

By order of the Commission.

Issued: January 22, 2002.

Marilyn R. Abbott,
Acting Secretary.

[FR Doc. 02-1972 Filed 1-23-02; 11:57 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Clean Water Act

In accordance with the policy of the Department of Justice, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States v. Alcoa, Inc.*, Civ. No. 4:99CV61 AS, was lodged with the United States District Court for the Northern District of Indiana, Hammond Division at Lafayette, on January 16, 2002. The action was brought by the United States against Alcoa, Inc. ("Alcoa") under section 309(b) and (d) of the Clean Water Act ("the Act"), 33 U.S.C. 1319(b) and (d), for injunctive relief and assessment of civil penalties. The complaint alleges that Alcoa violated the Act and its National Pollutant Discharge Elimination System permit ("NPDES Permit") issued pursuant to the Act, by failing to comply with numerical limitations governing specific pollutants established by Alcoa's NPDES Permit, including Five-Day Biochemical Oxygen Demand ("BOD5"), polychlorinated biphenyls ("PCB"), Total Residual Chlorine, Fecal Coliform, Total Suspended Solids ("TSS"), Oil & Grease, and Total Aluminum, discharged by Alcoa to Elliott Ditch at its aluminum manufacturing facility located in Lafayette, Indiana.

Under the proposed consent decree, Alcoa will pay a civil penalty of \$550,000; comply with all applicable NPDES Permit requirements by implementing five delineated corrective measures, other corrective measures as necessary to ensure continued compliance, additional corrective measures including enhanced monitoring, and contingent corrective measures if compliance with NPDES Permit requirements for TSS and PCB are not maintained for a 12 month period; perform a Supplemental Environmental Project ("SEP") valued at \$2 million; perform other injunctive relief in the form of instituting an Environmental Management System at its facility; and conduct an Elliott Ditch/Wea Creek Investigation to evaluate sources, fate and transport of PCBs in the water column, sediments and fish in these water bodies.

The Department of Justice will receive comments relating to the proposed

Consent Decree for a period of thirty (30) days from the date of this publication. As a result of the discovery of anthrax contamination at the District of Columbia mail processing center in mid-October, 2001, the delivery of regular first-class mail sent through the U.S. Postal Service has been disrupted. Consequently, public comments which are addressed to the Department of Justice in Washington, DC and sent by regular, first-class mail through the U.S. Postal Service are not expected to be received in timely manner. Therefore, comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, and sent: (1) c/o Clifford D. Johnson, Assistant U.S. Attorney, Office of the United States Attorney for the Northern District of Indiana, Robert A. Grant Federal Building, 204 South Main Street, Room M-01, South Bend, Indiana 46601, (219-236-8287); and/or (2) by facsimile to (202) 353-0296; and/or (3) by overnight delivery, other than through the U.S. Postal Service, to Chief, Environmental Enforcement Section, 1425 New York Avenue, NW, 13th Floor, Washington, DC 20005. Each communication should refer on its face to *United States v. Alcoa, Inc.*, D.J. Ref. No. 90-5-1-1-06358.

The proposed Consent Decree may be examined at the Office of the United States Attorney for the Northern District of Indiana, Robert A. Grant Federal Building, 204 South Main Street, Room M-01, South Bend, Indiana 46601, and at the United States Environmental Protection Agency (Region 5), 77 West Jackson Boulevard, Chicago, Illinois 60604-3590 (contact: Joseph Williams (312-886-6631)). A copy of the proposed Consent Decree may also be obtained by faxing a request to Tonia Fleetwood, Department of Justice Consent Decree Library, fax no. (202) 616-6584; phone confirmation no. (202) 514-1547. There is a charge for the copy (25 cents per page reproduction cost). Upon requesting a copy, please mail a check payable to the "U.S. Treasury", in the amount of \$10.75 for the consent decree including one appendix (43 pages) to: Consent Decree Library, U.S. Department of Justice, PO Box 7611, Washington, DC 20044-7611. The check should refer to *United States v. Alcoa, Inc.*, D.J. Ref. No. 90-5-1-1-06358.

William D. Brighton,

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

[FR Doc. 02-1836 Filed 1-24-02; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Air Act

Under 28 CFR 50.7, notice is hereby given that on December 20, 2001, a proposed Complaint and Consent Decree in *United States v. Conoco Inc.*, Civil Action No. H-01-4430, was lodged with the United States District Court for the Southern District of Texas. Notice of this proposed settlement was first published in the **Federal Register** on January 2, 2002 (Volume 67, Number 1, page 107), opening a public comment period for thirty (30) days on the Consent Decree and instructing that comments be sent by regular first class mail to the U.S. Department of Justice. As a result of the discovery of anthrax contamination at the District of Columbia mail processing center in mid-October, 2001, the delivery of regular first-class mail sent through the U.S. Postal Service has been disrupted. Consequently, public comments which were addressed to the Department of Justice in Washington, DC and sent by regular, first-class mail through the U.S. Postal Service are not expected to be received in a timely manner. This notice is to provide revised instructions for the submission of comments, to extend the public comment period, and to request that persons resubmit comments on this settlement that were previously addressed to the Washington, DC post office box.

