

**DEPARTMENT OF JUSTICE****Notice of Lodging of a Modified Consent Decree Under the Clean Water Act**

Notice is hereby given that on January 27, 2010, a proposed Modified Consent Decree in *United States v. Sewerage & Water Board of New Orleans et al.*, Civil Action No. 93-3213, was lodged with the United States District Court for the Eastern District of Louisiana.

The proposed settlement modifies a 1998 Clean Water Act ("CWA") Consent Decree between the U.S. Environmental Protection Agency, joined by several Plaintiff-Intervenor citizen groups, and the Sewerage & Water Board of New Orleans ("Board"), the City of New Orleans ("City"), and the State of Louisiana as statutory defendant. In that original Consent Decree, which resolved a 1993 lawsuit brought by the United States alleging CWA violations including unauthorized discharges from the East Bank Collection System, the Board agreed to a 12-year comprehensive program to remediate its antiquated sewage collection system in order to reduce or eliminate sewage overflows into the Mississippi River, Lake Pontchartrain and the City's storm drainage canal system. The program was stalled for several years due to the devastating effects of Hurricane Katrina.

Under the proposed Modified Consent Decree, the Board agrees to continue the comprehensive remediation program and complete it by no later than July 2015. Among other things, the Board will repair its 62 pump stations damaged by the hurricane as well as other hurricane damage in the portions of the collection system served by those pump stations. The Board will also design and implement a new preventive maintenance plan to inspect and clean its pump stations and sewer lines and will proceed under its sewage overflow action plan to take steps to minimize the impact of sewage overflows on the environment. The Board will undertake additional remedial measures including measures designed to provide dependable electrical services at its treatment plant in the event of a future catastrophic event.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed Modified 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 P.O. Box 7611, U.S. Department of Justice, Washington, DC

20044-7611, and should refer to *United States v. Sewerage & Water Board of New Orleans et al.*, D.J. Ref. 90-5-1-1-4032.

The proposed Modified Consent Decree may be examined at the Office of the United States Attorney, Eastern District of Louisiana, 500 Poydras Street, Suite B-210, New Orleans, LA 70130 (contact Sharon Smith, 504-680-3000), and at U.S. Environmental Protection Agency Region 6, 1445 Ross Avenue, Dallas, Texas 75202 (contact Ellen Chang-Vaughan, 214-665-7328). During the public comment period, the proposed Modified Consent Decree 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 proposed Modified 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 \$33.25 (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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**DEPARTMENT OF LABOR****Mine Safety and Health Administration****Proposed Information Collection Request Submitted for Public Comment and Recommendations; Qualification and Certification of Electrical Training**

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden conducts a pre-clearance 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 Mine Safety and Health Administration (MSHA) is soliciting comments concerning the extension of the information collection related to the Title 30, CFR 75.153(a)(2) and § 77.103(a)(2) require that a program be provided for the qualification of certain experienced personnel as mine electricians. A qualified person is one who has had at least one year of experience in performing electrical work underground in a coal mine, in the surface work area of an underground coal mine, in a surface coal mine, in a noncoal mine, in the mine equipment manufacturing industry, or in any other industry using or manufacturing similar equipment, and has satisfactorily completed a coal mine electrical training program.

**DATES:** Submit comments on or before April 5, 2010.

**ADDRESSES:** Send comments to John Rowlett, Management Services Division, 1100 Wilson Boulevard, Room 2141, Arlington, VA 22209-3939. Commenters are encouraged to send their comments via E-mail to [Rowlett.John@DOL.GOV](mailto:Rowlett.John@DOL.GOV). Mr. Rowlett can be reached at (202) 693-9827 (voice), or (202) 693-9801 (facsimile). Because of potential delays in receipt and processing of mail, respondents are strongly encouraged to submit comments electronically to ensure timely receipt. We cannot guarantee that comments mailed will be received before the comment closing date.

**FOR FURTHER INFORMATION CONTACT:** The employee listed in the **ADDRESSES** section of this notice.

**SUPPLEMENTARY INFORMATION:****I. Background**

Persons performing tasks and certain required examinations at coal mines which are related to miner safety and health, and which require specialized experience, are required to be either "certified" or "qualified". The regulations recognize State certification and qualification programs. However, where state programs are not available, under the Mine Act and MSHA standards, the Secretary may certify and qualify persons for as long as they continue to satisfy the requirements needed to obtain the certification or qualification, fulfill any applicable retraining requirements, and remain employed at the same mine or by the same independent contractor.