

proposed Partial Consent Decree for thirty (30) days from the date of publication of this notice. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, U.S. Department of Justice, Attention: Melaine A. Williams, Environmental Defense Section, P.O. Box 23986, Washington, DC 20026-3986, and should refer to *United States v. Calderon, et al.*, DJ Reference No. 90-5-1-1-4413.

The proposed Partial Consent Decree may be examined at either the Clerk's Office, United States District Court, District of Puerto Rico, 150 Carlow Chardon Avenue, Hato Rey, Puerto Rico 00918-1756 (telephone number: 787-766-6160), or at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, DC 20005 (telephone number: 202-624-0892). Requests for a copy of the Partial Consent Decree may be mailed to the Consent Decree Library at the above address, and must include a check in the amount of \$12.75.

Letitia J. Grishaw,

*Chief, Environmental Defense Section,
Environment and Natural Resources Division,
U.S. Department of Justice.*

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Water Act

Pursuant to 28 C.F.R. § 50.7, notice is hereby given that on June 26, 1998, a proposed Consent Decree in *United States v. The Municipality of Penn Hills*, Civil Action No. 91-1334, was lodged with the United States District Court for the Western District of Pennsylvania.

The United States has asserted, in a civil complaint under the Clean Water Act, 33 U.S.C. 1251 *et seq.*, that Penn Hills violated Section 301 of the Act, 33 U.S.C. § 1311 and its NPDES permits, issued pursuant to Section 402 of the Act, 33 U.S.C. § 1342 by discharging pollutants in excess of its permit limits and by discharging raw sewage through unlawful bypasses within the collection and treatment systems. The United States also alleged that Penn Hills failed to properly dispose of sludge, failed to properly maintain and operate its facilities, and failed to monitor and report, as required in its NPDES permits.

Pursuant to Preliminary Injunction Orders issued by the Court during the litigation of this matter, Penn Hills has connected three of its collection systems to the ALCOSAN system, and has

converted three treatment plants to equalization basins. In addition, Penn Hills has constructed additional equalization basins to collect hydraulic overflows to eliminate the unlawful bypassing of raw sewage into the rivers and tributaries of the Monongahela and Allegheny Rivers.

Under the proposed Consent Decree, Penn Hills shall monitor and report any future unauthorized flows, shall monitor and report on the usage of the equalization tanks, and shall make all necessary upgrades to the Plum Creek collection and treatment system. Penn Hills shall also pay a civil penalty of \$525,000, with \$300,000 to be paid to the United States and \$225,000 to be paid to the Commonwealth of Pennsylvania. Finally, Penn Hills shall implement three Supplemental Environmental Projects. The first requires Penn Hills to develop, design, and build a Geographic Information system for the Penn Hills sanitary sewer collection and conveyance system. The second requires Penn Hills to perform street sweeping operations on a semi-annual basis. The third requires Penn Hills to implement a household hazardous waste collection and disposal program.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the 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. The Municipality of Penn Hills*, Civil Action No. 91-1334, D.J. Ref. 90-5-1-1-3722.

The Consent Decree may be examined at the Office of the United States Attorney for the Western District of Pennsylvania, 633 Post Office and Courthouse, 7th & Grant Streets, Pittsburgh, PA 15219; at the Region III Environmental Protection Agency Library, Reference Desk, United States Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, PA 19107; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, 202-624-0892. A copy of the 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 \$15.25 (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 Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act

In accordance with Departmental policy, 28 CFR § 50.7, notice is hereby given that a proposed Consent Decree in *United States v. Robert Odabashian, et al.* was lodged with the United States District Court for the Western District of Tennessee on June 19, 1998 (95-2361 G/Bre). The United States filed a First Amended Complaint pursuant to Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA"), as amended, against five defendants. The First Amended Complaint alleges that the defendants are liable under Section 107 of CERCLA for costs incurred by the United States Environmental Protection Agency during a cleanup of the Pulvair Corporation Superfund Site in Millington, Tennessee. Chevron Chemical Company, Kincaid Enterprises, and Universal Cooperatives, Inc. subsequently filed a third party complaint against E.I. DuPont de Nemours & Co. ("DuPont"), among others. The proposed Consent Decree settles the liability of DuPont. Under the Consent Decree, DuPont agrees to reimburse the United States in the amount of \$75,000.

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. Robert Odabashian, et al.*, DOJ Ref. #90-11-3-1474.

The proposed settlement agreement may be examined at the Office of the United States Attorney, Suite 410, 200 Jefferson Avenue, Memphis, TN 38103, and at the office of the Environmental Protection Agency, Region 4, 61 Forsyth Street, S.W., Atlanta, GA 30303; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, DC 20005, (202) 624-0892. A copy of the