

Under the consent decree, BIPCO will pay a civil penalty to the United States of \$90,000. BIPCO will also install an underwater cable to supply electricity to Block Island residents in lieu of operating the company's diesel generators. This will have the effect of eliminating emissions from BIPCO's facility. Installation of the cable was approved by the State of Rhode Island Public Utility Commission, after a public hearing, in a written order issued on August 22, 1997. BIPCO will permit any remaining generators as emergency back-up engines which will not require New Source Review permits. If BIPCO fails to install the cable in accordance with the consent decree, BIPCO will be required to comply with the New Source Review requirements including installation of pollution control equipment reducing emissions from the diesel generators to the Lowest Achievable Emission Rate and obtaining any necessary offsetting emission reductions. The consent decree also requires BIPCO to comply with the acid rain provisions of the Clean Air Act by either obtaining a regulatory exemption or installing, certifying, and operating monitoring systems as required by 40 CFR parts 72 and 75.

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. Block Island Power Company, Inc.*, DOJ Ref #90-5-1-2021.

The proposed consent decree may be examined at the office of the United States Attorney, Westminster Square Building, 10 Dorrance Street, 10th Floor, Providence, Rhode Island, 02903; the Region I Office of the Environmental Protection Agency, J.F. Kennedy Federal Building, Boston, Massachusetts, 02203-2211; 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 made payable to the Consent Decree Library in the amount of

\$9.50 (25 cents per page reproduction costs).

Joel M. Gross,

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

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)

In accordance with Department of Justice policy, notice is hereby given that on January 29, 1998, a proposed Consent Decree in *United States v. Cowles Media Company et al.*, Civil No. 4-96-958, was lodged in the United States District Court for the District of Minnesota. The Complaint filed by the United States sought to recover costs incurred by the United States pursuant to CERCLA, 42 U.S.C. 9601 *et seq.* The Consent Decree requires Defendants Northern States Power Company and Cowles Media Company to reimburse the United States in the amount of \$450,000.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments concerning the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, U.S. Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044, and should refer to *United States v. Cowles Media Company, et al.*, D.J. Ref. No. 90-11-2-1099.

The proposed Consent Decree may be examined at any of the following offices: (1) The United States Attorney for the District of Minnesota, 234 United States Courthouse, 110 S. 4th Street, Minneapolis, MN 55401 (contact Assistant United States Attorney Friedrich Siekert); (2) the U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590 (contact Assistant Regional Counsel Elizabeth Murphy); 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, telephone (202) 624-0892. For a copy of the Consent Decree please enclose a check in the amount of \$5.25

(25 cents per page reproduction costs) payable to Consent Decree Library.

Joel M. Gross,

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

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response Compensation and Liability Act ("CERCLA")

In accordance with Departmental policy, notice is hereby given that a proposed consent decree in *United States v. FAG Bearings Corp.*, Civil Action No. 98-5003-CV-SW-1, was lodged on January 21, 1998, with the United States District Court for the Western District of Missouri. The consent decree resolves the claims for relief under Section 107 of CERCLA, 42 U.S.C. 9607, filed in a complaint against FAG Bearings Corporation ("FAG Bearings") on behalf of the United States Environmental Protection Agency ("EPA"). EPA is seeking payment of costs incurred in performing response activities at the Newton County TCE Site ("Site").

Defendant FAG Bearings owns and operates a facility from which there has been a release of TCE. From about 1970 to 1983, FAG Bearings manufactured roller ball bearings assemblies such as wheel bearing assemblies for the automotive industry. The Site is located in the southwestern part of Missouri, just south of Joplin, Missouri and contains the FAG Bearings facility. A plume of groundwater contaminated with TCE extends south of the FAG Bearings facility and into the nearby Villages of Silver Creek and Saginaw, Missouri. This action is based on costs totaling \$266,280.56 incurred for a removal action to provide bottled water to residents at the Site with TCE contamination in their private drinking water wells.

Under the proposed consent decree, FAG Bearings will reimburse the EPA Hazardous Substance Superfund \$266,280.56—100% of EPA's past costs—plus an additional sum for Interest. In exchange, FAG Bearings will receive a covenant not to sue pursuant to Sections 106 and 107(a) of CERCLA, 42 U.S.C. 9606 and 9607(a), for response costs incurred by EPA at the Site. In addition, FAG Bearings will receive contribution protection under Section