

a new collection and treatment system at Bennett's Dump. The Amendment also requires CBS to pay \$6.67 million dollars to reimburse EPA for response costs incurred in investigating and cleaning up the sites, as well as requires CBS to pay \$1.88 million to the Department of the Interior for the purpose of restoring or replacing natural resources that have been injured by ongoing releases of PCBs from the sites.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Amendment. 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 of America, et al., v. CBS Corporation*, D.J. Ref. 90-7-1-212A.

The Amendment may be examined at the Office of the United States Attorney, 10 W. Market St., Suite 2100, Indianapolis, IN 46204, and at U.S. EPA Region V, 77 West Jackson Blvd., Chicago, IL 60604-3590. During the public comment period, the Amendment, 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 Amendment 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 \$207.25 (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. In requesting a copy exclusive of appendices, please enclose a check in the amount of \$17.75 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**William Brighton,**

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

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**DEPARTMENT OF JUSTICE**

**Notice of Extension of Period for Public Comments Regarding Settlement Agreement**

Notice is hereby given that the period in which the Department of Justice will receive public comments regarding the Settlement Agreement lodged in the case of *American International Specialty Lines Insurance Company, Inc. v. NWI-I, Inc., et al.*, Civil Action No. 05-6386 (N.D. Ill.), is extended through and including April 1, 2008. The lodging of this Settlement Agreement was previously announced, and a 30-day comment period commenced, by publication in the **Federal Register** on January 17, 2008.

Through and including April 1, 2008, the Department of Justice will receive comments relating to the Settlement Agreement. 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. In either case, the comments should refer to *AISLIC v. NWI-I, Inc.*, D.J. Ref. No. 90-11-2-07096/1.

The proposed settlement agreement may be examined at the Office of the United States Attorney, Northern District of Illinois, Eastern Division, 219 S. Dearborn St., 5th Floor, Chicago, IL 60604, and at the Environmental Protection Agency's Region 5 office, 77 W. Jackson Blvd., Chicago, IL 60604. During the public comment period, the proposed 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 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 number (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 \$33.00 (or \$6.00 for a copy that omits the exhibits and signature pages) (25 cents per page reproduction cost) payable to the United States Treasury or, if by e-mail or fax, forward a check

in that amount to the Consent Decree Library at the stated address.

**Robert E. Maher, Jr.,**

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

[FR Doc. E8-3610 Filed 2-25-08; 8:45 am]

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**DEPARTMENT OF JUSTICE**

**Notice of Extension of Public Comment Period Regarding Lodging of Consent Decree Pursuant to the Clean Air Act**

On January 25, 2008 (73 FR 4629), the United States Department of Justice published notice of the lodging of a Consent Decree in *United States v. S.H. Bell Company* ("S.H. Bell"), Civil Action No. 4:08-cv-96 (N.D. Ohio). The United States is now extending the period for public comment through and including March 10, 2008. All comments from the public on the Consent Decree described below must be received by that date.

The proposed Consent Decree was lodged with the United States District Court for the Northern District of Ohio on January 14, 2008. The Consent Decree resolves claims against S.H. Bell brought by the United States on behalf of the Environmental Protection Agency ("EPA") for violations of the Clean Air Act ("CAA"), 42 U.S.C. 7401-7671q, regulations implementing the CAA, the Ohio State Implementation Plan ("Ohio SIP") and the Pennsylvania State Implementation Plan ("Pennsylvania SIP") at two terminals of S.H. Bell's facility located at 2217 Michigan Avenue (Stateline Terminal) and 1 Saint George Street East (Little England Terminal), Liverpool, Ohio. In this action, the United States sought civil penalties for S.H. Bell's alleged failure to apply for appropriate permits under the CAA, the Ohio SIP and the Pennsylvania SIP for stationary sources at its two terminals; failure to obtain a permit to install ("PTI"), and timely comply with control requirements of a valid PTI, as required by the Ohio SIP at certain stationary sources at its East Liverpool facility; and violations of the General Provisions of the New Source Performance Standards ("NSPS") set forth at 40 CFR 60.7 and 60.8 for nonmetallic mineral processing plants. Under the Consent Decree, S.H. Bell shall: (1) Pay a civil penalty of \$50,000; (2) comply with all applicable emissions limitations and testing requirements in its existing source operating permits and any amendments; (3) cooperate with Ohio Environmental Protection Agency ("Ohio EPA") and Pennsylvania

Department of Environmental Protection ("Pennsylvania DEP") officials in the processing of S.H. Bell's filed applications for appropriate source permits at its East Liverpool facility; (4) certify that it does not currently process nonmetallic minerals at its East Liverpool facility, and in the event that it resumes processing such nonmetallic minerals, comply with applicable provisions of NSPS; and (5) implement two Supplemental Environmental Projects valued at \$386,592, consisting of a Truck Loadout Shed and Road Paving Projects at its East Liverpool facility.

The Department of Justice previously provided notice that it would receive comments relating to the Consent Decree for a period of 30 days from the original publication of notice of lodging in the **Federal Register**. That comment period would have ended on February 24, 2008. A private citizen group requested an extension of time to submit comments on the Consent Decree. The Department of Justice, in consultation with EPA, determined that the extension is appropriate and that the public comment period should be extended for a period of two weeks. Therefore, the United States Department of Justice will accept comments on the proposed Consent Decree through March 10, 2008.

