

DEPARTMENT OF JUSTICE**Notice of Lodging of Consent Decree Pursuant to the Clean Air Act**

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States v. Colorado Refining Company*, Civil Action No. 95-WY-2608 (D. Colo.), was lodged on October 13, 1995, with the United States District Court for the District of Colorado.

The settlement concerns the petroleum refinery owned and operated by Colorado Refining Company ("CRC") in Commerce City, Colorado. CRC's refinery is subject to a Clean Air Act "Prevention of Significant Deterioration" or "PSD" permit which limits sulfur dioxide emissions from a "Claus Plant," and also requires CRC to maintain a continuous emission monitoring ("CEM") system to measure SO₂ emissions from the Claus Plant. The settlement resolves civil claims that CRC violated the permit limit on sulfur dioxide emissions from the Claus Plant numerous times between July 1990 and March, 1994, and that CRC failed to operate at all times a continuous emissions monitoring ("CEM") device to measure SO₂ in the gases discharged to the atmosphere.

The settlement includes a civil penalty of \$320,000. In addition, CRC is required to obtain a report from a nationally recognized expert in the field of sulfur recovery technology regarding modifications and/or upgrades of the existing Claus Plant to make it effectively operate given the existing and anticipated sulfur "flowthrough" at the refinery, and, subject to EPA's approval, implement the recommendations of such expert report.

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, D.C. 20530, and should refer to *United States v. Colorado Refining Company*, Civil Action No. 95-WY-2608 (D. Colo.), DOJ Ref. #90-5-2-1-1356A. The proposed consent decree may be examined at the Office of the United States Attorney, 1961 Stout Street, Suite 1200, Federal Building, Denver, Colorado 80294; the Region VIII Office of the Environmental Protection Agency, 999 18th Street, Suite 700 South, Denver, Colorado 80202; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 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, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$4.75 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel M. Gross,
Acting Chief, Environment and Natural Resources Division, Environmental Enforcement Section.
[FR Doc. 95-29491 Filed 12-4-95; 8:45 am]
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Notice of Lodging of Consent Decree Pursuant to 28 CFR 50.7

Notice is hereby given that a proposed consent decree in *Illinois Public Interest Research Group, et al., and United States of America v. 115th Street Corporation*, Civil Action No. 92-C-5564, was lodged on November 9, 1995 with the United States District Court for the Northern District of Illinois, Eastern Division. The proposed consent decree resolves the plaintiffs' claims against 115th Street Corporation for violations of pretreatment standards enforceable under the Clean Water Act at its organic chemicals manufacturing facility located in Chicago, Illinois.

In the proposed settlement 115th Street Corporation agrees to: Achieve full compliance with the pretreatment requirements of the Act by not later than August 19, 1996; pay a civil penalty of \$1,645,000; and refrain from chemical synthesis of pigments at its Chicago facility until three years after termination of the decree unless it satisfies the specific technical requirements contained in the proposed 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, D.C. 20530, and should refer to *Illinois Public Interest Research Group, et al., and United States of America v. 115th Street Corporation*, DOJ Ref #90-5-1-1-5004.

The proposed consent decree may be examined at the office of the United States Attorney, 219 South Dearborn Street, Chicago, Illinois 60604; the Region 5 Office of the Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604; and at the Consent Decree Library, 1120 G

Street, N.W., 4th Floor, Washington, D.C. 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, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$18.75 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel M. Gross,
Acting Chief, Environmental Enforcement Section, Environment and Natural Resources Division.
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Notice of Lodging of First Amendment to Consent Decree in United States v. Louisiana-Pacific, Inc. and Kirby Forest Industries, Inc.

In accordance with Departmental policy, 28 CFR 50.7, (38 FR 19029, March 29, 1984), notice is hereby given that a proposed First Amendment to Consent Decree in *United States v. Louisiana-Pacific, Inc. and Kirby Forest Industries, Inc.*, Civil Action No. 93-0869, was lodged with the United States District Court for the Western District of Louisiana on October 6, 1995.

The original Consent Decree in this action, lodged on May 24, 1993 and entered by the Court on September 30, 1993, required the installation of improved pollution control devices at fourteen Louisiana-Pacific, and Kirby Forest Industries' plants located in eleven states. The Decree also required Defendants to conduct an environmental audit of all of their facilities and management and to employ corporate and plant environmental managers responsible for compliance with environmental statutes at their wood panel plants.

The First Amendment to Consent Decree reflects changes resulting from additional experience with and analysis of the Regenerative Thermal Oxidation ("RTO") pollution control devices required by the Decree, from testing which determined that additional Louisiana-Pacific facilities were major emitting facilities under the Clean Air Act, thus requiring the installation of RTOs, and from permitting, construction scheduling and other developments since entry of the original Decree.

The Department of Justice will receive, for thirty (30) days from the date of publication of this notice, written comments relating to the proposed First Amendment to Consent Decree. Comments should be addressed