

United States District Court for the District of Maryland (Southern Division) on May 20, 1996.

On October 6, 1995, the United States filed a complaint against two owner defendants and an arranger defendant under Section 107 of the Comprehensive Environmental Response Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9607, for recovery of response costs incurred by the United States at the Windsor Manor Superfund Site (the "Site"), located in Prince George's County, Maryland. Under one consent decree, Richard A. Kline will pay the United States \$569,389. Under the second consent decree, Mr. George Diggs and Mrs. Gloria Diggs will pay the United States a cash settlement of \$5000, and, following the sale of the Site property which they own, will pay the United States 65% of the net proceeds from the sale of the property, valued at approximately \$45,000.

The Department of Justice will accept written comments relating to these proposed consent decrees 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. Richard A. Kline et al.*, DOJ 90-11-2-1090.

Copies of the proposed consent decrees may be examined at the Office of the United States Attorney, District of Maryland, 6500 Cherrywood Lane, Greenbelt, Maryland 20770; Region III Office of the Environmental Protection Agency, 841 Chestnut Building, Philadelphia, Pennsylvania 19107; and at the Consent Decree Library, 1120 G Street, N.W. 4th Floor, Washington, D.C. 20005 (202) 624-0892. Copies 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. When requesting copies of the proposed consent decrees, please enclose a check payable to the Consent Decree Library in the following amounts: \$4.50 for the Kline Consent Decree, and \$5.00 for the Diggs Consent Decree.

Joel M. Gross,

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

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

In accordance with Departmental policy, 28 CFR 50.7, and pursuant to Section 113(g) of the Clean Air Act, 42 U.S.C. 7413(g), notice is hereby given that on May 22, 1996, a proposed Consent Decree in *Sierra Club v. Public Service Company of Colorado, Inc.*, Civil Action No. 93-B-1749, was lodged with the United States District Court for the District of Colorado. The proposed Consent Decree settles the claims of the plaintiff Sierra Club, and the proposed plaintiff-intervenors, the United States and the State of Colorado, pursuant to the Clean Air Act, 42 U.S.C. 7401 *et seq.*, and the State of Colorado's State Implementation Plan against the defendants Public Service Company of Colorado, Inc., Salt River Project Agricultural Improvement and Power District and PacifiCorp. The claims of Sierra Club, the United States and the State of Colorado relate to the operation of Hayden Station, a fossil fuel-fired power generating facility in Hayden, Colorado, owned and operated by the defendants.

Under the terms of the Consent Decree, the defendant will pay a \$2,000,000 civil penalty to the United States Treasury to resolve the claims of Sierra Club and the United States. The defendants must determine within 180 days of lodging whether the two power generating units at Hayden Station will be converted from combusting coal as a primary fuel source to combusting natural gas. If the defendants elect to continue combusting coal at Hayden Station, air pollution control equipment to reduce emissions of sulfur dioxide, nitrogen oxides and particulate matter must be installed at Hayden Station for Unit 1 by December 31, 1998 and for Unit 2 by December 31, 1999. If the defendants elect to convert Hayden Station to natural gas, the conversion must be completed by December 31, 1998. In either event, the Consent Decree establishes more stringent emission limitations for Hayden Station for sulfur dioxide, nitrogen oxides, and particulate matter.

To protect and improve the air quality in the Yampa Valley where Hayden Station is located, the Consent Decree requires the defendants shall pay \$2,000,000 for land conservation purposes and \$250,000 for the conversion of wood stove and/or vehicles to natural gas in the Yampa Valley.

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 of the Environment and Natural Resources Division, U.S. Department of Justice, Washington, DC 20530, and should refer to *Sierra Club v. Public Service Company of Colorado, Inc.*, D.O.J. Ref. 90-5-2-1-2069.

The proposed Consent Decree may be examined at any of the following locations: The Office of the United States Attorney for the District of Colorado, 1961 Stout Street, Suite 1100, Denver, Colorado 80294; the Region VIII Office of the United States Environmental Protection Agency, 999 18th Street, Suite 500, Denver, Colorado 80202-2466 (contact Sheldon Muller, Esq. (303/312-6916)); and at the Environmental Enforcement Section Document Center, 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 Environmental Enforcement Section Document Center, 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 \$17.00 (25 cents per page reproduction cost) made payable to Consent Decree Library.

Joel M. Gross,

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

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DEPARTMENT OF LABOR

President's Committee on Employment of People With Disabilities; Proposed Collection; Comment Request

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the President's Committee on Employment of People with Disabilities is soliciting