

conducting a removal action to address releases of tetrachloroethylene (or "PCE") from the dry cleaning operation in the soil and groundwater at the site. Under the terms of the Wolf Consent Decree, the Wolfs agree to pay the United States \$10,000 in response costs within 90 days of entry of the Consent Decree. In addition, the Wolfs agree to pledge to the United States 75% of the value of a piece of property (currently valued at approximately \$800,000), which is a portion of the Site, upon its transfer. In consideration for these payments, the Wolfs will receive a covenant not to sue for Site response costs (which, based on certain conditions, extends to future Successors in Interest or Assigns of the Wolfs' property) and contribution protection. Under the terms of the Sells Consent Decree, the Sells agree to pay the United States \$2,000 in response costs within 30 days of entry of the Consent Decree. In consideration for this payment, the Sells will receive a covenant not to sue for Site response costs and contribution protection. Under the terms of the Eberts Consent Decree, Dale Eberts agrees to pay the United States \$5,000 in response costs within 30 days of entry of the Consent Decree. In consideration for this payment, Eberts will receive a covenant not to sue for Site response costs and contribution protection. Each of these settlements is based on the Settling Defendants' limited ability to pay.

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 of the Environment and Natural Resources Division, Department of Justice, 950 Pennsylvania Avenue, NW, Washington, D.C. 20530, and should refer to *United States v. Raymond C. Wolf, et al.* Civ. Action No. 1:99-CV-01032; D.J. Ref. No. 90-11-3-06281.

The Consent Decrees may be examined at the Office of the United States Attorney, 1800 Bank One Center, 600 Superior Avenue East, Cleveland, Ohio 44114-2600, and at the United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590. A copy of the Consent Decrees may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, D.C. 20044-7611. In requesting a copy of the Consent Decrees, please enclose a check payable to the Consent Decree Library in amount of \$16.75 (67 pages at 25 cents per page reproduction cost) for all three Consent Decrees; or \$8.75

(35 pages at 25 cents per page reproduction cost) for the Wolf Consent Decree; \$4.00 each (16 pages at 25 cents per page reproduction cost) for the Sells Consent Decree and the Eberts Consent Decree.

**Joel M. Gross,**

*Chief, Environmental Enforcement Section,  
Environment & Natural Resources Division.*

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under Section 107 of the Comprehensive Environmental Response, Compensation and Liabilities Act

Notice is hereby given that on July 26, 2000 a proposed Consent Decree ("Decree") in *United States v. Spokane Metals Co., et al.*, Civil Action No. CS-00-0255-FZS (E.D. Wash.), was lodged with the United States District Court for the Eastern District of Washington. The United States filed this action pursuant to sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9606 and 9607, for recovery of response costs incurred by the United States as a result of releases of various hazardous substances at the Spokane Junkyard and Associated Sites in Spokane, Washington. During its years of operation, the Spokane Metals Company purchased scrap items from many sources in eastern Washington and northern Idaho, including many used electrical transformers, large industrial batteries and large mercury switches. Releases of hazardous substances from these items over several decades contaminated the 12.5 acre site.

This Decree will require the named defendants to reimburse the United States \$680,000 for costs incurred in responding to the releases of hazardous substances, implement institutional controls, provide for the operation and maintenance at the Site, and pay EPA's future oversight costs. The Consent Decree also includes three federal PRPs as Settling Federal Agencies: the Department of Energy's Bonneville Power Administration; the Department of the Interior's Bureau of Reclamation; and the Department of the Navy.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the 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, *United States v. Spokane Metals Co., et al.*, Civil Action No. CS-00-0255-FZS (E.D. Wash.) and D.J. Ref. #90-11-3-1020.

The Decree may be examined at the office United States Department of Justice, Environment and Natural Resources Division, Denver Field Office, 999 18th Street, North Tower Suite 945, Denver, Colorado, 80202. A copy of the Decree 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 enclose a check in the amount of \$15.25 for the Decree (25 cents per page reproduction cost) payable to the Consent Decree Library.

**Bruce Gelber,**

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

[FR Doc. 00-20295 Filed 8-9-00; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Lodging of Consent Decree Under the Clean Air Act

Under 28 CFR 50.7, notice is hereby given that on July 25, 2000, a proposed consent decree in the case *United States v. USX Corporation*, Civil Action No. 99CV536JM, was lodged with the United States District Court for the Northern District of Indiana.

In this action the United States sought penalties for violations of Section 112(c) of the Clean Air Act, 42 U.S.C. 7412(c), and the National Emission Standard for benzene waste, 40 CFR Part 61, at its integrated steel plant located in Gary, Indiana. The proposed consent decree requires USX Corporation to pay \$587,000 in civil penalties and to remove transformers containing 45,000 pounds of poly-chlorinated biphenyls (PCBs) as a supplemental environmental project.

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, Environment and Natural Resources Division, 950 Pennsylvania Avenue, NW., Washington, DC 20530, and should refer to *United States v. USX Corporation*, No. 99CV536JM, D.J. Ref. 90-5-2-1-06476.

