

Atlantic Richfield Company ("ARCO") pursuant to Section 107 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) for, *inter alia*, reimbursement of costs incurred and to be incurred, by the United States in connection with response actions at the AlSCO Anaconda Superfund Site ("Site") in Gnadenhutten, Ohio. ARCO has implemented a remedial action that the United States Environmental Protection Agency selected for the Site and asserted claims pursuant to Section 106(b) of CERCLA to recover certain of its response costs from the Hazardous Substance Superfund.

Under the proposed decree, ARCO will pay \$1,135,000 in satisfaction of the United States' claims against it. The proposed decree also provides for dismissal with prejudice of ARCO's claims against the United States for reimbursement of certain costs ARCO incurred in connection with response actions it performed at 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. The Atlantic Richfield Company*, D.J. Ref. 90-11-3-488B.

The proposed consent decree may be examined at the office of the United States Attorney for the Northern District of Ohio, 1800 Bank One Center, 600 Superior Avenue, Cleveland, Ohio 44114-2600; 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, P.O. Box 7611, Washington, DC 20044-7611. In requesting a copy, please enclose a check in the amount of \$5.25 (25 cents per page reproduction costs) payable to the Consent Decree Library. When requesting a copy, please refer to *United States v. The Atlantic Richfield Company*, D.J. Ref. 90-11-3-488B.

William D. Brighton,

Assistant 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 Resource Conservation and Recovery Act ("RCRA")

Pursuant to Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree ("Decree") in *United States v. Raymond T. James and Rattan Investment Co., Inc.*, Civ. No. 1999/145, was lodged on May 7, 2001 with the United States District Court for the District of the Virgin Islands.

In this action, the United States sought civil penalties and injunctive relief, alleging that the operator of a gas station popularly known as "Charlie's Gas Station," located in Christiansted, St. Croix, U.S. Virgin Islands, violated provisions of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. 6901-6992k. More particularly, the United States alleged that the operators of Charlie's Gas Station failed to employ the release detection methods required for the underground storage tanks (USTs) at the facility under federal regulations applicable to USTs set forth at 40 CFR Part 280, Subpart D, and failed to respond to various information requests sent to them by EPA under the authority of Sections 3007(a) and 9005(a) of RCRA, 42 U.S.C. 6927(a), 6991d(a). The Decree would resolve the liability of the defendants, Raymond T. James and Rattan Investment Co., Inc., for the alleged violations. The Decree requires the defendants to come into compliance with UST regulations by permanently closing the USTs at Charlie's Gas Station (which have been temporarily closed since December 22, 1998) within sixty days after entry of the Decree, which closure will entail cleaning and emptying the USTs, performing a site assessment within five days thereafter to determine whether there is any contamination at the facility, and, if such contamination is found, implementing corrective action. The Decree further requires the defendants to pay a civil penalty of \$6,000.

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, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, D.C. 20044-7611, and should refer to *United States v. Raymond T. James and Rattan Investment Co., Inc.*, DOJ Ref. #90-7-1-06362.

The Decree may be examined at the office of the United States Attorney for the District of the Virgin Islands, 1108 King St., Suite 201, St. Croix, U.S.V.I. 00820-4951 (contact Assistant United States Attorney Ernest F. Batenga); and the Region II Office of the Environmental Protection Agency, 290 Broadway, New York, New York, 10007-1866 (contact Assistant Regional Counsel Donna DeCostanzo). A copy of the Decree may be obtained by mail from the 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 \$6.25 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Ronald G. Gluck,

Assistant 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 Clean Air Act

In accordance with Department of Justice policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in the action entitled *United States of America v. Shell Oil Company and Motiva Enterprises LLC*, Civil Action No. 3:01CV00093 RNC (D. Conn.), was lodged on April 27, 2001 with the United States District Court for the District of Connecticut. The proposed consent decree resolves claims of the United States, on behalf of the U.S. Environmental Protection Agency, under Sections 111 and 112 of the Clean Air Act, 42 U.S.C. 7411 and 7412, its implementing federal regulations, and the Connecticut State Implementation Plan, against defendants Shell Oil Company and Motiva Enterprises LLC. These claims are for injunctive relief and civil penalties arising from defendants' alleged violations of the Clean Air Act, its implementing regulations, and the State Implementation Plan in connection with their operation of a bulk gasoline terminal located within the Towns of Bridgeport and Stratford, Connecticut.

Under the terms of the proposed consent decree, the defendants: (1) Will pay a civil penalty of \$390,155 to the United States; (2) will purchase and permanently retire twenty-two tons worth of nitrogen oxide emission reduction credits during ozone season, to be purchased in either Connecticut, Massachusetts, New York, or Rhode