

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Clean Water Act

On March 5, 2014, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Southern District of Mississippi in the lawsuit entitled *United States, State of Mississippi, by and through Mississippi Commission on Environmental Quality v. Total Environmental Solutions, Inc. and Utility Services, LLC*, Civil Action No. 1:14-cv-001114-LG-JMR.

The lawsuit was filed against Total Environmental Solutions, Inc. ("TESI") and Utility Services, LLC on March 3, 2014 pursuant to Clean Water Act ("CWA") Sections 309(b) and (d), 33 U.S.C. 1319(b) and (d), and the Mississippi Air and Water Pollution Control Law, Miss. Code Ann. § 49-17-1 *et seq.*, seeking penalties and injunctive relief under Sections 301 and 402 of the CWA, 33 U.S.C. 1311 and 1342, and under Miss. Code Ann. §§ 49-17-23(2), 49-17-29 and 49-17-43(1) for (1) unpermitted discharges of untreated sewage into navigable waters and waters of the State of Mississippi; (2) failure to comply with certain National Pollutant Discharge Elimination System ("NPDES") effluent permit conditions; (3) failure to comply with standard NPDES permit conditions, including failure to monitor or report the results of requiring monitoring of pollutants in its water discharges from July 2007 to June 2010.

The proposed Consent Decree contains injunctive relief, including effluent monitoring and management, a sanitary sewer overflow plan, and the following operation and maintenance programs: (a) A comprehensive performance evaluation and development of a composite correction plan; (b) a sewer overflow response program; (c) an emergency operations and maintenance plan; (d) a training program; (e) an information management system program; (f) a sewer mapping program; (g) a financing and cost analysis program; (h) a fats, oils and grease public education program; (i) a pump station operations program; (j) a gravity line preventive maintenance program; and (k) a pump station preventive maintenance program. Utility Services intends to purchase the facilities from TESI and then assume the responsibilities of TESI to perform the injunctive relief. TESI also has agreed to pay a penalty of \$225,000, of which \$112,500 will be paid to the United States, and \$112,500 will be paid to the

Mississippi Department of Environmental Quality.

The publication of this notice opens a period for public comment on the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States, State of Mississippi, by and through Mississippi Commission on Environmental Quality v. Total Environmental Solutions, Inc. and Utility Services, LLC*, Civil Action No. 1:14-cv-001114-LG-JMR, D.J. Ref. No. 90-5-1-1-09955. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By email ...	pubcomment-ees.enrd@usdoj.gov .
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, D.C. 20044-7611.

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department Web site: <http://www.usdoj.gov/enrd/ConsentDecrees.html>. We will provide a paper copy of the Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to:

Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Please enclose a check or money order for \$63.25 (25 cents per page reproduction cost) payable to the United States Treasury. For a paper copy of the Consent Decree without Appendix B—EPA Region IV Guidance on Capacity, Management, Operation and Maintenance ("CMOM") programs, the cost is \$18.50.

Henry Friedman,

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

[FR Doc. 2014-05226 Filed 3-10-14; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Clean Water Act

On March 5, 2014, the Department of Justice lodged a proposed consent decree with the United States District

Court for the Southern District of West Virginia in a lawsuit entitled *United States, et al. v. Alpha Natural Resources, Inc., et al.*, Civil Action No. 2:14-cv-11609.

The proposed Consent Decree will resolve Clean Water Act claims alleged in this action by the United States, the State of West Virginia, the Pennsylvania Department of Environmental Protection, and the Commonwealth of Kentucky against Alpha Natural Resources, Inc. and 59 of its subsidiaries¹ (collectively, "Alpha") for the discharge of pollutants into state waters and waters of the United States in violation of limits in National Pollutant Discharge Elimination System ("NPDES") permits. The Consent Decree will also resolve claims against Alpha Natural Resources, Inc. and Cumberland Coal Resources, LP for discharging pollutants into state waters and waters of the United States without complying with the requirements for obtaining an NPDES permit.

Under the proposed Consent Decree, Defendants will perform injunctive relief including: (1) Development and implementation of an environmental management system and periodic internal and third-party environmental compliance auditing; (2) data tracking and evaluation measures, including centralized audit and violations databases to track information relevant to compliance efforts at each outfall; (3) response measures for effluent limit violations, including consultation with a third-party expert and automatic stipulated penalties; (4) construction and operation of a specified treatment system to address violations of osmotic

