

with the United States District Court for the Southern District of Indiana, Indianapolis Division, on November 27, 2000, pertaining to the Dow Chemical Site (the "Site"), located near Zionsville, in Boone County, Indiana. The proposed consent decree would resolve certain civil claims of the United States and the State of Indiana against The Dow Chemical Company ("Dow") under Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9607, for damages for injury to, destruction of, or loss of natural resources resulting from releases of hazardous substances from the Site.

Under the proposed consent decree, Dow would donate an uncontaminated northern portion of the Site—comprising approximately 17 acres of floodplain habitat along Eagle Creek—to the Zionsville Park and Recreation Board (an agency of the Town of Zionsville, Indiana) for the purpose of restoration, replacement, or protection of natural resources similar to those found on other portions of the Site damaged by releases and threatened releases of hazardous substances. Pursuant to a conservation easement and declaration of restrictive covenants enforceable by the State of Indiana's Department of Natural Resources, the Eagle Creek property would be preserved in perpetuity for specified conservation—and recreation-related purposes.

The Department of Justice will receive comments relating to the proposed consent decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, United States Department of Justice, Washington, DC 20530, and should refer to *United States and the State of Indiana v. The Dow Chemical Company*, Civil Action No. IP001841-C-T/G (S.D. Ind.) and DOJ Reference No. 90-11-3-07049.

The proposed consent decree may be examined by appointment at the Office of the United States Attorney for the Southern District of Indiana, 10 West Market Street, Suite 2100, Indianapolis, Indiana 46204 (contact Harold Bickham (317-226-6333)). 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 copies, please refer to the referenced case and DOJ Reference Number, and enclose a check for \$10.25 (41 pages at 25 cents per page

reproduction cost), made payable to the Consent Decree Library.

Bruce S. Gelber,

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

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Water Act and Resource Conservation and Recovery Act

Notice is hereby given that on November 27, 2000, a proposed Consent Decree in *United States v. Turtle Mountain Manufacturing Company* (D. North Dakota), Civil Action No. A4-00-139, was lodged with the United States District Court for the District of North Dakota.

This Consent Decree represents a settlement of claims brought against defendant ("Settling Defendant") in the above-referenced action brought under Section 309 of the Clean Water Act, 33 U.S.C. 1319, for failure to: (1) Comply with general pretreatment requirements for reporting noncompliance and other information, (2) comply with specific discharge limits under the Metal Finishing Point Source Category pretreatment standards, (3) sample and submit storm water discharge monitoring reports as required under its NPDES general permit, and (4) comply with a Section 308 information request requiring monthly monitoring and reporting of process wastewater discharges. Additionally, the proposed Consent Decree represents a settlement of claims against Settling Defendant under Section 3008 of the Resource Conservation and Recovery Act, 42 U.S.C. 6928, for failure to comply with numerous regulations pertaining to storage and management of hazardous waste and used oil applicable to generators of such items.

Under the proposed settlement, the Settling Defendant would be required to pay a civil penalty of \$100,000 for violations of the Clean Water Act, and Resource Conservation and Recovery Act. The proposed settlement also requires Settling Defendant to immediately comply with all applicable general pretreatment provisions, metal finishing point source pretreatment requirements and its storm water NPDES general permit for its metal parts manufacturing facility near Belcourt, North Dakota. Additionally, the proposed settlement further requires Settling Defendant to immediately comply with all applicable requirements

for generators of hazardous waste and used oil from its manufacturing facility.

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. Turtle Mountain Manufacturing Company* (D. North Dakota), D.J. Ref. 90-7-1-06492.

The Consent Decree may be examined at the Office of the United States Attorney, 655 1st Avenue, North, Suite 250, Fargo, North Dakota 58102, and at U.S. EPA Region 8, 999 18th Street, Suite 500, Denver, Colorado 80202-2466. A copy of the Consent Decree may be 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 \$9.75 (25 cents per page reproduction cost) payable to the Consent Decree Library.

Bruce Gelber,

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

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DEPARTMENT OF LABOR

Employment Standards Administration, Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR Part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal