

attachments, then the amount of the check should be \$106.75 (427 pages at 25 cents per page). The check should be made payable to the Consent Decree Library.

Bruce S. Gelber,

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

[FR Doc. 97-796 Filed 1-13-97; 8:45 am]

BILLING CODE 4410-15-M

### Notice of Lodging of Amendment to Modified Consent Decree Pursuant to the Clean Water Act

In accordance with 28 CFR 50.7, notice is hereby given that on December 31, 1996, a proposed Amendment to the Modified Consent Decree in *United States of America v. Lynn Water and Sewer Commission, et al.*, Civil Action No. 76-2184-G, was lodged with the United States District Court for the District of Massachusetts. The United States' complaint sought compliance with the Clean Water Act. The Modified Consent Decree, as amended in 1995, requires the construction of various projects to reduce combined sewer overflows from Lynn Water and Sewer Commission outfalls in accordance with a specified schedule. The Amendment to the Modified Consent Decree extends the deadline for completion of one of those projects—the Eastern Avenue Sewer Separation Project, Phase II—from September 1, 1997 to December 31, 1998.

The Department of Justice will receive comments relating to the proposed Amendment to Modified Consent Decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Lynn Water and Sewer Commission, et al.*, D.J. Ref. 90-5-1-1-545B.

The proposed Amendment to Modified Consent Decree may be examined at the office of the United States Attorney, 1003 John M. McCormack P.O. & Courthouse, Boston, Massachusetts 02109 and at the New England Region office of the Environmental Protection Agency, One Congress St., Boston, Massachusetts 02203. The proposed Amendment to Modified Consent Decree may also be examined at the Consent Decree Library, 1120 G. St., N.W., 4th Floor, Washington, D.C. 20005, 202-624-0892. A copy of the proposed Amendment to Modified Consent Decree may be

obtained in person or by mail from the Consent Decree Library, 1120 G. St., N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy, please enclose a check in the amount of \$1.25 (25 cents per page reproduction cost) payable to the "Consent Decree Library."

Joel M. Gross,

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

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### Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act

Notice is hereby given that a proposed consent decree in *United States v. Janet Schusheim, et al.*, Civil Action No. 97-0019, was lodged on January 2, 1997 with the United States District Court for the Eastern District of New York. Defendant Janet Schusheim was the former owner of the property comprising the SMS Instruments, Inc. Superfund Site ("Site") in Deer Park, New York at the time wastes containing hazardous substances were disposed of at the Site. Defendant 120 Realty Corp. is the current owner of the Site property.

Under the terms of the proposed decree, defendants will pay the United States \$290,000 for certain past response costs incurred by the United States for remedial action work involving air and steam stripping of contaminated soil and groundwater extraction, treatment, and reinjection. The proposed decree includes a covenant not to sue by the United States under Sections 106 and 107 of CERCLA, 42 U.S.C. §§ 9601 *et seq.*

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. Janet Schusheim, et al.* D.J. reference #90-11-2-1123A.

The proposed consent decree may be examined at the Office of the United States Attorney for the Eastern District of New York, 225 Cadman Plaza East, Brooklyn; New York, the Region II, Office of the Environmental Protection Agency, 290 Broadway, New York, New York; 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 enclose a check in the amount of \$7.25 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel M. Gross,

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

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### Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act

In accordance with Departmental policy, notice is hereby given that a proposed consent decree in *United States v. Western Crude Reserves, Inc. et al.*, Civil Action No. 95-52, was lodged on October, 1994 with the United States District Court for Eastern District of Kentucky, Lexington division. Under the consent decree the United States is settling claims against two defendants, Western Crude Reserves, Inc. and Reserve Energy, Ltd., based on claims for civil penalties and injunctive relief relating to alleged violations of the Safe Drinking Water Act ("SDWA") and the implementing Underground Injection Control ("UIC") regulations, 40 C.F.R. § 144.28 *et seq.* The United States alleged that Reserve Energy, Ltd. and Western Crude Reserves, Inc. once owned and operated, respectively, 113 underground injection wells in the Irvine, Garrett and South Fork units in the Irvine-Furnace field in Powell and Estill Counties, Kentucky. Reserve Energy, Ltd. is a limited partnership. Western Crude Reserves, Inc. is the corporate general partner of Reserve Energy. In 1993, Reserve Energy transferred the wells to defendant Kish Resources PLC. Under the proposed settlement, Western Crude Reserves, Inc. and Reserve Energy, Ltd. will provide \$75,000 in financial assurance for plugging abandoned injection wells, and the field will be transferred to a nonparty, Trinity Group, LLC. ("Trinity"), for the purpose of bringing the wells into regulatory compliance pursuant to a schedule set forth in an Administrative Order on Consent ("AOC") entered between Trinity and EPA. Under the AOC, Trinity will provide \$50,000 in financial assurance and will plug or case and cement the injection wells over the course of three years. Under this settlement, EPA will obtain the injunctive relief it seeks to bring the field into compliance, plus a