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 United States Department of Justice, P.O. Box 7611, Washington, DC 20044-7611, and should refer to *United States v. S.H. Bell Co.*, Civil No. 4:08-cv-96 (N.D. Ohio), and DOJ Reference No. 90-5-2-1-07823.

The proposed Consent Decree may be examined at: (1) The Office of the United States Attorney for the Northern District of Ohio, 801 West Superior Avenue, Suite 400, Cleveland, OH, 44113 (216-622-3600); and (2) the United States Environmental Protection Agency (Region 5), 77 West Jackson Blvd., Chicago, IL 60604-3507 (contact: John C. Matson (312-886-2243)).

During the public comment period, the proposed Consent Decree may also be examined on the following U.S. 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 Consent Decree may also be obtained by mail from the Consent Decree Library, U.S. Department of Justice, P.O. Box 7611, 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 no. (202) 514-1547. In requesting a copy from the Consent Decree Library, please refer to the referenced case and DOJ Reference Number and enclose a check in the amount of \$10.00 for the Consent Decree only (40 pages, at 25 cents per page reproduction costs), or \$19.25 for the Consent Decree and Appendix A (77 pages), made 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.

**William D. Brighton,**

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

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### **Labor Certification Process for the Temporary Employment of Aliens in Agriculture and Logging in the United States: 2008 Adverse Effect Wage Rates, Allowable Charges for Agricultural and Logging Workers' Meals, and Maximum Travel Subsistence Reimbursement**

**AGENCY:** Employment and Training Administration, Department of Labor.

**ACTION:** Notice of Adverse Effect Wage Rates, allowable charges for meals, and maximum travel subsistence reimbursement for 2008.

**SUMMARY:** The Employment and Training Administration (ETA) of the Department of Labor (Department or DOL) is issuing this Notice to announce: The 2008 Adverse Effect Wage Rates (AEWRs) for employers seeking to employ temporary or seasonal nonimmigrant foreign workers to perform agricultural labor or services (H-2A workers) or logging (H-2B logging workers); the allowable charges for 2008 that employers seeking H-2A workers and H-2B logging workers may levy upon their workers when three meals a day are provided by the employer; and the maximum travel subsistence reimbursement which a worker with receipts may claim in 2008.

AEWRs are the minimum wage rates the Department has determined must be offered and paid by employers of H-2A workers or H-2B logging workers to U.S. and foreign workers for a particular occupation and/or area so that the wages of similarly employed U.S. workers will not be adversely affected (20 CFR 655.100(b) and 655.200(b)). In

this Notice the Department announces the AEWRs for 2008. The Department also announces the new rates for 2008 which agricultural and logging employers may charge their workers for three daily meals, and the minimum and maximum charge of travel subsistence expenses a worker may claim in 2008.

**EFFECTIVE DATE:** February 26, 2008.

**FOR FURTHER INFORMATION CONTACT:**

William L. Carlson, Ph.D., Administrator, Office of Foreign Labor Certification, U.S. Department of Labor, Room C-4312, 200 Constitution Avenue, NW., Washington, DC 20210. Telephone: 202-693-3010 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:** The U.S. Citizenship and Immigration Services of the Department of Homeland Security may not approve an employer's petition for the admission of H-2A nonimmigrant temporary agricultural workers or H-2B nonimmigrant temporary logging workers in the United States unless the petitioner has received from DOL an H-2A or H-2B labor certification, as appropriate. Approved labor certifications attest: (1) There are not sufficient U.S. workers who are able, willing, and qualified and who will be available at the time and place needed to perform the labor or services involved in the petition; and (2) the employment of the foreign worker in such labor or services will not adversely affect the wages and working conditions of workers in the U.S. similarly employed (8 U.S.C. 1101(a)(15)(H)(ii)(a), 1101(a)(15)(H)(ii)(b), 1184(c), and 1188(a); 8 CFR 214.2(h)(5) and (6)).

DOL's regulations for the H-2A and H-2B logging programs require employers to offer and pay their U.S., H-2A, and H-2B logging workers no less than the appropriate hourly AEWR in effect at the time the work is performed (20 CFR 655.102(b)(9) and 655.202(b)(9); see also 20 CFR 655.107, 20 CFR 655.207<sup>1</sup>).

#### **A. Adverse Effect Wage Rates for 2008**

AEWRs are the minimum wage rates which must be offered and paid to U.S. and foreign workers by employers of H-2A workers or H-2B logging workers (20 CFR 655.100(b) and 20 CFR 655.200(b)). Employers of H-2A workers must pay the highest of (i) the AEWR, in effect, at the time the work is performed; (ii) the

<sup>1</sup> For additional information regarding the AEWR, see the preamble of the Final Rule, 54 FR 28037-28047 (July 5, 1989), which explained in depth the purpose and history of AEWR, DOL's policy in setting the AEWR, and the AEWR computation methodology at 20 CFR 655.107(a). See also 52 FR 20496, 20502-20505 (June 1, 1987).