

Act ("CWA"), 33 U.S.C. 1321(b)(3) and (j) for alleged violations at Koch's 3 refineries: Pine Bend, Minnesota, and the East and West refineries in Corpus Christi, Texas. Under the settlement, Koch will implement innovative pollution control technologies to greatly reduce emissions of nitrogen oxides ("NO<sub>x</sub>") and sulfur dioxide ("SO<sub>2</sub>") from refinery process units and adopt facility-wide enhanced monitoring and fugitive emission control programs. In addition, Koch will pay a civil penalty of \$4.5 million, \$3.5 million of which is for settlement of the RCRA claims. The state of Minnesota will join in this settlement as a signatory to the Consent Decree.

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, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Koch Petroleum Group, L.P.*, D.J. Ref. 90-5-2-1-07110.

The Consent Decree may be examined at the Office of the United States Attorney, 234 United States Courthouse, 110 South Fourth Street, Minneapolis, Minnesota 55401 and at U.S. EPA Region 5, 77 West Jackson Blvd., Chicago, Illinois 60604. A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611. In requesting a copy, please enclose a check in the amount of \$39.50 (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 JUSTICE**

**Notice of Lodging of Consent Decree for Natural Resource Damages Under CERCLA**

Notice is hereby given that on December 28, 2000, a proposed consent decree in *United States v. Lone Mountain Processing, Inc.*, Civil Action No. 2:00CV00200, was lodged with the United States District Court for the Western District of Virginia.

The consent decree settles claims against Lone Mountain Processing, Inc., under section 107(f) of the Comprehensive Environmental

Response, Compensation and Liability Act, as amended, 42 U.S.C. 9607. The releases that give rise to the claims are from coal slurry spills from a coal processing plant owned by Lone Mountain in Lee County, Virginia, and took place on or about August 9, 1996, and October 24, 1996. The releases caused injury to natural resources in the Powell River Wasteshed and injured species and habitat for which the Department of Interior has trusteeship. The Consent Decree settles the natural resource damage claim in exchange for a payment by Lone Mountain of \$2,450,000.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the consent decrees. 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. Lone Mountain Processing, Inc.*, D.J. Ref. 90-5-1-1-06615.

The consent decree may be obtained by mail from the Department of Justice Consent Decree Library, PO Box 7611, Washington, DC 20044-7611. In requesting copies from the Consent Decree Library, please enclose a check in the amount of \$3.50 for the consent decree payable to the Consent Decree Library.

**Bruce S. Gelber,**

*Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*  
[FR Doc. 01-921 Filed 1-10-01; 8:45 am]

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**DEPARTMENT OF JUSTICE**

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

In accordance with the Departmental policy, 28 U.S.C. 50.7, notice is hereby given that a proposed Consent Decree in *United States of America and State of Louisiana v. City of Mandeville, Louisiana*, Civil Action No. 00-366 "R" (5) was lodged on December 12, 2000, with the United States District Court for the Eastern District of Louisiana.

The Consent Decree settles an action brought under sections 309(b) of the Clean Water Act ("CWA"), 33 U.S.C. 1319(b). The Consent Decree requires the City of Mandeville, Louisiana ("Mandeville") to pay a civil penalty to the United States in the amount of \$56,500, requires injunctive relief to bring Mandeville into compliance with the Clean Water Act, and provides for interim limits for the discharge of

ammonia-nitrogen, biochemical oxygen demand ("BOD"), and total suspended solids ("TSS") from Mandeville's public sewage treatment plant.

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 of America and State of Louisiana v. City of Mandeville, Louisiana*, (E.D. La.), DOJ Ref. #90-5-1-1-06613.

The proposed Consent Decree may be examined at the office of the United States Attorney, Eastern District of Louisiana, Hale Boggs Federal Building, 501 Magazine Street, Second Floor, New Orleans, LA 70130, the U.S. Environmental Protection Agency, Region VI, 1445 Ross Avenue, Dallas, Texas 75202; and at the Consent Decree Library, 1120 G Street, NW., Third 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, P.O. Box 7611, Washington, DC 20044-7611. When requesting a copy please refer to *United States of America and State of Louisiana v. City of Mandeville, Louisiana*, (E.D. La.), DOJ Ref. #90-5-1-1-06613 enclose a check in the amount of \$7.00 (25 cents per page reproduction costs), payable to the "Consent Decree Library."

**Catherine McCabe,**

*Deputy 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 28 CFR 50.7 and section 122 of the Comprehensive Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9622, the Department of Justice gives notice that a proposed consent decree in *United States v. Mark IV Industries, Inc. et al.*, No. 1:00CV918 (W.D. Mich.), was lodged with the United States District Court for the Western District of Michigan on December 18, 2000, pertaining to the implementation of the United States Environmental Protection

Agency's selected remedial action for the Electro-Voice Superfund Site ("EV Site"), Buchanan, Berrien County, Michigan.

Under the proposed consent decree, Mark IV Industries, Inc. will implement U.S. EPA's selected remedy for operable unit 2 ("OU2") at the Site, and pay U.S. EPA's oversight costs. The Consent Decree includes a covenant not to sue by the United States under sections 106 and 107 of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601 *et seq.* ("CERCLA"), and section 7003 of the Resource Conservation and Liability Act ("RCRA"), 42 U.S.C. 6973.

