

DATES: This provisional recertification will be effective on February 16, 1995.

FOR FURTHER INFORMATION CONTACT: Elaine Sehrt-Green (202) 927-5269 or Beryl Gordon (202) 927-5610 [TDD for hearing impaired: (202) 927-5721].

Decided: February 10, 1995.

By the Commission, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 95-3946 Filed 2-15-95; 8:45 am]

BILLING CODE 7035-01-P

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decrees Pursuant to the Clean Air Act

Consistent with Departmental policy, 28 CFR § 50.07, notice is hereby given that two proposed consent decrees in *United States v. Consolidation Edison Co. and John's Insulation, Inc.*, Civil Action No. 94 Civ. 1538 (LAP), were lodged on January 24, 1995 with the United States District Court for the Southern District of New York.

Defendant Consolidation Edison is the owner of the Waterside Generating Station in New York, New York and contracted with John's Insulation, Inc. to remove Asbestos containing material from that station. The asbestos containing material was removed, stored, and disposed of in violation of the National Emission Standard for Hazardous Air Pollutants for asbestos.

Under the terms of the proposed decree, Consolidation Edison will pay the United States the sum of \$100,000 within 14 days of the entry of the decree between the United States and Consolidation Edison and John's Insulation will pay the United States the sum of \$42,500 in installments as follows: \$15,000 within 7 days of the entry of the decree between the United States and John's Insulation, \$12,500 within 97 days of entry, and \$12,500 within 187 days of entry. John's Insulation Inc. will also pay interest on the amount then due at the time of the second and third installment payments.

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 decrees. 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. Consolidation Edison Co. and John's Insulation Inc.*, D.J. reference #90-5-2-1-1136A.

The proposed consent decrees may be examined at the Office of the United States Attorney for the Southern District of New York, 100 Church Street, 19th Floor, New York, New York; the Region II Office of the Environmental Protection Agency, 26 Federal Plaza, New York, New York; and at the Consent Decree Library, 1120 G Street NW., 4th Floor, Washington, DC 20005, (202) 624-0892. A copy of the two proposed consent decrees may be obtained in person or by mail from the Consent Decree Library 1120 G Street NW., 4th Floor, Washington, DC. In requesting a copy, please enclose a check in the amount of \$6.00 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Bruce Gelber,

Acting Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 95-3913 Filed 2-15-95; 8:45 am]

BILLING CODE 4410-01-M

Notice of Lodging of Consent Decree Under the Clear Air Act

Notice is hereby given that a proposed Consent Decree in *National Wildlife Federation, et al., v. Copper Range Company* (W.D. Mich.), Case No. 2:92-CV-186, entered into by plaintiffs National Wildlife Federation, Michigan United Conservation Clubs, United States of America, State of Michigan, and State of Wisconsin and defendant Copper Range Company was lodged on January 31, 1995 with the United States District Court for the Western District of Michigan. The proposed Consent Decree resolves certain claims of the plaintiffs against the defendant under the Clear Air Act, 42 U.S.C. 7401 *et seq.*, section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9603, sections 304 and 313 of the Emergency Planning and Community Right-To-Know Act, 42 U.S.C. 11004, 11023, and certain other state statutes relating to defendant's smelting operation located on Highway 64 in White Pine, Ontonagon County, Michigan. Under the proposed Consent Decree, Copper Range has agreed that if it is to continue operating its smelter in the future, it will implement extensive injunctive relief to bring it into compliance with the Clean Air Act, including the construction of a new smelter. The proposed Consent Decree also requires Copper Range to pay a total of \$4.8 million in civil penalties and third party supplemental environmental projects as follows: \$1.6 million to the United States; \$3.0

million to the Michigan/Wisconsin Lake Superior Basin Trust Fund established pursuant to the Consent Decree; and \$200,000 to the State of Michigan.

The Department of Justice will receive comments relating to the proposed Consent Decree for 30 days following the publication of this Notice. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *National Wildlife Federation, et al., v. Copper Range Company*, D.J. Ref. No. 90-5-2-1-1852. The proposed Consent Decree may be examined at the Office of the United States Attorney for the Western District of Michigan, 399 Federal Building, 110 Michigan St. NW, Grand Rapids, Michigan 49503; the Region V Office of the United States Environmental Protection Agency, 77 West Jackson Street, Chicago, Illinois 60604; 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 of the Consent Decree with exhibits, please enclose a check in the amount of \$43.75 (25 cents per page for reproduction costs), payable to the Consent Decree Library. In requesting a copy of the Consent Decree without exhibits, please enclosed a check in the amount of \$19.00 (25 cents per page for reproduction costs), payable to the Consent Decree Library.

Bruce S. Gelber,

Acting Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 95-3908 Filed 2-15-95; 8:45 am]

BILLING CODE 4410-01-M

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

In accordance with Departmental policy, 28 C.F.R. 50.7, notice is hereby given that a proposed consent decree in *United States v. Henkel Corp. (N. D. Ga.)*, Civil Action No. 4:95CV0024RLV was lodged on January 26, 1995, with the United States District Court for the Northern District of Georgia. The consent settles an action brought under Sections 106 and 107 of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9606 and