

9613(f)(2), for past response costs, oversight costs and enforcement costs. This protection is extended to the Alaska Railroad Corporation and the settling federal entities for future costs as well. The Decree reserves all claims against the defendants other than Alaska Railroad Corporation for future response costs and natural resource damages.

The Department of Justice will receive comments relating to the proposed Decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Alaska Railroad Corporation*, D.J. No. 90-11-3-810.

The proposed Decree may be examined at the Office of the United States Attorney for the District of Alaska, Room 253, Federal Building and U.S. Courthouse, 222 West Seventh Avenue, Anchorage, Alaska 99513-7567; the Region 10 Office of the Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington 98101; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005 (Tel: 202-624-0892). A copy of the proposed 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 enclose a check in the amount of \$13.50 (25 cents per page reproduction cost) for the Partial Consent Decree, or \$38.75 for the Partial Consent Decree with Appendices, payable to Consent Decree Library.

Joel M. Gross,

Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.
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BILLING CODE 4410-01-M

Notice of Lodging of Settlement Agreement Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 and the Resource Conservation and Recovery Act

Notice is hereby given that a proposed settlement agreement in the bankruptcy proceeding entitled *In re M&V Electroplating Corp.*, Chapter 11 Case No. 95-12868-CJK (Bankr. D. Mass.), was lodged on October 11, 1996, with the United States Bankruptcy Court for the District of Massachusetts. The proposed settlement agreement resolves claims filed by the United States in an Application of the United States for Reimbursement of Administrative

Expenses alleging that M&V Electroplating Corporation ("M&V") is liable (1) pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9601 *et seq.*, for costs incurred by the Environmental Protection Agency ("EPA") in connection with a removal action taken by EPA at the facility located at 5 Greenleaf Street, Newburyport, Massachusetts ("Greenleaf Facility"), where M&V formerly operated an electroplating business, and (2) pursuant to the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. 6901 *et seq.*, for penalties in connection with violations of RCRA discovered by EPA during inspections of the M&V facility located at 4 Perkins Way, Newburyport, Massachusetts ("Perkins Way Facility") on January 26, 1996 and February 8, 1996. Under the proposed settlement agreement, M&V will pay the United States, over a period of eight years, \$192,820 with respect to the CERCLA claim, including 6% interest on \$38,564 of this amount, and \$26,591 with respect to the RCRA claim, including 6% interest on \$5,318 of this amount. M&V's CERCLA obligation will be reduced to the extent that the United States receives proceeds from the sale of Greenleaf Facility pursuant to a separate settlement that the United States has entered into with Joyce Vigeant, the owner of the Greenleaf Facility, in *United States v. Vigeant*, No. (D. Mass.).

The Department of Justice will receive, for a period of fifteen (15) days from the date of this publication, comments relating to the proposed settlement agreement. Any 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 *In re M&V Electroplating Corp.*, Case No. 95-12868-CJK (Bankr. D. Mass.), DOJ Ref. Number 90-11-2-945C.

The proposed settlement agreement may be examined at EPA Region 1, One Congress Street, Boston, Massachusetts (contact Amelia Katzen, 617-565-1133); and the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed settlement agreement 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 \$6.25 (25 cents per page

reproduction costs), payable to the Consent Decree Library.

Joel M. Gross,

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

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Notice of Lodging of Consent Judgment Under the Clean Water Act

In accordance with Department Policy, 28 C.F.R. 50.7, notice is hereby given that a Consent Decree in *United States v. The Telluride Company*, Civil No. 93-K-2181 (D. Colo.), was lodged with the United States District Court for the District of Colorado on October 15, 1996.

The Consent Decree concerns alleged violations of section 301(a) of the clean Water Act, 33 U.S.C. 1311(a), resulting from The Telluride Company's unauthorized filling of over 46 acres of rare alpine wetlands as part of its mountain resort development near Telluride, San Miguel County, Colorado. As part of the Consent Decree, The Telluride Company will be required to pay a civil penalty of \$1.1 million dollars and to implement a 16-acre restoration project to the satisfaction of the Environmental Protection Agency. Defendants will abide by a site-wide management plan for the continued protection and preservation of the remaining wetlands that they own. The Consent Decree preserves the United States' right to appeal an earlier ruling of the Court. If the appeal is successful, The Telluride Company will be obligated to perform an additional 15 acres of wetland restoration along the San Miguel River and pay an additional civil penalty of \$50,000.

The Department of Justice will receive written comments relating to the proposed Consent Decree for a period of 30 days from the date of publication of this notice. Comments should be addressed to Robert H. Foster, United States Department of Justice, Environment & Natural Resources Division, Environmental Defense Section, 999 18th Street, Suite 945, Denver, CO 80202, should refer to *United States v. The Telluride Company*, Civil No. 93-K-2181 (D. Colo.), and should also make reference to DJ # 90-5-1-4-293.

The Consent Judgment may be examined at the Clerk's Office, United States District Court for the District of