

DEPARTMENT OF JUSTICE**Notice of Lodging of Consent Decree Pursuant to the Oil Pollution Act**

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States and State of California v. ARCO Pipe Line Company*, CV 97-0361 JMI (C.D. Cal.), was lodged on January 17, 1997 with the United States District Court for the Central District of California. In the complaint in that action, the United States and State of California seek natural resource damages, reimbursement of response costs and damage assessment costs, and civil penalties from defendant ARCO Pipe Line Company ("APL"), relating to ruptures of an APL pipeline near Los Angeles in January 1994, that resulted in oil being discharged to the Santa Clara River, among other locations.

Pursuant to the Consent Decree, APL will pay to the federal and state natural resource trustees \$7.1 million for natural resource damages, to be used for restoration of natural resources damaged from the oil spills; \$1.3 million in payments to California for use in various state environmental projects and accounts in settlement of penalty claims; reimbursement of the United States' and California's response and damage assessment costs; a \$25,000 civil penalty pursuant to the Endangered Species Act; and payments totaling \$500,000 to the Los Angeles District Attorney's office and other environmental entities in settlement of the District Attorney's claim for penalties.

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, U.S. Department of Justice, P.O. Box 7611, Washington, DC 20044; and refer to *United States v. ARCO Pipe Line Company*, DOJ Ref. #90-5-1-1-4347.

The proposed consent decree may be examined at the office of the United States Attorney, Central District of California, 300 N. Los Angeles Street, Los Angeles, California 90012; 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 please refer to the referenced case and enclose a check in

the amount of \$6.75 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel Gross,

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

[FR Doc. 97-2664 Filed 2-3-97; 8:45 am]

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

In accordance with the Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States v. Atlantic Richfield Company and Vastar Resources, Inc.*, Civil Action No. 97-B-35, was lodged on January 9, 1997, with the United States District Court for the District of Colorado.¹ The proposed Consent Decree addresses the Clean Air Act violations of Vastar Resources, Inc. at Vastar's coalbed degasification operations in the Ignacio Blanco Fruitland field, which is part of the South Ute Indian Reservation in LaPlata County, Colorado. Specifically, the complaint filed with the settlements alleges that Vastar violated the Prevention of Significant Deterioration ("PSD") regulations, 40 CFR 52.21 (b)-(w), of the Clean Air Act, 42 U.S.C. 7413 *et seq.* by failing to install proper pollution control equipment to limit emissions of carbon monoxide from engines used in the natural gas production operations it took over the operations from the Atlantic Richfield Company ("ARCO") in 1993. These violations of the Clean Air Act were discovered by the company during a routine environmental audit and were disclosed to the government in October 1995 pursuant to EPA's interim "Incentives for Self-Policing" policy.

The proposed Consent Decree requires Vastar Resources, Inc. to pay a penalty of \$137,949.00 pursuant to EPA's Incentives for Self-Policing Policy. Under the Consent Decree, until EPA issues final PSD permits to Vastar, Vastar is required to maintain and operate the control equipment already in place at the facilities in a manner consistent with that set forth in its pending permit applications and undertake any additional injunctive relief ordered by EPA to meet the PSD requirements. Once PSD permits are issued to Vastar, Vastar must maintain and operate the facilities in a manner consistent with the terms of the permits.

¹The United States' claims against the Atlantic Richfield Company in this case were resolved by Stipulation which is not subject to public comment pursuant to 28 CFR 50.7.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed settlement. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044, and should refer to *United States v. Atlantic Richfield Company and Vastar Resources, Inc.*, DOJ Ref. #90-5-2-1-2073.

The proposed settlement document may be examined at the Office of the United States Attorney, District of Colorado, 1961 Stout Street, Suite 1200, Denver, Colorado; Region VIII Office of the Environmental Protection Agency, 999 18th Street, Denver, Colorado; 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 at the address listed above. In requesting a copy, please refer to the referenced case and number, the document requested (Consent Decree) and enclose a check in the amount of \$3.00 for the Consent Decree (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel M. Gross,

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

[FR Doc. 97-2662 Filed 2-3-97; 8:45 am]

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Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, As Amended

In accordance with Department of Justice policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in the action entitled *United States and State of New Jersey versus Irving I. Ellis*, Civil Action No. 93-1661 (GEB) (D.N.J.), was lodged on January 16, 1997 with the United States District Court for the District of New Jersey. The proposed consent decree resolves the claims by the United States and the State of New Jersey under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9601-9675, on behalf of the U.S. Environmental Protection Agency and the New Jersey Department of Environmental Protection against the defendant, Irving I. Ellis. These claims are for recovery of response costs