

Management, and the U.S. Geological Survey are participating as cooperating Federal agencies. The State of California Resources Agency is the lead agency under CEQA. Responsible State agencies include California Department of Fish and Game, California Department of Water Resources and the State Water Resources Control Board. The mission of the CALFED Bay-Delta Program is to develop a long-term comprehensive plan that will restore ecological health and improve water management for beneficial uses of the Bay-Delta system. The Program addresses four primary resource areas; ecosystem quality, water quality, water supply reliability, and system vulnerability.

### B. Proposed Action

1. The CALFED agencies will develop a HCP and certain nonfederal CALFED agencies intend to apply for an incidental take permit, pursuant to section 10 of the FESA as part of the CALFED Bay-Delta Program. The CALFED agencies will seek incidental take coverage and assurances (for the nonfederal agencies) for state and federally listed species, as well as currently unlisted species should they become listed in the future. In addition, the Federal agencies will consult pursuant to Section 7, and will coordinate that process with the HCP planning process. The level of assurances provided will depend on the specific actions covered by the HCP, the level of detail provided in the HCP, and on the unique circumstances of each species; assurances must be consistent with the requirements of the State and Federal Endangered Species Acts and other applicable laws.

2. The Programmatic EIS/EIR for the CALFED Bay-Delta Program will include an evaluation of the environmental impacts associated with the HCP and Program alternatives for the purpose of the Services' and DFG's determination on whether to issue an incidental take permit.

3. The HCP will include, among other things, an adaptive management plan and monitoring requirements.

### C. HCP Options

The CALFED agencies are considering several options for the structure of an HCP.

1. *Standard HCP*: Develop a comprehensive HCP that would address all reasonable and foreseeable activities and associated impacts under consideration for the program. Assurances to appropriate entities would be commensurate with the level of specificity and detail provided in the HCP.

2. *Phased HCP with Conditioned Permit*: Develop an initial HCP for the Bay-Delta Program which addresses all known actions; supplemental HCPs (and appropriate CEQA and NEPA compliance) would be developed in the future as unknown/undefined program components became defined. Upon determination by the Services that issuance criteria have been met, an incidental take permit for the whole Bay-Delta Program would be issued; the permit would be conditioned to become effective in stages corresponding to approval of supplemental HCPs. Assurances to appropriate entities would become effective in stages.

3. *Phased HCP with Permit Amendments*: Develop an initial HCP for the Bay-Delta Program which covers all known actions; subsequent supplemental HCPs (and appropriate CEQA and NEPA compliance) would be developed in the future as unknown/undefined program components became defined. An incidental take permit, covering only those actions included in the initial HCP, would be issued upon approval of the initial HCP. Permit amendments would be processed as supplemental HCP's were approved. Assurances would be provided to appropriate entities only for that portion of the overall Program as covered by each permit or amended permit.

### D. Scope of Comments

1. The CALFED agencies are seeking comments on the HCP options outlined above and are seeking comments on additional ideas for HCP options not discussed above.

2. The CALFED agencies are seeking comments on assurances provided in conjunction with an HCP, pursuant to the Department of the Interior's No Surprises Policy, which would be given to non-Federal participants.

**Note:** If special assistance is required, contact Ms. Pauline Nevins at least one week prior to each public meeting to enable CALFED to secure the needed services. If a request cannot be honored, the requestor will be notified. A telephone device for the hearing impaired (TDD) is available from TDD phones at 1-800-735-2929; from voice phones at 1-800-735-2922.

Dated: August 22, 1997.

**Roger Patterson,**

*Regional Director, Mid-Pacific Region.*

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## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### Notice of Proposed Information Collection

**AGENCY:** Office of Surface Mining Reclamation and Enforcement, Interior.

**ACTION:** Notice and request for comments.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, the Office of Surface Mining Reclamation and Enforcement (OSM) is announcing its intention to request approval for the collection of information for the permanent program performance standards—surface mining activities at 30 CFR part 816.

**DATES:** Comments on the proposed information collection must be received by October 27, 1997, to be assured of consideration.

**ADDRESSES:** Comments may be mailed to John A. Trelease, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Room 210-SIB, Washington, DC 20240. Comments may also be submitted electronically to [jtrelease@osmre.gov](mailto:jtrelease@osmre.gov).

**FOR FURTHER INFORMATION CONTACT:** To request a copy of the information collection request, explanatory information and related form, contact John A. Trelease, at (202) 208-2783.

**SUPPLEMENTARY INFORMATION:** The Office of Management and Budget (OMB) regulations at 5 CFR 1320, which implementing provisions of the Paperwork Reduction Act of 1995 (Pub. L. 104-13), require that interested members of the public and affected agencies have an opportunity to comment on information collection and recordkeeping activities (see 5 CFR 1320.8(d)). This notice identifies information collections that OSM will be submitting to OMB for extension. These collections are contained in 30 CFR 816.

OSM has revised burden estimates, where appropriate, to reflect current reporting levels or adjustments based on reestimates of burden or respondents. OSM will request a 3-year term of approval for this information collection activity.

Comments are invited on: (1) The need for the collection of information for the performance of the functions of the agency; (2) the accuracy of the agency's burden estimates; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the information collection burden on respondents, such

as use of automated means of collection of the information. A summary of the public comments will accompany OSM's submission of the information collection request to OMB.

