

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 of the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *In re: Cuyahoga Equipment Corporation, et al.*, DOJ Ref. No. 90-11-3-442. Commenters may request an opportunity for a public meeting in the affected area, in accordance with Section 7003(d) of the Resource Conservation and Recovery Act, 42 U.S.C. § 6973(d).

The proposed consent decree may be examined at the office of the United States Attorney for the Southern District of New York, 100 Church Street, 19th Floor, New York, New York 10007; the Region III Office of the Environmental Protection Agency, located at 1650 Arch Street, Philadelphia, Pennsylvania 19103. A copy of the proposed consent order may also be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, D.C. 20044-7611. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$5.25 (25 cents per page reproduction costs) 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 Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act

In accordance with Department policy, 28 C.F.C. § 50.7, 38 Fed. Reg. 19029, and 42 U.S.C. § 9622(d), on October 26 1999 (64 Fed. Reg. 576), notice was given that a proposed consent decree in *United States v. General Electric Company*, Civil Action No. 99-30225-MAP, was lodged with the United States District Court for the District of Massachusetts. The proposed consent decree resolves certain claims against General Electric Company ("GE") under Sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. §§ 9606 and 9607; Section 7003 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6973; and Section 309 of the Clean Water Act, 33 U.S.C.

§ 1319, regarding the disposal, release and/or threat of release of hazardous substances and/or wastes from the GE facility in Pittsfield, Massachusetts and related areas.

Pursuant to requests from interested persons, the Department of Justice extended the period for comments relating to the proposed consent decree to January 25, 2000. 64 Fed. Reg. 68374 (December 7, 1999). The Department of Justice is extending the comment period on final time to and including February 23, 2000. 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. General Electric Company*, Civil Action No. 99-30225-MAP, D.J. Ref. 90-11-3-1479, and 90-11-3-1479z.

The proposed consent decree may be examined at either of the following locations: (1) The Springfield Office of the United States Attorney, District of Massachusetts, 1550 Main Street, Suite 310, Springfield, Massachusetts, 01103; or (2) Region I, Office of the Environmental Protection Agency, One Congress Street, Boston, Massachusetts, 02203. A copy of the consent decree can be obtained by mail (without attachments) from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044. In requesting a copy of the consent decree (without attachments), please enclose a check in the amount of \$102.25 (25 cents per page reproduction cost) payable to the Consent Decree Library.

Joel Gross,

*Chief, Environmental Enforcement Section,
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DEPARTMENT OF JUSTICE

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

In accordance with Department policy, 28 C.F.R. § 50.7, notice is hereby given that a proposed Consent Decree in *United States v. Koch Industries, Inc. et al.*, Civil Action No. H 95-1118 (S.D. Tx.), and *United States v. Koch Industries, Inc. et al.*, Civil Action No. 97 CV 687 B(E) (N.D.Ok.), was lodged with the United States District Court for the Southern District of Texas on January 13, 2000. The proposed Consent Decree settles the civil claims of the United States on behalf of the United States Environmental Protection Agency and United States Coast Guard, and the State of Texas, against Koch Industries,

Inc. and a number of subsidiaries ("Koch"), in both of these actions.

In these actions, the United States alleged that, on numerous occasions, Koch violated Section 311(b) and (c) of the Clean Water Act, 33 U.S.C. § 1321(b) and (d), through the discharge of oil and related petroleum products in numerous spills from Koch oil and refined petroleum product pipelines and related pipeline facilities. The State of Texas intervened as co-plaintiff against Koch in both actions.

The proposed Consent Decree requires Koch Industries Inc. to pay \$30,000,000 million in civil penalties, \$15 million to the United States and \$15 million to the State of Texas. The proposed Consent Decree also requires Koch to perform injunctive relief consisting of enhancements to its leak prevention programs on pipelines that are still operated by Koch. Koch will also expend at least \$5 million to perform a number of environmental projects under the proposed Consent Decree in Oklahoma, Texas and Kansas, the States most affected by the subject discharges. These environmental projects include: a pipeline safety study; acquisition and preservation of wildlife habitat; other wetlands and water quality enhancement projects; and an emergency planning and response project.

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 of the Environmental and Natural Resources Division, U.S. Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044-7611, and should refer to *United States v. Koch Industries, Inc. et al.*, D.J. Ref. #90-5-1-1-4109.

The Consent Decree may be examined at the following offices: United States Attorney's Office, Southern District of Texas, 910 Travis, Suite 1500, Houston, Texas 770208; United States Attorney's Office, Northern District of Oklahoma, 3900 U.S. Courthouse, 333 W. 4th Street, Tulsa, Oklahoma 74103; United States Environmental Protection Agency, Region 6, 1445 Ross Avenue, Dallas, Texas 750202-2733; United States Environmental Protection Agency, Region 7, 901 N. 5th Street, Kansas City, Kansas 66101. A copy of the Consent Decree may be obtained by mail from the Consent Decree Library, Department of Justice, P.O. Box 7611, Washington, D.C. 20044. In requesting a complete copy with all Attachments, please enclose a check in the amount of \$11.75 (25 cents per page reproduction

cost) payable to the Consent Decree Library. In requesting a copy of the Consent Decree without Attachments, please enclose a check in the amount of \$10.00 (25 cents per page reproduction cost) payable to the Consent Decree Library.

