged and will be accepted for "sixty days" until April 14, 2008. 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 Ann Marie Hannon, Chief, Policy and Human Capital Planning Branch, Room 2.S-189, 99 New York Avenue, NE., Washington, DC 20226.

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 agencies' 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.