This notice provides the public with 60 days in which to comment on the following information collection activity:

**Title:** Permanent Program Performance Standards—Surface Mining Activities, 30 CFR part 816.

**OMB Control Number:** 1029-0047.

**Summary:** Section 525 of the Surface Mining Control and Reclamation Act of 1977 provides that permittees conducting surface coal mining operations shall meet all applicable performance standards of the Act. The information collected is used by the regulatory authority in monitoring and inspecting surface coal mining activities to ensure that they are conducted in compliance with the requirements of the Act.

**Bureau Form Number:** None.

**Frequency of Collection:** On occasion, quarterly and annually.

**Description of Respondents:** Surface coal mining operators.

**Total Annual Responses:** 146,224.

**Total Annual Burden Hours:** 412,076.

Dated: August 21, 1997.

**Richard G. Bryson,**

Chief, Division of Regulatory Support.

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## DEPARTMENT OF JUSTICE

### Notice of Consent Decree Pursuant to the Clean Air Act

In accordance with Departmental Policy and 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States of America v. Sun Co. Inc. (R&M)*, Civil Action No. 97-CV-104H, was lodged in the United States District Court for the Northern District of Oklahoma on August 14, 1997. The proposed Consent Decree settles the United States claims for injunctive relief and civil penalties in the Complaint.

Under the terms of the proposed Agreement and Order, Sun Co. Inc. (R&M) ("Sun") will pay a civil penalty, perform two supplemental environmental projects ("SEPs"), and perform injunctive relief. The cash amount of the civil penalty is \$100,000. The first SEP will reduce the Reid vapor pressure of the 87 octane gasoline sold through non-pipeline transactions in the Tulsa area during the 1997 Ozone Season from 8.2 to 8.0. The second SEP will provide \$50,000 worth of free bus

service in Tulsa County on ozone alert days. The injunctive relief requires Sun to maintain individually numbered car seals on valves controlling the flow of refinery fuel gas to specified devices and to keep a log of the car seal numbers and valve positions.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, written comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States of America v. Sun Co. Inc. (R&M)*, DOJ Number 90-5-2-1-2076.

The proposed Consent Decree may be examined at the Region 6 Office of the U.S. Environmental Protection Agency, 1445 Ross Avenue, Dallas, Texas 75202 and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. Copies of the Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy, please enclose a check in the amount of \$3.75 for a copy (25 cents per page reproduction costs), payable to the Consent Decree Library.

**Walker B. Smith,**

Deputy Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 97-22883 Filed 8-27-97; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Antitrust Division

#### Organization, Functions, and Authority Delegations: Pre-Merger Notification Unit; Relocation

**AGENCY:** Pre-Merger Notification Unit/FTC Liaison Office (Pre-Merger Notification Unit).

**ACTION:** Notice of relocation.

**SUMMARY:** The Pre-Merger Notification Office will be relocating from: Department of Justice, Antitrust Division, Pre-Merger Notification Unit, 950 Pennsylvania Ave., NW, Room #3218, Washington, DC 20530.

Effective September 5, 1997 the new address will be: Department of Justice, Antitrust Division, Pre-Merger Notification Unit, Patrick Henry Building, 601 D St., NW, Room #10-013, Washington, DC 20530.

Do Not Use the 20530 Zip Code for FedEx Airbills. For FedEx airbills, use the above address information, using the

zip code 20004. The use of the 20530 zip code will result in a delay of the delivery of FedEx packages to our office.

Delivery of Pre-Merger Notification & Report Forms and other materials to the Pre-Merger Unit will be similar to current procedures in place at the Main Justice Building.

All telephone numbers will remain unchanged.

**DATES:** Effective September 5, 1997.

**ADDRESSES:** Department of Justice, Antitrust Division, Pre-Merger Notification Unit, Patrick Henry Building, 601 D St., NW, Room #10-013, Washington, DC 20530.

**FOR FURTHER INFORMATION CONTACT:** Elaine M. Gibbs or Renata Dean at (202) 514-2558.

**Constance K. Robinson,**

Director of Operations, Antitrust Division.

[FR Doc. 97-22877 Filed 8-27-97; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Immigration and Naturalization Service

[INS. No. 1878-97; AG Order No. 2112-97]

RIN 1115-AE26

#### Designation of Montserrat Under Temporary Protected Status

**AGENCY:** Immigration and Naturalization Service, Justice.

**ACTION:** Notice.

**SUMMARY:** Under section 244 of the Immigration and Nationality Act (the Act), the Attorney General is authorized to grant Temporary Protected Status (TPS) in the United States to eligible nationals of designated foreign states (or to eligible aliens who have no nationality and who last habitually resided in a designated state) upon a finding that such states are experiencing ongoing civil strife, environmental disaster, or certain other extraordinary and temporary conditions. This notice designates Montserrat for TPS pursuant to section 244(b)(1) of the Act.

**EFFECTIVE DATES:** This designation is effective on August 28, 1997 and will remain in effect until August 27, 1998.

**FOR FURTHER INFORMATION CONTACT:** Ronald Chirlin, Adjudications Officer, Immigration and Naturalization Service, 425 I Street, NW., Room 3214, Washington, DC 20536, telephone (202) 514-5014.

**SUPPLEMENTARY INFORMATION:** Subsection 308(b)(7) of Pub. L. 104-208 (September 30, 1996) renumbered section 244A of the Act as section 244.