

Organic Chemical Company, Inc. et al., D.J. Ref. 90-11-3-1697.

The proposed consent decrees may be examined at the Office of the United States Attorney, 1961 Stout Street, 11th Floor, Drawer 3608, Denver, CO 80294; at U.S. EPA Region VIII, 999 18th Street, Denver, Colorado 80202; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed consent decrees may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, DC 20005. In requesting a copy, please enclose a check in the amount of \$57.25 (25 cents per page reproduction cost) payable to the Consent Decree Library.

Joel M. Gross,

Chief, Environmental Enforcement Section, Environment and Natural Resources Division.
[FR Doc. 98-20683 Filed 8-3-98; 8:45 am]

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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 July 23, 1998, a proposed Consent Decree in *United States v. Day & Zimmermann Hawthorne Corporation and Wesley Corporation*, Civil Action No. 98419 DWH RAM, was lodged with the United States District Court for the District of Nevada.

In this action, the United States sought recovery of civil penalties and injunctive relief in connection with alleged violations of the National Emissions Standards for Hazardous Air Pollutants for asbestos ("asbestos NESHAP") during the demolition of houses in the Babbitt Housing Area at Hawthorne Army Ammunition Plant in Hawthorne, Nevada, during May and June, 1993. The Consent Decree recovers a civil penalty of \$120,000 for violations resulting from failure by defendants to give required notice of the demolition to EPA, failure to remove category II regulated asbestos containing material ("RACM") prior to beginning the demolition, failure to keep such material wet until removed from the demolition site and failure to dispose of the RACM at a proper disposal site on a total of 26 days. The Consent Decree includes injunctive relief requirements to prevent future violations of the Act and the asbestos NESHAP.

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, DC 20530, and should refer to *United States v. Day & Zimmermann Hawthorne Corporation and Wesley Corporation*, D.J. Ref. 90-5-2-1-2013.

The Consent Decree may be examined at the Office of the United States Attorney, 100 West Liberty Street, Suite 600, Reno, Nevada, and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, DC 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, DC 20005. In requesting a copy, please enclose a check in the amount of \$4.75 (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 Settlement Agreement Pursuant to the Clean Air Act

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed Stipulation and Settlement Agreement in *United States v. New York City School Construction Authority, et al.*, No. 98 Civ. 5095, was lodged on July 21, 1998 in the United States District Court for the Southern District of New York.

The Stipulation and settlement Agreement resolves the United States' claims, pursuant to Section 112 of the Clean Air Act, 42 U.S.C. 7412, against eight (8) parties for civil penalties arising out of the removal of asbestos from certain public schools in New York City during 1993 and 1994. Under the Stipulation and Settlement Agreement, the United States will receive \$138,000 in civil 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 Stipulation and Settlement Agreement. 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. New York City School Construction Authority, et al.*, DOJ Ref. #90-5-2-1-1933.

The proposed Stipulation and Settlement Agreement may be examined

at the Office of the United States Attorney, 100 Church Street, New York, New York; the Region II Office of the Environmental Protection Agency, 290 Broadway, New York, New York; 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 Stipulation and Settlement Agreement may be obtained in person or by mail from the Consent Decree Library. 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 \$4.75 (25 cents per page reproduction costs).

Bruce S. Gelber,

Deputy Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division, U.S. Department of Justice.

[FR Doc. 98-20681 Filed 8-3-98; 8:45 am]

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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, and 42 U.S.C. 9622(d), notice is hereby given that on July 2, 1998, the United States, on behalf of the United States Environmental Protection Agency, filed with the United States District Court for the Western District of Washington a civil complaint against defendants Charles and Helen Van Volkenburg and Pacific Yacht Basin d/b/a Port Yacht Basin, under Section 106 and 107 of the Comprehensive Environmental Response Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9606 & 9607. The complaint alleges that the defendants are liable under Sections 106 and 107 of CERCLA for releases of hazardous substances into the Middle Waterway of the Commencement Bay Nearshore/Tideflats Superfund Site in Tacoma, Washington ("the Middle Waterway of the Site").

On the same day, the United States lodged a consent decree resolving the claims stated against the defendants in the complaint. The consent decree embodies a *de minimis* settlement with the defendants under Section 122(g) of CERCLA, 42 U.S.C. 9622(g). The United States has determined that the amount and toxicity of any hazardous substances the defendants may have contributed to the Middle Waterway of the Site is minimal in comparison to other contaminants in the Middle Waterway. Under the consent decree,