The consent decree may be examined at the Office of the United States Attorney, 1001 Main St., Suite A, Dyer, Indiana 46311, and at U.S. EPA Region

5, 77 West Jackson Boulevard, Chicago, Illinois 60604. A copy of the consent decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611. In requesting a copy, please enclose a check in the amount of \$6.25 (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. 00-20296 Filed 8-9-00; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA")

Pursuant to section 122(d)(2) of CERCLA, 42 U.S.C. 9622(d)(2), notice is hereby given that on July 27, 2000, a proposed Consent Decree in *United States v. Ware Shoals Power & Water, Inc., and Nancy T. Benton*, Civil Action No. 8-99-2346-13, was lodged with the United States District Court for the District of South Carolina.

In this action the United States sought to recover response costs incurred by the Environmental Protection Agency ("EPA") during the performance of a response action to address releases and threatened releases of hazardous substances at the Ware Shoals Dyeing and Printing Superfund Site in Ware Shoals, South Carolina. The Decree resolves the liability of Defendants Ware Shoals Power & Water, Inc., and Nancy T. Benton (collectively "Defendants"), for these costs. The Defendants collectively will pay \$55,000 to the Hazardous Substances Superfund in reimbursement of EPA's costs. In addition, Defendant Ware Shoals will convey the Site property to the Town of Ware Shoals by deed for a purchase price of no more than \$10. 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, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Ware Shoals Power & Water, Inc., and Nancy T. Benton*, D.J. Ref. 90-11-3-06634.

The Consent Decree may be examined at the Office of the United States Attorney, District of South Carolina, 105

North Spring Street, Suite 200, Greenville, South Carolina 29601, and at EPA Region 4, Atlanta Federal Center, 61 Forsyth Street, SW., Atlanta, Georgia 30303. A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611. In requesting a copy, please enclose a check in the amount of \$5.75 (25 cents per page reproduction cost) payable to the Consent Decree Library.

**Joel M. Gross,**

*Chief, Environmental Enforcement Section, Environment & Natural Resources Division.*

[FR Doc. 00-20298 Filed 8-9-00; 8:45 am]

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## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Petitions for Modification

The following parties have filed petitions to modify the application of existing safety standards under section 101(c) of the Federal Mine Safety and Health Act of 1977.

##### 1. Pine Ridge Coal Company

[Docket No. M-2000-085-C]

Pine Ridge Coal Company, 50 School House Road, Seth, West Virginia 25181 has filed a petition to modify the application of 30 CFR 75.1002 (location of trolley wires, trolley feeder wires, high-voltage cables and transformers) to its Whites Branch Mine (I.D. No. 46-08827) located in Boone County, West Virginia. The petitioner requests a modification to its previously granted petition for modification, docket number M-98-004-C, allowing 2400 volt cables to be used in the last open crosscut at the working continuous miner sections at the Pine Ridge Coal Company, Robin Hood No. 9 Mine (I.D. No. 46-02143), to be transferred to Pine Ridge Coal Company's Whites Branch Mine (I.D. No. 46-08827), where equipment will be transferred and production begins the first of August 2000. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

##### 2. The United Mine Workers of America

[Docket No. M-2000-086-C]

The United Mining Workers of America, P.O. Box 28, Castlewood, Virginia 24224 has filed a petition to modify the application of 30 CFR 75.1712-2 (location of surface facility)

on behalf of the Sea "B" Mining Company, Silver Creek Mine (I.D. No. 44-16895) located in Tazewell County, Virginia. The petitioner requests modification of the existing standard to require suitable transportation be provided for miners traveling to and from the centrally located bathing facility. The petitioner states that the miners have to crawl in mud, coal dust, oil, grease, and other contaminants in the underground mine environment and then drive to the centrally located bathing facility which creates unsafe conditions for the miners, and conflicts with applicable state highway laws that promote safe operation of motor vehicles. The petitioner asserts that the existing standard would result in a diminution of safety to the miners.

##### 3. The Pittsburgh & Midway Coal Mining Company

[Docket No. M-2000-087-C]

The Pittsburgh & Midway Coal Mining Company, P.O. Box 6518, Englewood, Colorado 80155-6518 has filed a petition to modify the application of 30 CFR 75.1700 (oil and gas wells) to its North River No. 1 Mine (I.D. No. 01-00759) located in Fayette County, Alabama. The petitioner proposes to plug and abandon oil and gas wells, and mine through the oil and gas wells with a longwall mining machine instead of maintaining a 300 foot barrier around the well. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

##### 4. Elk Run Coal Company, Inc.

[Docket No. M-2000-088-C]

Elk Run Coal Company, Inc., Box 497, Sylvester, West Virginia 25193 has filed a petition to modify the application of 30 CFR 75.1700 (oil and gas wells) to its White Knight Mine (I.D. No. 46-08055) located in Boone County, West Virginia. The petitioner proposes to plug and mine through oil and gas wells using specific procedures outlined in this petition for modification. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

##### 5. Elk Run Coal Company, Inc.

[Docket No. M-2000-089-C]

Elk Run Coal Company, Inc., Box 497, Sylvester, West Virginia 25193 has filed a petition to modify the application of 30 CFR 75.1700 (oil and gas wells) to its Castle Mine (I.D. No. 46-07009) located in Boone County, West Virginia. The petitioner proposes to plug and mine