

<i>To submit comments:</i>	<i>Send them to:</i>
By email .....	<i>pubcomment-ees.enrd@usdoj.gov.</i>
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>. 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 \$23.50 (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.*

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## DEPARTMENT OF JUSTICE

### Notice Lodging of Proposed Joint Stipulation To Modify Consent Decree Under the Clean Air Act

On June 25, 2015, the Department of Justice lodged a proposed Joint Stipulation to Modify Consent Decree with the United States District Court for the Northern District of Alabama in the lawsuit entitled *United States v. Alabama Power Company*, Civil Action No. 2:01–cv–00152–VEH.

In this civil enforcement action under the federal Clean Air Act (“Act”), the United States alleged that Alabama Power Company failed to comply with certain requirements of the Act intended to protect air quality at coal-fired electric generating stations located in Alabama. Specifically, the complaint requested injunctive relief and civil penalties for violations of the Clean Air Act’s Prevention of Significant Deterioration provisions, 42 U.S.C. 7470–92, and various Clean Air Act implementing regulations. On April 25, 2006, the District Court entered a partial consent decree settling some of the claims alleged in the complaint. The proposed Joint Stipulation to Modify Consent Decree would modify the partial consent decree to settle the remaining claims in the litigation to secure additional reductions in

emissions of sulfur dioxide and nitrogen oxides through the operation of emissions controls and unit retirements and conversions to natural gas operation. Alabama Power will also pay a civil penalty of \$100,000 and pay \$1,500,000 to fund environmental mitigation projects that will further reduce emissions and benefit communities in Alabama.

The publication of this notice opens a period for public comment on the proposed Joint Stipulation to Modify Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Alabama Power Company*, D.J. Ref. No. 90–5–2–1–06994. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted by email or by mail:

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By mail .....	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the proposed Joint Stipulation to Modify Consent Decree may be examined and downloaded at this Justice Department Web site: <http://www.justice.gov/enrd/consent-decrees>. We will provide a paper copy of the proposed modification 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 \$ 6.25 (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.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA–W–85,562]

### Unimin Corporation, Gleason, Tennessee; Notice of Affirmative Determination Regarding Application for Reconsideration

By application dated December 3, 2014, a worker requested administrative reconsideration of the negative determination regarding workers’ eligibility to apply for worker adjustment assistance applicable to workers and former workers of Unimin Corporation, Gleason, Tennessee (subject firm). The determination was issued on November 7, 2014. The Department’s Notice of Determination was published in the **Federal Register** on November 21, 2014 (79 FR 69535).

Pursuant to 29 CFR 90.18(c) reconsideration may be granted under the following circumstances:

(1) If it appears on the basis of facts not previously considered that the determination complained of was erroneous;

(2) If it appears that the determination complained of was based on a mistake in the determination of facts not previously considered; or

(3) If in the opinion of the Certifying Officer, a misinterpretation of facts or of the law justified reconsideration of the decision.

The initial investigation resulted in a negative determination based on the findings that the subject firm did not increase imports or shift production abroad.

The request for reconsideration asserts that increased imports of articles directly competitive with the “slurry” articles produced at the subject firm contributed to worker separations and, consequently, that the Department’s initial investigation was too limited in scope.

The Department of Labor has carefully reviewed the request for reconsideration and the existing record, and has determined that the Department will conduct further investigation to determine if the workers meet the eligibility requirements of the Trade Act of 1974.

### Conclusion

After careful review of the application, I conclude that the claim is of sufficient weight to justify reconsideration of the U.S. Department of Labor’s prior decision. The application is, therefore, granted.