¹ Alpha Natural Resources, Inc.; Alpha Appalachia Holdings, Inc.; Alex Energy, Inc.; Alpha PA Coal Terminal, LLC; Amfire Mining Company, LLC; Aracoma Coal Co., Inc.; Bandmill Coal Corp.; Belfry Coal Corp.; Big Bear Mining Co.; Brooks Run Mining Company, LLC; Brooks Run South Mining LLC; Clear Fork Coal Co.; Cumberland Coal Resources, LP; Delbarton Mining Co.; Dickenson-Russell Coal Company, LLC; Duchess Coal Co.; Eagle Energy, Inc.; Elk Run Coal Co., Inc.; Emerald Coal Resources, LP; Enterprise Mining Company, LLC; Goals Coal Co.; Greyeagle Coal Co.; Harlan Reclamation Services LLC; Herndon Processing Co., LLC; Highland Mining Co.; Independence Coal Company, Inc.; Jacks Branch Coal Co.; Kanawha Energy Co.; Kepler Processing Co., LLC; Kingston Mining, Inc.; Kingwood Mining Co., LLC; Knox Creek Coal Corp.; Litwar Processing Co., LLC; Marfork Coal Co.; Martin County Coal Corp.; New Ridge Mining Co.; Omar Mining Co.; Paramount Coal Company Virginia, LLC; Paynter Branch Mining, Inc.; Peerless Eagle Coal Co.; Performance Coal Co.; Peter Cave Mining; Pigeon Creek Processing Corp.; Pioneer Fuel Corp.; Power Mountain Coal Co.; Premium Energy, LLC; Rawl Sales & Processing Co.; Resource Land Co.; Riverside Energy Co., LLC; Road Fork Development Co.; Rockspring Development, Inc.; Rum Creek Coal Sales, Inc.; Sidney Coal Co.; Spartan Mining Co.; Stirrat Coal Co.; Sycamore Fuels Inc.; Tennessee Consolidated Coal Company; Trace Creek Coal Co.; and Twin Star Mining, Inc.

pressure permit limits; and (5) implementation of compliance plans, including water management or treatment approaches, to address violations of selenium permit limits. In addition, Alpha will pay a civil penalty of \$27.5 million.

The publication of this notice opens a period for public comment on the proposed consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States, et al. v. Alpha Natural Resources, Inc., et al.*, D.J. Reference No. 90–5–1–1–08470/1. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	Send them to:
By email	pubcomment-ees.enrd@usdoj.gov
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611/

During the public comment period, the proposed consent decree may be examined and downloaded at this Justice Department Web site: http://www.justice.gov/enrd/Consent_Decrees.html.

We will provide a paper copy of the proposed consent decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for \$29.25 (25 cents per page reproduction costs) payable to the United States Treasury. For a paper copy without the exhibits and signature pages, the cost is \$22.00.

Maureen Katz,

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

[FR Doc. 2014–05149 Filed 3–10–14; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Clean Water Act

On March 5, 2014, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the District of Montana in the lawsuit entitled *United States and the*

State of Montana v. the City of Great Falls, Montana and Malteurop North America, Inc., Civil Action No. 4:14–cv–00016–BMM.

The United States filed this lawsuit under the Clean Water Act. The complaint names the City of Great Falls, Montana (the “City”) and Malteurop North America, Inc. (“Malteurop”) as defendants. The complaint seeks injunctive relief and civil penalties for violations of various provisions of the Clean Water Act arising from the City’s operation of its municipal wastewater and sewer system and from Malteurop’s operation of a malting plant that discharges to the City’s sewer system.

The proposed Decree would require the City to implement its Pretreatment Program. The Decree would also require the City to take a number of specific steps to prevent sanitary sewer overflows, including implementing a program for controlling Fats, Oil, and Grease (“FOG”) and root growth; a program for controlling inflow and infiltration (“I/I”) (unless the City demonstrates that I/I is not contributing to SSOs or bypass events and that it has the capacity to transport and treat I/I); and a Capacity, Management, Operations, and Maintenance (“CMOM”) program. Finally, the Decree would require the City to pay a \$120,000 civil penalty, to be split equally between the United States and the State of Montana.

The proposed Decree would require Malteurop to meet limits based on OSHA standards for hydrogen sulfide at a specific location in the City’s sewer. Malteurop may meet these limits by constructing a private service line to bypass a portion of the sewer where conditions exist that allow Malteurop’s discharges to result in the formation of hydrogen sulfide. In the interim, Malteurop will continue to operate an existing Super Oxygenation System, which minimizes hydrogen sulfide formation by injecting dissolved oxygen into a portion of the wastewater discharged by Malteurop. The proposed Decree would also require Malteurop to pay a \$525,000 civil penalty to the United States.

The publication of this notice opens a period for public comment on the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States, et al. v. the City of Great Falls, MT, et al.*, D.J. Ref. No. 90–5–1–08955. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	Send them to:
By email ...	pubcomment-ees.enrd@usdoj.gov
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, D.C. 20044–7611.

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department Web site: http://www.usdoj.gov/enrd/Consent_Decrees.html. We will provide a paper copy of the Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to:

Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for \$30.75 (25 cents per page reproduction cost) payable to the United States Treasury.

Maureen Katz,

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

[FR Doc. 2014–05201 Filed 3–10–14; 8:45 am]

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DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Application for Use of Public Space by Non-DOL Agencies in the Frances Perkins Building

ACTION: Notice.

SUMMARY: The Department of Labor (DOL) is submitting the Office of the Assistant Secretary for Administration and Management (OASAM) sponsored information collection request (ICR) revision titled, “Application for Use of Public Space by Non-DOL Agencies in the Frances Perkins Building,” to the Office of Management and Budget (OMB) for review and approval for use in accordance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501 *et seq.*).

DATES: Submit comments on or before April 10, 2014.

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the