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By order of the Commission.

Issued: August 27, 2007.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Modification of Consent Decree Under the Clean Water Act

Notice is hereby given that on August 15, 2007, a proposed Modification of Consent Decree ("Modification") in *United States of America v. Puerto Rico Aqueduct and Sewer Authority, The Commonwealth of Puerto Rico and Compania de Aguas de Puerto Rico, Inc.*, Civil Action No. 01-1709 (JAF) was lodged with the United States Court for the District of Puerto Rico. The Consent Decree requires the Puerto Rico Aqueduct and Sewer Authority ("PRASA") to, among other things, develop and implement a system-wide operation and maintenance plan ("OMP") for all pump station facilities in Puerto Rico owned or operated by PRASA. The Consent Decree requires PRASA to draft and implement this OMP in accordance with a schedule set forth in ¶13. The proposed Modification seeks to replace the schedule set forth in ¶13 with a new schedule that includes deadlines for phasing in interim and final portions of the OMP, and requires complete implementation by December 31, 2010.

In addition, the Consent Decree requires PRASA to perform a "Supplemental Environmental Project" ("SEP"). The Modification affects the last activity/milestone of this SEP, listed in Appendix E of the Consent Decree, entitled "Work Plan Supplemental Environmental Project." To date, PRASA has completed the first three milestones to be performed. In an effort to clarify PRASA's obligations in implementing the SEP, the parties have agreed to modify the last activity/milestone listed in Appendix E to provide for completion dates for the SEP projects.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Modification of 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. PRASA*, D.J. Ref. 90-5-1-1-06475/1.

The proposed Modification of Consent Decree may be examined at the Office of the United States Attorney, Federal Office Building, Rm. 10, Carlos E. Chardón Avenue, San Juan, Puerto Rico, and at U.S. EPA Region II, 290 Broadway, New York, New York. During the public comment period, the Modification of 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 Modification of 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 \$1.50 (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.

**Ellen Mahan,**

*Deputy Chief, Environmental Enforcement Section, Environment and Natural Resource Division.*

[FR Doc. 07-4251 Filed 8-29-07; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Air Act

Notice is hereby given that on August 16, 2007, a proposed Addendum to the Consent Decree ("Addendum") in *United States v. Valero Energy Company, et al.*, Civil Action No. SA-07-CA-0683, was lodged with the United States District Court for the Western District of Texas.

In this action, the United States sought a civil penalty and injunctive relief for violations of the Clean Air Act, 42 U.S.C. 7401, *et seq.*, and its implementing regulations, in connection with the petroleum refineries that settling Defendant Premcor Refining Group Inc. operates in Memphis, Tennessee and Port Arthur, Texas, and that settling Defendant Lima Refining Company operates in Lima, Ohio. Specifically, the United States alleged violations of the New Source Performance Standards for petroleum

refineries and the National Emission Standards for Hazardous Air Pollutants for Benzene Waste Operations. The Addendum requires Defendant Premcor Refining Group, Inc. and Defendant Lima Refining Company to implement injunctive relief to improve their refineries' performance, including reducing emissions from major refinery units, reducing the flaring of process upset gasses, improving leak detection and repair procedures, and improving the management of benzene wastewater streams. The Addendum also requires the Defendants to pay a \$4.25 million civil penalty to the United States, the State of Ohio, and Memphis-Shelby County Health Department. The United States will receive \$2.7 million of the civil penalty. The Addendum also requires the Defendants to perform several Supplemental Environmental Projects with a total value of \$4.25 million.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed Addendum to the 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. Premcor Refining Group, Inc. et al.*, D.J. Ref. # 90-5-2-1-06811/1.

The Addendum may be examined at: The Office of the United States Attorney for the Western District of Texas, 601 NW Loop 410, Suite 600, San Antonio, Texas 78216 (contact AUSA Susan Biggs); U.S. EPA Region 6, 1445 Ross Avenue, Suite 1200, Dallas, Texas, 75202 (contact Patricia Welton); U.S. EPA Region 4, 61 Forsyth Street, SW., Atlanta, Georgia, 30303-8960 (contact Marlene Tucker); and U.S. EPA Region 5, 77 West Jackson Blvd. (C-13), Chicago, Illinois, 60604 (contact Mary T. McAuliffe). During the public comment period, the Consent Decree also may 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 Consent Decree also may 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 \$30.75 (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.

