

**DEPARTMENT OF JUSTICE****Notice of Lodging of Consent Decree Pursuant to the Clean Water Act**

Notice is hereby given that a proposed consent decree in *United States et al. v. J.H. Berra Construction Company, Inc., et al.*, Civil action No. 07-01268, was lodged on July 12, 2007 with the United States District Court for the Eastern District of Missouri. The United States and the State of Missouri filed this action pursuant to the Clean Water Act and Missouri Clean Water Law to obtain civil penalties and injunctive relief to address violations of stormwater pollution control permits issued pursuant to the Clean Water Act and the Missouri Clean Water Law and violations of the Clean Water Act's prohibition on unpermitted discharges. The action involves violations at three construction sites in Missouri: The Enclaves at Cherry Hills, a 130-acre residential development located in the City of Wildwood; the Countryshire Development, a 150-acre residential development in O'Fallon; and Seckman Lake Estates, a 120-acre construction site in Jefferson County.

The Consent Decree, with resolves claims by the United States, the State of Missouri, and the City of Wildwood, Missouri, requires the defendants, J.H. Berra Construction Co. Inc., a land developer in the St. Louis, Missouri areas, and four associated companies (JHB Properties Inc., J.H. Berra Holding Co. Inc., JMB No. 2 LLC, and CMB Rhodes LLC), to pay a penalty of \$590,000 and to reimburse more than \$52,000 to the State of Missouri and the City of Wildwood for their investigation and enforcement costs. The consent decree also requires the defendants to institute a program to improve training and implementation of storm water controls at future construction sites, to implement remedial plans for the pollution caused by their violations, and to pay for mitigation of the impact of their violations on Foxwood Estate Lake and Lake Chesterfield.

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, Environmental and Natural Resources Division, and either 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. J.H. Berra Construction Co, Inc., et al.*, DOJ Ref. #90-5-1-1-08444.

The proposed consent decree may be examined at the office of the United States Attorney, Thomas Eagleton U.S. Courthouse, 111 S. 10th Street, 20th Floor, St. Louis, MO 63102, and at the Region VII Office of the Environmental Protection Agency, 901 N. 5th Street, Kansas City, KS 66101. During the public comment period, the proposed consent decree may also be examined on the Department of Justice Web site, at [http://www.usdoj.gov/enrd/Consent\\_Decrees.htm](http://www.usdoj.gov/enrd/Consent_Decrees.htm). A copy of the proposed 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 emailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax number (202) 514-0097, phone confirmation number (202) 514-1574. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$26.50 (or \$17 for a copy that omits the exhibits and signature pages) (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.

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**BILLING CODE 4410-15-M**

**DEPARTMENT OF LABOR****Mine Safety and Health Administration****Brookwood-Sago Mine Safety Grants**

**AGENCY:** Mine Safety and Health Administration, Labor.

**ACTION:** Solicitation for grant applications.

*Announcement Type:* New.  
*Funding Opportunity Number:* SGA 07-01.

*Catalog of Federal Domestic Assistance Number:* 17.603.

**SUMMARY:** The U.S. Department of Labor, Mine Safety and Health Administration (MSHA), is making \$500,000 available in grant funds for educational and training programs to help identify, avoid, and prevent unsafe working conditions in and around mines. The focus of these grants will be on training and training materials for mine rescue and mine emergency preparedness in underground coal mines. Applicants for the grants may be States and nonprofit (private and public) entities. MSHA could award as

many as 10 separate grants with a 12-month period of performance. The amount of each individual grant will be at least \$50,000. This notice contains all of the necessary information needed to apply for grant funding.

**DATES:** Grant applications must be received electronically by the *Grants.gov* system no later than 4:30 p.m., E.T., on August 24, 2007, the application deadline date. Applicants must contact the MSHA Directorate of Educational Policy and Development office listed on the announcement at least one week prior to the application deadline date, (or no later than 4:30 p.m., E.T., on Friday, August 13, 2007) to speak to a representative who can provide assistance to ensure that applications are submitted online by the closing date. Requests for extensions to this deadline will not be granted. MSHA will award grants on or before September 30, 2007.

**ADDRESSES:** Applications for grants submitted under this competition must be submitted electronically using the Government-wide site at <http://www.grants.gov>. If applying online poses a hardship to any applicant, the MSHA Directorate of Educational Policy and Development will provide assistance to ensure that applications are submitted online by the closing date. MSHA's Web page at [www.msha.gov](http://www.msha.gov) is a valuable source of background for this initiative.

**FOR FURTHER INFORMATION CONTACT:** Any questions regarding this solicitation for grant applications (SGA 07-01) should be directed to Robert Glatter at [Glatter.Robert@dol.gov](mailto:Glatter.Robert@dol.gov) or at 202-693-9570 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:** This solicitation provides background information and the critical elements required of projects funded under the solicitation. It also describes the application submission requirements, the process that eligible applicants must use to apply for funds covered by this solicitation, and how grantees will be selected. Further information regarding submitting the grant application electronically is listed in Section IV.C, Submission Date, Times, and Addresses. This solicitation consists of eight parts:

- Part I provides background information on the Brookwood-Sago grants.
- Part II describes the size and nature of the anticipated awards.
- Part III describes the qualifications of an eligible applicant.
- Part IV provides information on the application and submission process.