

Commerce, through the National Oceanic and Atmospheric Administration.

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, P.O. Box 7611, Washington, D.C. 20044-7611, and should refer to *United States and State of Connecticut v. Town of Southington, et al.*, DOJ Ref. No. 90-11-2-420A.

The proposed consent decree may be examined at the Office of the United States Attorney, U.S. Courthouse, 915 Lafayette Blvd., Rm. 309, Bridgeport, CT 06604; the Region I Office of the Environmental Protection Agency, Region I Records Center, 90 Canal Street, First Floor, Boston, MA 02203; and the Consent Decree Library, 1120 G Street, N.W., Fourth 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, Fourth Floor, N.W., Washington, D.C. 20005. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$175.00 (25 cents per page reproduction costs), payable to the Consent Decree Library.

**Bruce Gelber,**

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

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Air Act

Under 28 CFR 50.7, notice is hereby given that on March 12, 1998 a proposed consent decree in *United States, et al. v. Stone Container Corporation*, Civil Action No. CV 96-017-M, was lodged with the United States District Court for the District of Montana.

In this action, the United States sought civil penalties and injunctive relief under Section 113 of the Clean Air Act, 42 U.S.C. 7413, for alleged violations of the Clean Air Act committed at Stone Container Corporation's ("Stone") kraft pulp mill and liner board facility near Missoula, Montana. The proposed consent decree provides for payment of a civil penalty in the amount of \$312,500 and requires

Stone's compliance with certain provisions of the Montana State Implementation Plan and certain provisions of the Montana State Implementation Plan and certain New Source Performance Standards set forth at 40 CFR Part 60. The proposed consent decree also requires Stone to study and revise correlation equations necessary for determining Stone's compliance with its mass emissions limits for particulates. Three citizens groups, Montana Coalition for Health, Environmental and Economic Rights, Inc., Cold Mountain, Cold Rivers, Inc. and Native Forest Network, Inc., also are parties to the proposed consent decree.

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, et al. v. Stone Container Corporation*, D.J. Ref. 90-5-2-1-1975.

The proposed consent decree may be examined at the Office of the United States Attorney, 2929 Third Ave. North, Western Federal Savings and Loan Building, Suite 400, Billings, Montana 59101, at U.S. EPA Region Eight, 999 18th Street, Denver, Colorado 80202, 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 \$11.25 (25 cents per page reproduction cost) payable to the Consent Decree Library.

**Joel M. Gross,**

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

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## DEPARTMENT OF JUSTICE

### Notice of Proposed Prospective Purchaser Agreement Under the Comprehensive Environmental Response, Compensation, and Liability Act and Under the Clean Water Act

Notice is hereby given that a proposed Prospective Purchaser Agreement ("PPA") was executed on March 6, 1998, by the U.S. Environmental Protection Agency ("EPA"), and approved on March 6, 1998, by the U.S. Department of the Interior ("DOI"), and

is subject to final approval by the U.S. Department of Justice. The proposed PPA would resolve certain potential claims under Sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9606 and 9607, and under section 311(b)(3) of the Clean Water Act, 42 U.S.C. 1321(b)(3), against the City of Aurora, Colorado, acting by and through its Utility Enterprise, as the prospective purchaser of the Hayden Ranch located in Lake County, Colorado (the "prospective purchaser"). The PPA would require the prospective purchaser to provide access to the United States for the implementation of potential future removal actions by or at the direction of EPA, or environmental restoration activities by or at the direction of DOI, on the Hayden Ranch, located in Lake County, Colorado, in response to past mining activities in areas hydrologically upstream of the Hayden Ranch property, and in particular at the California Gulch Superfund Site. Such access would allow for the construction of a permanent repository on the Hayden Ranch, and placement of tailings in such repository which may be excavated from various fluvial tailings locations in an eleven-mile reach of the upper Arkansas River basin. The prospective purchaser would be obligated to provide for the long-term maintenance and monitoring associated with such improvements made by or at the direction of EPA or DOI. The prospective purchaser would further be required to provide the United States limited water rights for a three year period in connection with EPA's removal actions or DOI's environmental restoration activities on the Hayden Ranch.

EPA and DOI will receive for a period of fifteen (15) days from the date of this publication comments relating to the PPA. Comments should be addressed to William P. Yellowtail, Regional Administrator, U.S. Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, CO 80202.

The proposed PPA may be examined at the Superfund Records Center, U.S. Environmental Protection Agency, Region VIII, 999 18th Street, Fifth Floor, North Terrace, Denver, CO 80202. A copy of the proposed Prospective Purchaser Agreement may be obtained in person, by mail from, or by calling the Superfund Records Center, U.S. Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500,