**Robert Brook,**

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

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended (19 U.S.C. 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers (TA-W) number and alternative trade adjustment assistance (ATAA) by (TA-W) number issued during the period of *August 13 through August 17, 2007*.

In order for an affirmative determination to be made for workers of a primary firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(a) of the Act must be met.

I. Section (a)(2)(A) all of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

B. The sales or production, or both, of such firm or subdivision have decreased absolutely; and

C. Increased imports of articles like or directly competitive with articles produced by such firm or subdivision have contributed importantly to such workers' separation or threat of separation and to the decline in sales or production of such firm or subdivision; or

II. Section (a)(2)(B) both of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

B. There has been a shift in production by such workers' firm or

subdivision to a foreign country of articles like or directly competitive with articles which are produced by such firm or subdivision; and

C. One of the following must be satisfied:

1. The country to which the workers' firm has shifted production of the articles is a party to a free trade agreement with the United States;

2. The country to which the workers' firm has shifted production of the articles to a beneficiary country under the Andean Trade Preference Act, African Growth and Opportunity Act, or the Caribbean Basin Economic Recovery Act; or

3. There has been or is likely to be an increase in imports of articles that are like or directly competitive with articles which are or were produced by such firm or subdivision.

Also, in order for an affirmative determination to be made for secondarily affected workers of a firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(b) of the Act must be met.

(1) Significant number or proportion of the workers in the workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) The workers' firm (or subdivision) is a supplier or downstream producer to a firm (or subdivision) that employed a group of workers who received a certification of eligibility to apply for trade adjustment assistance benefits and such supply or production is related to the article that was the basis for such certification; and

(3) Either—

(A) The workers' firm is a supplier and the component parts it supplied for the firm (or subdivision) described in paragraph (2) accounted for at least 20 percent of the production or sales of the workers' firm; or

(B) A loss of business by the workers' firm with the firm (or subdivision) described in paragraph (2) contributed importantly to the workers' separation or threat of separation.

In order for the Division of Trade Adjustment Assistance to issue a certification of eligibility to apply for Alternative Trade Adjustment Assistance (ATAA) for older workers, the group eligibility requirements of Section 246(a)(3)(A)(ii) of the Trade Act must be met.

1. Whether a significant number of workers in the workers' firm are 50 years of age or older.

2. Whether the workers in the workers' firm possess skills that are not easily transferable.

3. The competitive conditions within the workers' industry (i.e., conditions within the industry are adverse).

#### Affirmative Determinations for Worker Adjustment Assistance

The following certifications have been issued. The date following the company name and location of each determination references the impact date for all workers of such determination.

The following certifications have been issued. The requirements of Section 222(a)(2)(A) (increased imports) of the Trade Act have been met.

*None.*

The following certifications have been issued. The requirements of Section 222(a)(2)(B) (shift in production) of the Trade Act have been met.

*None.*

The following certifications have been issued. The requirements of Section 222(b) (supplier to a firm whose workers are certified eligible to apply for TAA) of the Trade Act have been met.

*TA-W-61,948; Chassis Supply Partners, On-Site Leased Workers From Randstad, Columbia, TN: August 2, 2006.*

The following certifications have been issued. The requirements of Section 222(b) (downstream producer for a firm whose workers are certified eligible to apply for TAA based on increased imports from or a shift in production to Mexico or Canada) of the Trade Act have been met.

*None.*

#### Affirmative Determinations for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance

The following certifications have been issued. The date following the company name and location of each determination references the impact date for all workers of such determination.

The following certifications have been issued. The requirements of Section 222(a)(2)(A) (increased imports) and Section 246(a)(3)(A)(ii) of the Trade Act have been met.

*TA-W-61,400; Smart Papers, LCC, International Distribution Center (IDC), Formerly Known as PF Papers, LLC, West Chicago, IL: April 26, 2006.*

*TA-W-61,455; Ogihara America Corporation, On-Site Leased Workers From Action Associates, Howell, MI: May 4, 2006.*

*TA-W-61,495; Irvin Automotive Products, Inc., Including On-site*