In this action the United States sought civil penalties and injunctive relief against Conoco Inc. ("Conoco") pursuant to section 113(b) of the Clean Air Act ("CAA"), 42 U.S.C. 7413(b) (1983), amended by, 42 U.S.C. 7413(b) (Supp. 1991), alleged violations at Conoco's 4 refineries in Colorado, Montana, Oklahoma and Louisiana. Under the settlement, Conoco will implement innovative pollution control technologies to greatly reduce emissions of nitrogen oxides ("NO_x") and sulfur dioxide ("SO₂") from refinery process units and adopt facility-wide enhanced monitoring and fugitive emission control programs. In addition, Koch will pay a civil penalty of \$1.5 million and spend \$5.5 million on supplemental and beneficial environmental projects. The states of Colorado, Montana, Oklahoma and Louisiana will join in this settlement as signatories to the Consent Decree.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Consent Decree. Persons who have already submitted comments pursuant to the January 2, 2002 notice

are requested to resubmit their comments in accordance with these revised instructions. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, and sent: (1) c/o Gordon M. Speights Young, Assistant United States Attorney, Southern District of Texas, PO Box 61129, Houston, TX 77208; and/or (2) by facsimile to (202) 353-0296; and/or (3) by overnight delivery, other than through the U.S. Postal Service, to Chief, Environmental Enforcement Section, 1425 New York Avenue, NW, 13th Floor, Washington, DC 20005. Each communication should refer on its face to *United States v. Conoco Inc.*, D.J. Ref. 90-5-2-1-07295/1.

The Consent Decree may be examined at the Office of the United States Attorney, Southern District of Texas, U.S. Courthouse, 515 Rusk, Houston, Texas 77002, and at EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202. A copy of the proposed Consent Decree may also be obtained by faxing a request to Tonia Fleetwood, Department of Justice Consent Decree Library, fax no. (202) 616-6584; phone confirmation no. (202) 514-1547. There is a charge for the copy (25 cent per page reproduction cost). Upon requesting a copy, please mail a check payable to the "U.S. Treasury", in the amount of \$36.50, to: Consent Decree Library, U.S. Department of Justice, PO Box 7611, Washington, DC 20044-7611. The check should refer to *United States v. Conoco Inc.*, D.J. Ref. 90-5-2-1-07295/1.

Robert Brook,

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

[FR Doc. 02-1837 Filed 1-24-02; 8:45 am]

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DEPARTMENT OF JUSTICE

Re-Published Notice of Lodging of Consent Decree Pursuant to the Resource Conservation and Recovery Act

In accordance with 28 CFR 50.7, the Department of Justice gives notice that a proposed consent decree in *United States v. Mobil Oil Corporation*, No. CV-96-1432 (E.D.N.Y.), was lodged with the United States District Court for the Eastern District of New York on December 13, 2001, pertaining to the payment of a civil penalty, compliance and other injunctive relief, and implementation of a supplemental environmental project in connection with the Mobil Oil Corporation's ("Mobil") violations of the Resource

Conservation and Recovery Act, 42 U.S.C. 6901 *et seq.*, at the Port Mobil facility in Staten Island, New York City, New York. Notice of this proposed consent decree was published in the **Federal Register** on January 2, 2002 (67 FR 109). This notice is being re-published, and the public comment period extended, because of continuing serious disruptions of mail delivery at the Department of Justice in Washington, DC that have resulted from measures taken in response to the receipt of anthrax-contaminated mail in various facilities. Persons who submitted comments to the address given in the January 2, 2002 notice should assume they have not been received and should resubmit them to the address given below.

Under the proposed consent decree, Mobil will pay a civil penalty of \$8.2 million, will agree to comply with RCRA at the Port Mobil facility and implement corrective action as directed by the U.S. Environmental Protection Agency, will agree to refrain from making certain legal arguments under specified circumstances, and will agree to implement a supplemental environmental project—purchasing land for preservation in the Staten Island or New York City harbor area—at a cost of at least \$3 million. The Consent Decree includes a release of claims alleged in the complaint.

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. Commenters may request an opportunity for a public meeting in the affected area, in accordance with RCRA section 7003(d), 42 U.S.C. 6973(d). Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, United States Department of Justice, should refer to *United States v. Mobil Oil Corporation*, No. CV-96-1432 (E.D.N.Y.) and to DOJ Reference No. 90-7-1-794, and should be submitted in one of the following ways: (1) By mail c/o the United States Attorney for the Eastern District of New York, One Pierrepont Plaza, Brooklyn, New York 11201; or (2) by facsimile to (202) 353-0296; or (3) by overnight delivery, other than through the U.S. Postal Service, to Chief, Environmental Enforcement Section, 1425 New York Avenue, NW, 13th Floor, Washington, DC 20005. Any comments that were submitted by mail to the Assistant Attorney General at the Department of Justice address in Washington, DC 20530, should be re-submitted in one of the three ways listed above, in order to ensure that they are considered.

The proposed consent decree may be examined at: (1) The Office of the United States Attorney for the Eastern District of New York, One Pierrepont Plaza, Brooklyn, New York 11201, (718) 254-7000; and (2) the United States Environmental Protection Agency (Region 2), 290 Broadway, New York, New York 10007 (contact Stuart Keith, Office of Regional Counsel). A copy of the proposed consent decree may be obtained by faxing a request to Tonia Fleetwood (202) 616-6584 (phone confirmation number (202) 514-1547). There is a charge for the copy. When you request a copy, please mail a check payable to "U.S. Treasury" in the amount of \$6.00 (24 pages at 25 cents per page copying costs) to: Consent Decree Library, PO Box 7611, Washington, DC 20044. The check should refer to *United States v. Mobil Oil Corporation*, No. CV-96-1432 (E.D.N.Y.) and to DOJ Reference No. 90-7-1-794.

Ronald G. Gluck,

Assistant Chief, Environmental Enforcement Section, Environmental and Natural Resources Division.

[FR Doc. 02-1835 Filed 1-24-02; 8:45 am]

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DEPARTMENT OF LABOR

Employment Standards Administration Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determination in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be