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, Environment and Natural Resource Division, United States Department of Justice, Washington, DC 20530, and should refer to *United States v. Mark IV Industries, Inc. et al.*, No. 1:00CV918 (W.D. Mich.), and DOJ Reference No. 90-11-2-07050. Commentors may request an opportunity for a public meeting in the affected area, in accordance with RCRA section 7003(d), 42 U.S.C. 6973(d).

The proposed consent decree may be examined at: (1) The Office of the United States Attorney for the Western District of Michigan, 330 Ionia, NW., Grand Rapids, Michigan 49503 (616) 456-2404; and (2) the United States Environmental Protection Agency (Region 5), 77 West Jackson Boulevard, Chicago, Illinois 60604-3590 (contact Kris Vezner (312-886-6827)) a copy of the proposed consent decree may be obtained by mail from the Consent Decree Library, PO Box 7611, Washington, DC 20044. In requesting a copy, please refer to the referenced case and DOJ Reference Number and enclose a check in the amount of \$18.25 for the consent decree only (73 pages at 25 cents per page reproduction costs), or \$75.75 for the consent decree and all appendices (303 pages), made payable to the consent Decree Library.

**Bruce S. Gelber,**

*Environmental Enforcement Section,  
Environment and Natural Resources Division.*  
[FR Doc. 01-920 Filed 1-10-01; 8:45 am]

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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 the policy of the Department of Justice, notice is hereby given that a proposed consent decree in *United States v. Michigan Consolidated Gas Co.*, Civ. No. 01-70007, was lodged with the United States District Court for the Eastern District of Michigan, on January 2, 2001. That action was brought against defendant pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) for payment of past costs incurred, and future costs to be incurred, by the United States at the Lower Ecorse Creek Superfund Site in Wyandotte, Michigan. This decree requires the defendant to pay \$230,000.00 in satisfaction of the United States' claims against it for response costs incurred and to be incurred in connection with the site.

The Department of Justice will receive comments relating to the proposed consent decree for a period of 30 days from the date of this publication. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530. All comments should refer to *United States v. Michigan Consolidated Gas Co.*, D.J. Ref. 90-11-3-1744.

The proposed consent decree may be examined at the office of the United States Attorney for the Eastern District of Michigan, 211 W. Fort Street, Suite 2001, Detroit, MI 48226-3211; and at the Region V office of the Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590. A copy of the proposed consent decree may be obtained in person or by mail from the Department of Justice Consent Decree Library, PO Box 7611, Washington, DC 20044-7611. In requesting a copy, please enclose a check in the amount of \$4.25 (25 cents per page reproduction costs) payable to the Consent Decree Library. When requesting a copy, please refer to *United States v. Michigan Consolidated Gas Co.*, D.J. Ref. 90-11-3-1744.

**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 Air Act, Clean Water Act, RCRA, and EPCRA

Under 28 CFR 50.7, notice is hereby given that on December 19, 2000, a proposed Complaint and Consent Decree in *United States v. Nucor Corporation*, Civil Action No. 4-00:3945-24, was lodged with the United States District Court for the District of South Carolina.

This is a national, multi-facility, multi-media enforcement action against Nucor Corporation ("Nucor"), a major manufacturer of steel and steel products. This action is brought pursuant to section 113(b) of the Clean Air Act ("CAA"), 42 U.S.C. 7413(b) (1983), *amended by* 42 U.S.C. 7413(b) (Supp. 1991); the Resource Conservation and Recovery Act, ("RCRA"), 42 U.S.C. 6901 *et seq.*; the Emergency Planning and Community Right to Know Act ("EPCRA"), 42 U.S.C. 11004(a); and the Clean Water Act ("CWA"), 33 U.S.C. 1251 *et seq.* This settlement involves 8 steel mini-mills and 6 steel fabrication facilities located in Alabama, Arkansas, Indiana, Nebraska, South Carolina, Texas, and Utah, in EPA Regions 4, 5, 6, 7, and 8. The Complaint alleges that Nucor violated the Prevention of Significant Deterioration ("PSD") and New Source Performance Standard ("NSPS") provisions of the Clean Air Act and that K061 dust, a waste product from the electric arc furnaces ("EAFs") and a RCRA listed hazardous waste, was disposed of illegally at the facilities and contributed to National Pollution Discharge Elimination System ("NPDES") permit and Industrial Storm Water violations of the Clean Water Act. In addition, the Complaint alleges that K061 dust has contaminated soil and groundwater at Nucor's steel mills.

The proposed settlement will require Nucor to pilot air pollution control technologies for control of NO<sub>x</sub> emissions from its EAFs and reheat furnaces. Nucor will also conduct sampling of ground water and soils at all facilities, identify areas of contamination and perform corrective action in accordance with an EPA-approved RCRA statement of work for each facility. In addition, Nucor will implement enhancements to its management of K061, and its process and storm water to ensure continued compliance with CWA requirements. Nucor will also pay a civil penalty of \$9 million, and spend \$4 million on Supplemental Environmental Projects. The states of Arkansas, Nebraska, and Utah are joining in this settlement as