Joel M. Gross,

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Air Act

In accordance with Departmental policy, 28 C.F.R. § 50.7, notice is hereby given that a proposed consent decree in the case of *United States v. Las Vegas Paving Corp.*, Civil Action No. CVS-00-0049-DWH-LRL (D. Nevada), was lodged with the United States District Court for the District of Nevada on January 10, 2000.

The proposed consent decree resolves claims that the United States asserted against Las Vegas Paving Corp. (LVPC) in a civil complaint filed concurrently with the lodging of the consent decree. The complaint alleges that LVPC installed and operated five internal combustion engines at its Lone Mountain facility in Clark County, Nevada, in violation of permitting requirements of the Nevada State Implementation Plan for Clark County, and that LVPC installed and operated affected facilities at its Apex facility in Clark County, Nevada, and failed to comply with notification and performance test requirements of the New Source Performance Standards of 40 C.F.R. Part 60 Subparts A, I, and OOO.

The proposed consent decree requires defendant to pay a civil penalty of \$82,500. In addition, defendant is required to apply timing retardation to one engine and conduct a source test on that engine, apply for permits for two engines, and cease the operation of three engines unless it applies for permits.

The Department of Justice will accept comments relating to this consent decree for a period of thirty (30) days from the date of this publication. Address your comments to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and send a copy to the Environmental Enforcement Section, U.S. Department of Justice, 301 Howard Street, Suite 870, San Francisco, CA 94105. Your comments should refer to

United States v. Las Vegas Paving Corp., Civil Action No. CVS-00-0049-DWH-LRL (D. Nevada), and DOJ No. 90-5-2-1-2220.

You may examine the proposed consent decree at the office of the United States Attorney, District of Nevada, 701 East Bridger Avenue, Suite 600, Las Vegas, Nevada 89101. You may also obtain a copy of the consent decree by mail from the Consent Decree Library, P.O. Box 7611, Washington, DC 20044. Your request for a copy of the consent decree should refer to *United States v. Las Vegas Paving Corp.*, Civil Action No. CVS-00-0049-DWH-LRL (D. Nevada), and DOJ No. 90-5-2-1-2220, and must include a check for \$4.25 (25 cents per page reproduction cost) payable to the "Consent Decree Library."

Joel Gross,

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Environment and Natural Resources Division.*

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decrees Pursuant to the Clean Water Act

Notice is hereby given that proposed consent decrees embodying settlements in *United States and State of California v. City of Los Angeles and City of Burbank, et al.*, Civ No. 77-3047-HP were lodged on December 30, 1999, with the United States District Court for the Central District of California.

The Third Amended and Supplemental Complaint filed jointly by the United States and the State of California alleged, among other things, that the cities of Los Angeles and Burbank had violated the pretreatment requirements established under section 307(b) of the Clean Water Act, 33 U.S.C. § 1317(b). Specifically, the complaint alleged that the cities failed to adequately implement their required pretreatment programs, in that they failed to ensure that industrial dischargers to the cities' treatment works complied with the discharge and monitoring requirements of the pretreatment regulations. The State pled parallel claims under the California Water Code. The complaint sought civil penalties and injunctive relief against the cities.

The proposed consent decree resolves the liability of the cities for the violations alleged in the complaint. Under the decree, Los Angeles will pay a civil penalty of \$236,000 and perform Supplemental Environmental Projects (water reclamation and low-flow storm

discharge diversion) projected to cost at least \$15 million. Burbank will pay a civil penalty of \$137,000 and perform a Supplemental Environmental Project (advanced secondary treatment upgrades) estimated to cost at least \$2.1 million.

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 decrees. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, U.S. Department of Justice, Washington, DC 20530, and should refer to *United States and State of California v. City of Los Angeles and City of Burbank, et al.*, DOJ Ref. No. 90-5-1-1-809B.

The proposed consent decree may be examined at the office of the United States Attorney, Central District of California, Federal Building, Room 7516, 300 North Los Angeles Street, Los Angeles, California 90012; and at the Region IX Office of the Environmental Protection Agency, 75 Hawthorne Street, San Francisco, California 94105. A copy of the Consent Decree may be also be obtained by mail from the Consent Decree Library, P.O. Box 7611, Washington, DC 20044-7611. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$6.75 for the Los Angeles decree and \$6.00 for the Burbank decree (25 cents per page reproduction costs), 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 Pursuant to Resources Conservation and Recovery Act Sections 3008 and 7003 and Safe Drinking Water Act Section 1431

Notice is hereby given that on January 18, 2000, the United States lodged a proposed Consent Decree with the United States District Court for the District of New Mexico in the civil actions consolidated as *Albuquerque v. Sparton Technology, Inc.*, No. CV 97 0206. The proposed Consent Decree resolves civil claims in the consolidated actions including the action filed by the United States, *United States v. Sparton Technology, Inc.*, No. CV 97 0210 (D.N.M.), related to soil and groundwater contamination emanating from the Sparton Technology, Inc.