

## DEPARTMENT OF JUSTICE

**Notice of Lodging of Consent Decree Pursuant to the Clean Water Act**

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a consent decree was lodged in *United States v. Acadiana Treatment Systems, Inc.*, Civil Action No. 6:98CV0687 (W.D. La.), on July 24, 1998, with the United States District Court for the Western District of Louisiana.

Johnson Properties, Inc. and its subsidiaries own and operate more than 170 sewage treatment plants located throughout the state of Louisiana. The United States' Complaint was brought pursuant to Section 309(b), of the Clean Water Act, 33 U.S.C. 1319(b), for injunctive relief and civil penalties for discharge of pollutants into the navigable waters of the United States in violation of Section 301 of the Clean Water Act, 33 U.S.C. 1311, and for violations of certain terms, conditions and limitations of National Pollutant Discharge Elimination System (NPDES) permits issued to Defendants pursuant to Section 402 of the Clean Water Act, 33 U.S.C. 1342. The United States filed an Amended Complaint and a Second Amended Complaint to include all of the subsidiaries of Johnson Properties, Inc., Glenn K. Johnson, and Darren K. Johnson as defendants in this action. The Louisiana Department of Environmental Quality (LDEQ) filed a Complaint in Intervention as a plaintiff in these proceedings.

The United States and LDEQ have entered into a consent decree with the defendants in this action that resolves the claims for injunctive relief asserted by the United States and LDEQ against the defendants. Under the Consent Decree the defendants must implement specific compliance measures at all the sewage treatment plants that they own and operate in Louisiana. The consent decree also provides that the defendants must hire an environmental auditor to assess and monitor compliance at the sewage treatment plants for a period of five years. The consent decree does not settle the penalties portion of the case, and it expressly reserves to the United States and to LDEQ the right to seek civil penalties for the violations alleged in the second amended complaint at any time in the future.

The Department of Justice will receive, for a period of 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. Acadiana Treatment Systems, Inc.*, DOJ Ref. #90-5-1-1-4375.

The proposed consent decree may be examined at the office of the United States Attorney, Western District of Louisiana, First National Bank Tower, 600 Jefferson Street, Suite 1000, Lafayette, Louisiana 70501-7206, 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. To request a copy of the consent decree in *United States v. Acadiana Treatment Systems, Inc.*, Civil Action No. 6:98CV0687 (W.D. La.), please refer to that case title, and DOJ No. 90-5-1-1-4375, and enclose a check for the amount of \$11.00 (25 cents per page reproduction cost) payable to the Consent Decree Library.

**Joel Gross,**

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

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## DEPARTMENT OF JUSTICE

**Notice of Lodging of Consent Decree in Clean Air Act Civil Enforcement Action**

In accordance with the Department Policy, 28 CFR 50.7, notice is hereby given that a consent Decree in *United States and Commonwealth of Pennsylvania v. Celotex Corporation*, Civil Action No. 4CV-97-0256, was lodged with the United States District Court for the Middle District of Pennsylvania on July 30, 1998. The United States filed a complaint on February 20, 1997, against Celotex, alleging violations of the Clean Air Act, 42 U.S.C. 7401 *et seq.*, occurring at Celotex's fiberboard manufacturing facility located in Sunbury, Pennsylvania. The United States' complaint alleged that Celotex violated the Clean Air Act by emitting air pollutants in excess of the standards for visible emissions and fugitive emissions established in the federally-approved and federally-enforceable Pennsylvania State Implementation Plan ("SIP"). The Commonwealth of Pennsylvania intervened in the action filed by the United States, alleging the same violations.

The proposed Consent Decree resolves Celotex's liability to the United

States and the Commonwealth of Pennsylvania for violations alleged in the complaints. The Decree requires Celotex to: (1) make modifications to and install air pollution control equipment at its Sunbury facility; (2) comply with the fugitive and visible emissions provisions of the Pennsylvania SIP; and (3) pay a civil penalty of \$200,000 to the United States and \$200,000 to the Commonwealth of Pennsylvania.

The Department of Justice will accept written comments on the proposed Consent Decree for thirty (30) days from the date of publication of this notice. Please address comments to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, P.O. Box 7611; Ben Franklin station, Washington, D.C. 22044 and refer to *United States and Commonwealth of Pennsylvania v. Celotex Corporation*, DOJ No. 90-5-2-1-2112.

Copies of the proposed Consent Decree may be examined at the office of the United States Attorney, Middle District of Pennsylvania, Federal Building, Room 1162, 228 Walnut Street, Harrisburg, Pennsylvania; Region III Office of EPA, 841 Chestnut Building, Philadelphia, Pennsylvania 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 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. When requesting a copying of the proposed Consent Decree, please enclose a check to cover the twenty-five cents per page reproduction costs payable to the "Consent Decree Library" in the amount of \$12.75, and please reference DOJ No. 90-2-1-2112.

**Joel M. Gross,**

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

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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 July 15, 1998, a proposed Consent Decree in *United States v. Cowles Media Company, et al.*, Civil No. 4-96-958, was lodged in the United