

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.*

[FR Doc. 95-26250 Filed 10-23-95; 8:45 am]

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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, N.W., 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, N.W., 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

collection is necessary for the proper performance of the functions of the agency; the accuracy of the burden (time and financial resources) estimates; ways to minimize burden including the use of automated collection techniques or the use of other forms of information technology; and, other relevant aspects of the information collection request.

**ADDRESSES:** Patricia A. Forkel, U.S. Department of Labor, 200 Constitution Ave., NW., Room S-3201, Washington, DC 20210, telephone (202) 219-7601 (this is not a toll free number), fax number (202) 219-6592.

**SUPPLEMENTARY INFORMATION:**

**A. Housing Occupancy Certificate (Migrant and Seasonal Agricultural Worker Protection Act)**

I. Background: Section 203(b)(1) of the Migrant and Seasonal Agricultural Worker Protection Act requires any person owning or controlling any facility or real property to be occupied by migrant agricultural workers to obtain a certificate of occupancy. Form WH-520 is the form used when DOL's Wage and Hour Division inspects and approves such housing.

II. Current Actions: Continuation of this information collection is necessary to attest that the facility or real property meets applicable safety and health standards.

**B. Comparability of Current Work to Coal Mine Employment, Coal Mine Employment Affidavit, Affidavit of Deceased Miner's Condition**

I. Background: Comparability of Current Work to Coal Mine Employment is completed by beneficiaries and claimants and compares non-coal mine work to coal mine work, and is used, together with medical information, by the Office of Workers' Compensation Programs (OWCP), Division of Coal Mine Workers' Compensation (DCMWC), to establish whether the miner is totally disabled due to black lung disease caused by coal mine employment, a criterion to entitlement to black lung benefits. The Coal Mine Employment affidavit is completed by persons with knowledge of the miner's coal mine work when primary evidence is unavailable or incomplete, and is used by DCMWC as proof of coal mine work to establish entitlement to black lung benefits. The Affidavit of Deceased Miner's condition is completed by persons with knowledge of the deceased miner's medical condition when evidence of the medical condition is insufficient, and is used by DCMWC to establish entitlement to black lung benefits.

II. Current Actions: Continuation of this information collection is necessary to ensure the proper establishment of

entitlement benefits to black lung claimants and their surviving beneficiaries.

*Type of Review:* Extension.

*Agency:* Employment Standards Administration.

*Title:* Housing Occupancy Certificate.

*OMB Number:* 1215-0158.

*Agency Number:* WH-520.

*Frequency:* On occasion.

*Recordkeeping:* Three years.

*Affected Public:* Farms; Individuals or households; Business or other for-profit.

*Number of Respondents:* 25.

*Estimated Time Per Respondent:* 3 minutes.

*Estimated Cost:* 0.

*Total Burden Hours:* 2.

*Type of Review:* Extension.

*Agency:* Employment Standards Administration.

*Title:* Comparability of Current Work to Coal Mine Employment; Coal Mine Employment Affidavit; Affidavit of Deceased Miner's Condition.

*OMB Number:* 1215-0056.

*Agency Number:* CM-913; CM-918; CM-1093.

*Frequency:* On occasion.

*Recordkeeping:* None.

*Affected Public:* Individuals or households.

|                                     | CM-913       | CM-918       | CM-1093 |
|-------------------------------------|--------------|--------------|---------|
| Number of Respondents .....         | 3,600 .....  | 100 .....    | 100.    |
| Estimated Time Per Respondent ..... | 30 min ..... | 10 min ..... | 20 min. |

*Total Estimated Cost:* \$1,792.

*Total Burden Hours:* 1,850.

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.

Cecily A. Rayburn,

*Director, Division of Financial Management, Office of Management, Administration and Planning, Employment Standards Administration.*

[FR Doc. 95-26344 Filed 10-23-95; 8:45 am]

**BILLING CODE 4510-27-M**

**Pension and Welfare Benefit Administration**

**Work Group on Pension Education Advisory Council on Employee Welfare and Pension Benefits Plan; Notice of Meeting**

Pursuant to the authority contained in Section 512 of the Employee Retirement

Income Security Act of 1974 (ERISA), 29 U.S.C. 1142, a public meeting of the Work Group on Pension Education of the Advisory Council on Employee Welfare and Pension Benefit Plans will be held on November 7, 1995, in Room N3437 A-B, U.S. Department of Labor Building, Third and Constitution Avenue, N.W., Washington, DC 20210.

The purpose of the meeting, which will begin at 9:30 a.m. and end at approximately noon on November 7, is to allow work group members to finalize their recommendations for their area of study to be presented at the full council meeting in the afternoon of November 8.

Members of the public are encouraged to file a written statement pertaining to this topic by submitting 20 copies on or before October 30, to Sharon Morrissey, Acting Executive Secretary, ERISA Advisory Council, U.S. Department of Labor, Suite N-5677, 200 Constitution Avenue, N.W., Washington, DC 20210. Individuals or representatives of organizations wishing to address the

Pension Education Work Group of the Advisory Council should forward their request to the Acting Executive Secretary or telephone (202) 219-8753. Oral presentations will be limited to ten minutes, but an extended statement may be submitted for the record. Individuals with disabilities, who need special accommodations, should contact Sharon Morrissey by October 30, at the address indicated in the notice.

Organizations or individuals may also submit statements for the record without testifying. Twenty (20) copies of such statements should be sent to the Acting Executive Secretary of the Advisory Council at the above address. Papers will be accepted and included in the record of the meeting if received on or before October 30, 1995.