

the Court entered a Final Judgment (On Consent) in the action which set forth a compliance schedule for PSD applicability requests and PSD permit applications in the event EPA determined the two gas turbines were subject to PSD review.

In 1992, the Court entered into an Amendment to the Final Judgment (On Consent) ("Amendment"). The Amendment established revised compliance schedules for permit applications and fuel burning requirements to be imposed upon VIWAPA to bring VIWAPA's two gas turbines into compliance with the PSD regulations.

The proposed Superseding Consent Decree embodies an agreement by VIWAPA to pay a civil penalty in the amount of \$50,000 within 20 days of entry of the Decree and place \$100,000 into an escrow account within 15 days of lodging of the Decree. The \$100,000, plus accrued interest, will become payable to the United States upon specified violations set forth in the Decree. If no such violation(s) occur before the expiration of the Decree, the \$100,000, plus accrued interest, will be returned to VIWAPA. In addition, VIWAPA has agreed to obtain and comply with PSD permits for two of its gas turbines on St. Thomas and two of its gas turbines on St. Croix and undertake a maintenance program to ensure continued compliance with these permits.

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 for the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Virgin Islands Water and Power Authority*, DOJ Ref. # 90-5-2-1-568A.

The proposed Consent Decree may be examined at the Region II Office of the Environmental Protection Agency, 290 Broadway, New York, New York, at the United States Attorney's Office located at the Federal Building and U.S. Courthouse, Charlotte Amalie, St. Thomas, Virgin Islands, and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the proposed 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 refer to the referenced case and enclose a check in the amount of

\$5.25 payable to the Consent Decree Library.

Joel M. Gross,

*Acting Section Chief, Environmental Enforcement Section.*

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

Notice is hereby given that a proposed consent decree in *United States v. Virgin Islands Water and Power Authority and Pressure Vessel Services, Inc.*, Civil Action No. 1989-337, was lodged on October 17, 1995 with the United States District Court for the District of the Virgin Islands.

The complaint in this action was filed on December 8, 1989 against the Virgin Islands Water and Power Authority ("VIWAPA") and Pressure Vessel Services, Inc. ("PV"), pursuant to Section 113(b) of the Clean Air Act ("Act"), 42 U.S.C. 7413(b). The complaint sought penalties and injunctive relief for violations of Section 112(c) of the Act, 42 U.S.C. 7412(c), and of the National Emission Standard for Hazardous Air Pollutants for asbestos, 40 CFR part 61, subpart M ("Asbestos NESHAP"). The complaint alleged that violations of the Asbestos NESHAP occurred in connection with a demolition project at VIWAPA's desalinization plant ("D-plant") on the Island of St. Thomas, within the District of the Virgin Islands, that took place in August, 1988. PV performed this demolition work for VIWAPA.

The proposed consent decree embodies an agreement by VIWAPA to pay a civil penalty in the amount of \$35,000. In addition, VIWAPA has agreed to implement certain measures to reduce the likelihood of future violations of the Asbestos NESHAP.

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 for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. Virgin Islands Water and Power Authority*, DOJ Ref. #90-5-2-1-1341.

The proposed Consent Decree may be examined at the Region II Office of the Environmental Protection Agency, 290 Broadway, New York, New York, at the United States Attorney's Office located at the Federal Building and U.S. Courthouse, Charlotte Amalie, St. Thomas, Virgin Islands, and at the

Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$3.50 payable to the Consent Decree Library.

Joel M. Gross,

*Acting Section Chief, Environmental Enforcement Section.*

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## **DEPARTMENT OF LABOR**

### **Employment Standards Administration**

#### **Proposed Information Collection Requests Submitted for Public Comment and Recommendations**

**ACTION:** Notice; 1. Housing Occupancy Certificate (Migrant and Seasonal Agricultural Worker Protection Act); and 2. Comparability of Current Work to Coal Mine Employment, Coal Mine Employment Affidavit, Affidavit of Deceased Miner's Condition.

**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. Currently, the Employment Standards Administration is soliciting comments concerning the proposed extension of the Housing Occupancy Certificate; and of the Comparability of Current Work to Coal Mine Employment, the Coal Mine Employment Affidavit, and the Affidavit of Deceased Miner's Condition.

A copy of the proposed information collection requests can be obtained by contacting the employee listed below in the addressee section of this notice.

**DATES:** Written comments must be submitted on or before December 27, 1995. Written comments should address whether the proposed information