

\$50,000. In addition, the Consent Decree requires AFC to comply with the Clean Air Act and, in particular, to install and operate a thermal oxidizer to eliminate AFC's discharges of excess volatile organic compounds. The consent decree also requires monitoring, reporting and recordkeeping to ensure AFC will continue to comply and allow EPA to monitor AFC's compliance.

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, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Aluminum Finishing Corporation*, D.J. No. 90-5-2-1-1913.

The proposed Consent Decree may be examined at the Office of the United States Attorney, Southern District of Indiana, Indianapolis Division, 46 East Ohio Street, Indianapolis, Indiana; at the Region 5 Office of the Environmental Protection Agency, 77 West Jackson Blvd. Chicago, Illinois; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. (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 \$5.50 (25 cents per page reproduction cost) payable to the Consent Decree Library. Joel M. Gross,

Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.
[FR Doc. 97-3827 Filed 2-14-97; 8:45 am]

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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. Formosa Plastics Corporation, Texas* was lodged on January 30, 1997 with the United States District Court for the Southern District of Texas. The proposed Consent Decree requires Formosa to pay a \$150,000 civil penalty and conduct a Supplemental Environmental Project at its Point Comfort, Texas facility. The Supplemental Environmental Project includes the replacement of two ethylene dichloride cracking furnaces at Formosa's facility before the end of the useful life of the furnaces. Replacement

of the furnaces before the end of the useful life of the equipment will reduce emissions from existing furnaces and reduce the amount of hazardous waste generated by the furnaces.

Contemporaneously with lodging the Consent Decree, the United States filed an action against Formosa pursuant to the Clean Air Act, 42 U.S.C. 7401 *et seq.*, the Standards of Performance for New Stationary Sources, 40 C.F.R. Part 60, Subpart VV, and the National Emission Standards for Hazardous Air Pollutants, 40 C.F.R. Part 61, Subparts F, V, and FF. This action is based upon violations that occurred at Formosa's facility located in Point Comfort, Texas ("Formosa's facility").

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 Civil Action No. 97-287, *United States v. Formosa Plastics Corporation, Texas*, DOJ Reference Number 90-5-2-1-2005.

The proposed Consent Decree may be examined at the Region VI Office of the Environmental Protection Agency, 1445 Ross Avenue Dallas, Texas 75202; 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 \$4.50 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel Gross,

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

[FR Doc. 97-3828 Filed 2-14-97; 8:45 am]

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

Consistent with Departmental policy, 28 C.F.R. 50.7, notice is hereby given that on February 6, 1997, a proposed Settlement Agreement of Environmental Claims and Issues ("Settlement Agreement") in *In re Metallurgy, Inc. and Shieldalloy Metallurgical Corporation*, Bankr. Nos. 93 B 44468

(JLG) and 93 B 4446 (JLG), was lodged with the United States Bankruptcy Court for the Southern District of New York. This proposed Settlement Agreement resolves the United States' claims under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9601 *et seq.*, on behalf of the U.S. Environmental Protection Agency ("EPA") and the Department of Interior ("DOI"), and under the Resources Conservation and Recovery Act, as amended, 42 U.S.C. 6901, *et seq.* ("RCRA"), on behalf of EPA, relating to Shieldalloy's facilities in Cambridge, Ohio (the "Cambridge Site") and Newfield, New Jersey (the "Newfield Site"). The Settlement Agreement also resolves claims with respect to licensing fees incurred by the Nuclear Regulatory Commission ("NRC") pursuant to the Atomic Energy Act of 1974, as amended, 42 U.S.C. 2011, *et seq.*

As part of this Settlement Agreement, Shieldalloy and Metallurg will post approximately \$22 million in cash and/or letters of credit to assure the completion of the Newfield Site cleanup which is currently in progress pursuant to an administrative order issued by the State of New Jersey. Shieldalloy and Cyprus Foote Mineral Company, the prior owner of the Cambridge Site, will also post approximately \$11 million in cash, letters of credit, and an annuity to assure the completion of the cleanup of the Cambridge Site which is currently in progress pursuant to a consent order entered into between the State of Ohio and Shieldalloy.

In addition, the United States' claims against Shieldalloy for unreimbursed pre-petition response costs incurred at both Sites will be allowed as general unsecured claims (in the amount of \$178,192.92 at the Newfield Site and \$41,562.35 at the Cambridge Site), and the United States' claims against Shieldalloy for unreimbursed post-petition response costs incurred at the Sites will be allowed as administrative claims (in the amount \$191,177.23 at the Newfield Site and \$108,046.73 at the Cambridge Site). The Settlement Agreement also resolves the United States' claims for natural resource damages at the Sites. Shieldalloy will remediate wetlands present on the Newfield Site and create approximately 10 acres of wetlands in and around the Newfield Site. Shieldalloy will enhance, restore and/or preserve approximately 40 to 45 acres of wetlands in the vicinity of the Cambridge Site. The United States will also receive, on behalf of DOI, an allowed administrative claim in the amount of \$4,714.67 for post-petition