

Dated: October 20, 1999.

Duane Marti,

Acting Chief, Branch of Lands.

[FR Doc. 99-27936 Filed 10-25-99; 8:45 am]

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DEPARTMENT OF JUSTICE

Supplemental Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act

In accordance with the policy of the Department of Justice, 28 U.S.C. 50.7, and pursuant to Section 122(d)(2) of the Comprehensive Environmental Response Compensation and Liability Act, 42 U.S.C. 9601 *et seq.* ("CERCLA"), this supplemental notice is hereby given pertaining to a proposed consent decree in *United States v. Akzo Nobel A.B.*, Civ No. 1:99-CV-731, relating to the Bofors-Nobel Superfund Site in Muskegon, Michigan. The proposed consent decree was lodged with the United States District Court for the Western District of Michigan on September 22, 1999. This supplemental notice is issued because the original notice, published on October 14, 1999, 64 FR 55747, inadvertently failed to state that the Department of Justice will receive comments from the public on the proposed consent decree for a period of 30 days following publication of this notice.

Comments should be transmitted by mail to the attention of Lois J. Schiffer, Assistant Attorney General, Environment and Natural Resources Division, United States Department of Justice, Washington, DC 20530 and should include the reference DJ# 90-11-3-191A.

Bruce S. Gelber,

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

[FR Doc. 99-27960 Filed 10-25-99; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of consent Decree Pursuant to the Clean Air Act and the Clean Water Act

Under 28 CFR 50.7, notice is hereby given that on October 6, 1999, a proposed consent decree in *United States v. Almond Investment Co. and Almond Products, Inc.* Civil Action No. 1:99 CV 783, was lodged with the United States District Court for the Western District of Michigan.

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 federally approved Michigan State Implementation Plan ("SIP") and Title V of the Clean Air Act at one of Almond Investment Co.'s Muskegon, Michigan, facilities. Specifically, the Complaint alleges the Almond Investment Co. violated various permitting and volatile organic compound emission requirements in Mich. Admin. Code §§ 336.1201(1), 336.1220, 336.1621(1), 336.1621(5) of the Michigan State Implementation Plan, Title V of the Clean Air Act, 42 U.S.C. 7661-7661f, and Mich. Admin. Code § 336.1210 at its Muskegon, Michigan, facility located at 6435 Schamber Drive.

In addition, the United States sought injunctive relief and civil penalties under Section 309(b) and (d) of the Clean Water Act ("CWA"), 33 U.S.C. 1319(b), (d), for violations of Section 307(d) of the Clean Water Act, 33 U.S.C. 1317(d), and certain pretreatment standards in 40 CFR 413.44(c), (g), 413.54(c), (g), with respect to wastewater discharges at Almond Investment Co.'s Muskegon, Michigan, facility located at 1239 E. Broadway.

Almond Products, Inc., purchased the two Muskegon facilities from Almond Investment Co. in May 1999. Almond Products, Inc., is named as a defendant pursuant to Fed. R. Civ. P. 19 as a party that is necessary for complete relief.

The proposed decree provides for injunctive relief pursuant to which Almond Products, Inc., has permanently disconnected one of the coating lines at the Schamber facility and will install a thermal oxidizer at one of the remaining coating lines. At the Broadway facility, Almond Products, Inc., will prepare a baseline monitoring report reflecting current operations and will develop and implement an operation and maintenance plan to ensure compliance with applicable pretreatment limits. Almond investment Co. will pay a civil penalty of \$50,000, based on an ability-to-pay analysis, to resolve claims under the Clean Air Act, the Michigan SIP, and the Clean Water Act.

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. Almond Investment Co. and Almond Products, Inc.*, DOJ Ref. # 90-5-2-1-06732.

The proposed consent decree may be examined at the Office of the United States Attorney for the Western District of Michigan, 330 Ionia Ave., NW, Ste. 501 Grand Rapids, Michigan 49503, and at U.S. EPA Region 5, 77 West Jackson Boulevard, Chicago, IL 60604. A copy of the proposed consent decree may also be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$5.50 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Bruce S. Gelber,

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

[FR Doc. 99-27902 Filed 10-25-99; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act and the Resource Conservation and Recovery Act

Under 28 CFR 50.7 and 42 U.S.C. 9622(i), notice is hereby given that on October 5, 1999, a proposed Consent Decree in *United States v. ASARCO, Inc., et al.*, Civil Action No. 99-1399, was lodged with the United States District Court for the District of Kansas.

This Consent Decree settles claims against ASARCO, Incorporated, Cyprus Amax Minerals Company, Gold Fields Mining Corporation, Blue Tee Corp., NL Industries, Inc., The Doe Run Resources Corporation and Sun Company, Inc. In this action, brought pursuant to sections 106 and 107 of Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. 9696 and 9607 and section 7003 of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6973, on behalf of the United States Environmental Protection Agency ("EPA"), the United States sought the performance of response work by the defendants at the Baxter Springs and Treece Subsites ("the Subsites") of the Cherokee County Superfund Site in Cherokee County, Kansas pursuant to the Record of Decision, dated August 20, 1997 ("ROD"). Additionally, the United States sought reimbursement of past response costs as well as future oversight costs. Under the Consent Decree, defendants will perform response work in accordance with the ROD, will provide a cash payment for