

of Illinois, 219 S. Dearborn Street, Chicago, IL 60604; (2) the United States Environmental Protection Agency (Region 5), 77 West Jackson Boulevard, Chicago, Illinois 60604-3590 (contact Stuart Hersh (312-886-6235)); and (3) the U.S. Department of Justice, Environment and Natural Resources Division Consent Decree Library, 1120 G Street, NW, 3rd 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, NW, 3rd Floor, Washington, D.C. 20005. In requesting a copy, please refer to the referenced case and DOJ Reference Number and enclose a check in the amount of \$9.00 for the consent decree only (36 pages at 25 cents per page reproduction costs), or \$9.75 for the consent decree and all appendices (39 pages), made payable to the Consent Decree Library.

**Joel M. Gross,**

*Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*  
[FR Doc. 99-10065 Filed 4-21-99; 8:45 am]

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## DEPARTMENT OF JUSTICE

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

Under 28 CFR 50.7, notice is hereby given that on April 14, 1999, a proposed consent decree in *United States v. WCI Steel, Inc.*, Civil Action No. 4:95 CV 1442, was lodged with the United States District Court for the Northern District of Ohio.

In this action, the United States sought injunctive relief and civil penalties under section 309(b) and (d) of the Clean Water Act ("the Act"), 33 U.S.C. 1319(b) and (d), against WCI Steel, Inc. ("WCI") for violations of section 301 of the Act, 33 U.S.C. 1311, and the terms and conditions of WCI's National Pollutant Discharge Elimination System ("NPDES") permits at WCI's Warren, Ohio, steel mill. Specifically, the Complaint alleges that WCI repeatedly violated various effluent limitations in each of its three permits over the past several years, as evidenced by WCI's self-monitoring reports, and that numerous unpermitted discharges at both permitted outfalls and unpermitted point sources have occurred. In addition, WCI has allegedly violated various monitoring, sampling, and reporting requirements during the past several years.

The proposed Clean Water Act consent decree provides for injunctive relief consisting of an evaluation of

WCI's blast furnace recycle system, a comprehensive evaluation of its wastewater systems, a visible oil corrective action and monitoring plan, the removal of sludge and the lining of a wastewater pond as well as the removal of sludge and filling in of a second wastewater pond, cessation of chlorine discharges except as authorized by its NPDES permit, and various steps to improve compliance with stormwater effluent limitations. In addition, WCI will spend a minimum of \$750,000 to conduct a sediment removal Supplemental Environmental Project ("SEP") and a benthic macro-invertebrate sampling SEP in the Mahoning River. In addition, WCI will pay a civil penalty of \$1,140,000 to resolve the claims in the amended CWA complaint as well as claims for certain violations of a December 1997 administrative order.

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, DC 20530, and should refer to *United States v. WCI Steel, Inc.*, DOJ Ref. # 90-5-1-1-5027.

The proposed consent decree may be examined at the office of the United States Attorney for the Northern District of Ohio, 1800 Bank One Center, 600 Superior Avenue East, Cleveland, Ohio 44114; at U.S. EPA Region 5, 77 West Jackson Boulevard, Chicago, IL 60604; and at the Consent Decree Library, 1120 G Street, NW., 3rd Floor, Washington, DC 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, NW., 3rd Floor, Washington, DC 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$12.50 (25 cents per page reproduction costs), 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 Clean Air Act

Under 28 CFR § 50.7 notice is hereby given that on April 14, 1999, a proposed consent decree in *United States v. WCI Steel, Inc.*, Civil Action No. 4:96 CV 659,

was lodged with the United States District Court for the Northern District of Ohio.

In this action, the United States sought injunctive relief and civil penalties under Section 113(b) of the Clean Air Act, 42 U.S.C. 7413(b), for violations of the National Emission Standard for Hazardous Air Pollutants for Asbestos ("Asbestos NESHAP"), 40 CFR Part 61, Subpt. M, the federally approved Ohio State Implementation Plan ("SIP"), and an Approval to Construct permit issued pursuant to regulations promulgated under Part C of the Act, Prevention of Significant Deterioration of Air Quality, at WCI Steel's Warren, Ohio, facility. Specifically, the Complaint alleges that WCI violated the work practice, inspection, and notice requirements of the Asbestos NESHAP, the opacity limits set forth in Ohio Rule AP-3-07 and its revised version codified at OAC Rule 3745-17-07 of the Ohio SIP, the mass emission limits set forth in Ohio Rule AP-3-12 and its revised version codified at OAC Rule 3745-17-11 of the Ohio SIP, and the particulate emission limits set forth in WCI's Approval to Construct permit. The proposed consent decree provides for injunctive relief consisting of an asbestos NESHAP compliance plan, a visible emissions monitoring program, and an internal and external inspection and evaluation at WCI's electrostatic precipitator stack. In addition, WCI will pay a civil penalty of \$600,000 to resolve claims under the Clean Air Act, the asbestos NESHAP, and the Ohio SIP.

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 Environmental and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. WCI Steel, Inc.*, DOJ Ref. #90-5-1-1-5027A.

The proposed consent decree may be examined at the office of the United States Attorney for the Northern District of Ohio, 1800 Bank One Center, 600 Superior Avenue East, Cleveland, Ohio 44114; at U.S. EPA Region 5, 77 West Jackson Boulevard, Chicago, IL 60604; and at the Consent Decree Library, 1120 G Street, NW, 3rd Floor, Washington, DC 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, NW, 3rd Floor, Washington, DC 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$8.00 (25 cents per page