U.S. Architectural and Transportation Barriers Compliance Board.

The majority of the comments supported certification of the Florida law. Three commenters, while not opposing certification of the Florida law, suggested that there exists a conflict between the Florida law and the ADA because section 553.509 of the Florida Statutes and sections 4.1.2, 4.1.3, 4.1.6 and 5.4 of the Florida Accessibility Code for Building Construction (Code) exempt from the requirement of vertical accessibility ''[o]ccupiable spaces and rooms that are not open to the public and that house no more than five persons * * *'' (e.g., equipment control rooms, projection booths) whereas the ADA Standards for Accessible Design (Standards) may require vertical accessibility (e.g., work areas). Because section 553.509 of the Florida Statutes and sections 4.1.2, 4.1.3, 4.1.6 and 5.4 of the Florida Code provide that ''buildings, structures, and facilities must, at a minimum, comply with the requirements'' of the ADA Standards, and because sections 4.1.2, 4.1.3, 4.1.6 and 5.4 of the Florida Code further provide that ''facilities subject to the ADA may be required to provide vertical access to areas otherwise exempt under 4.1.3(5)(3)'' of the Florida Code, there is no conflict between the Florida law and the ADA.

One comment opposed certification on the ground that the Florida law exempts churches. Because coverage of churches is neither required nor prohibited by the ADA, such coverage does not preclude certification.

Based on these comments, the Department has determined that the Florida law is equivalent to the new construction and alterations requirements of title III of the ADA. Therefore, the Department has informed the submitting official of its decision to certify the Florida law.

Effect of Certification

The certification determination is limited to the version of the Florida law that has been submitted to the Department. The certification will not apply to amendments or interpretations that have not been submitted and reviewed by the Department.

Certification will not apply to buildings constructed by or for State or local government entities, which are subject to title II of the ADA. Nor does certification apply to accessibility requirements that are addressed by the Florida law that are not addressed by the ADA Standards.

Finally, certification does not apply to variances or waivers granted under the Florida law. Therefore, if a builder receives a variance, waiver, modification, or other exemption from the requirements of the Florida law for any element of construction or alterations, the certification determination will not constitute evidence of ADA compliance with respect to that element.

Dated: May 27, 1998.

Bill Lann Lee,

Acting Assistant Attorney General for Civil Rights.

[FR Doc. 98–15208 Filed 6–8–98; 8:45 am]

BILLING CODE 4410–13–M

DEPARTMENT OF JUSTICE

Notice of Consent Decree Under the Clean Air Act, the Resource Conservation and Recovery Act, and the Emergency Planning and Community Right-to-Know Act

Notice is hereby given that a consent decree in *United States* v. *American Insulated Wire Corp.*, Civil Action No. 98CV10993NG (D. Mass.) was lodged with the United States District Court for the District of Massachusetts on May 26, 1998.

In this action the United States sought injunctive relief and civil penalties under Section 113(b) of the Clean Air Act (''CAA''), 42 U.S.C. 7413(b), Sections 3008 (a) and (g) of the Resource Conservation and Recovery Act (''RCRA''), 42 U.S.C. 6928 (a) and (g), and Section 325(c)(1) and (4) of the Emergency Planning and Community Right-to-Know Act (''EPCRA''), 42 U.S.C. 11045(c) (1) and (4), against American Insulated Wire Corp. (''AIW''). The alleged violations include failure to obtain permits required under the CAA, failure to comply with various hazardous waste handling requirements under RCRA (*e.g.*, failure to keep hazardous waste containers labelled, marked and closed as required; failure to conduct weekly inspections), and failure to make complete and accurate reports required under EPCRA. The consent decree resolves these claims.

The consent decree requires AIW: to comply with the Clean Air Act, RCRA, and EPCRA; to pay a civil penalty to the United States of $1,400,000; and to implement two supplemental environmental projects (''SEPs'') at an estimated cost of $994,475. The first SEP requires AIW to retrofit the oil-fired boilers that provide power to the facility to burn natural gas as well, and to burn only natural gas during the period from May 1 through September 30 for two consecutive years. The second SEP requires AIW to construct a closed-loop wastewater treatment and recycling system at the facility.

The Department of Justice will accept written comments relating to the proposed consent decree for thirty (30) days from the date of publication of this notice. Please address comments to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044 and refer to *United States* v. *American Insulated Wire Corp.* (D. Mass.), DJ #90–7–1–903.

Copies of the proposed consent decree may be examined at the Office of the United States Attorney, 1003 J.W. McCormack P.O. & Courthouse, Boston, MA 02109; at the U.S. Environmental Protection Agency, Region I, One Congress Street, Boston, Massachusetts 02203; and at the Consent Decree Library, 1120 G Street, NW, 4th Floor, Washington, DC 20005, (202) 624–0892. A copy of the consent decree may also be obtained in person or by mail at the Consent Decree Library, 1120 G Street, NW, 4th Floor, Washington, DC 20005. When requesting a copy of the consent decree by mail, please enclose a check in the amount of $6.50 (twenty-five cents per page reproduction costs) payable to the ''Consent Decree Library.''

Joel M. Gross,

Chief, Environmental Enforcement Section, Environment and Natural Resources Division, U.S. Department of Justice.

[FR Doc. 98–15330 Filed 6–8–98; 8:45 am]

BILLING CODE 4410–15–M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act

In accordance with Departmental policy, 28 CFR 50.7, and Section 122 of CERCLA, 42 U.S.C. § 9622, notice is hereby given that on May 29, 1998, a proposed *De Minimis* Consent Decree in *United States* v. *Kux Manufacturing, et. al.*, Civil Action No. 98–72189 was lodged with the United States District Court for the Eastern District of Michigan, Southern Division. This consent decree represents a settlement of claims of the United States against Kux Manufacturing, Eppinger Manufacturing Company, MascoTech Coatings, Inc., f/k/a Vacumet Finishing, Seaman Industries, Inc., A.T. Wagner Company, Metamora Products, Inc., Conwed Corporation, Aircraft Specialties Inc., Albar Industries, Inc., and Precision Coatings, Inc., for