

comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. Atkemix Thirty-Seven, Inc.*, (M.D. Fl.), DOJ# 90-11-2-1227.

The proposed consent decree may be examined at the Office of the United States Attorney, 400 North Tampa Street, Suite 3200, Tampa, Florida 33602; the Region 4 Office of the Environmental Protection Agency, 61 Forsyth Street, Atlanta, Georgia 30303, and at the Consent Decree Library, 1120 G Street, NW, 4th Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW, 4th Floor, Washington, DC 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$50.00 (25 cents per page reproduction costs), payable to the Consent Decree Library. In requesting a copy exclusive of exhibits, please enclose a check for \$20.50 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel M. Gross,

*Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.*
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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 42 U.S.C. 9622(d)(2), notice is hereby given that a proposed consent decree in *United States v. City of Clear Lake, Iowa*, Civil Action No. C 98 3043, was lodged on June 4, 1998 with United States District Court for the Northern District of Iowa, Central Division. In a complaint filed contemporaneously with lodging of the proposed consent decree, the United States alleged that the Defendant City of Clear Lake is liable as an owner at the time of disposal of hazardous substances, and is the current owner of the Clear Lake FMGP Superfund Site located in Cerro Gordo County, Iowa ("Site") pursuant to Sections 107(a)(1) and (2) of CERCLA, 42 U.S.C. 9607(a)(1) and (2). The Complaint also alleges that Defendants Kansas City Power and Light, and Centel Corporation, are successors to and assumed liability for

persons who at the time of disposal of hazardous substances owned and/or operated a facility at the Site at which hazardous substances were disposed, and who by contract, agreement, or otherwise arranged for disposal or treatment, or arranged with a transporter for transport for disposal or treatment, of hazardous substances at the Site, and are liable pursuant to Sections 107(a) (2) and (3) of CERCLA, 42 U.S.C. 9607(a) (2) and (3). The complaint further alleges that the United States incurred costs and may continue to incur costs for response actions at and in connection with the Site.

The proposed consent decree provides that the Defendants shall pay \$350,000 to the EPA Hazardous Substance Superfund for Response Costs. The proposed consent decree also provides that the United States covenants not to sue or take administrative action against the Defendants under sections 106, 107 and 113 of CERCLA, 42 U.S.C. 9606, 9607 and 9613 except as specifically provided in 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 proposed consent decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. City of Clear Lake, Iowa*, DOJ Ref. 90-11-2-1343.

The proposed consent decree can be examined at the Office of the United States Attorney, Northern District of Iowa, Hach Building, 401 1st Street, SE, Suite 400, Cedar Rapids, Iowa 52401-1825; the Region 7 Office of the Environmental Protection Agency, 726 Minnesota Avenue, Kansas City, Kansas 66101; and at the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$8.00 (25 cents per page reproduction costs) payable to the Consent Decree Library.

Joel Gross,

*Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.*
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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 determinations 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 prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedes decisions thereto, contain no expiration dates and are effective from their date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used