

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

In accordance with Departmental policy, including 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States of America and State of Louisiana v. City of Baton Rouge and Parish of East Baton Rouge*, Civil Action No. 01-978-B-M-3, was lodged on November 13, 2001, with the United States District Court for the Middle District of Louisiana.

The proposed Consent Decree settles an action brought under Clean Water Act ("CWA") Section 301, 33 U.S.C. 1311, for civil penalties and injunctive relief for violations related to the publically owned treatment works owned and operated by the City/Parish. The Consent Decree resolves all claims in the Complaint and provides for injunctive relief; a civil penalty of \$729,500; a \$1.125 million supplemental environmental project that will connect certain neighborhoods to the sewage treatment system; and payment of \$216,000 in stipulated penalties which accrued under a prior Consent Decree. The injunctive relief will require the City/Parish to implement specified projects including a 13-15 year project to improve its sewage collection system, a Sanitary Sewer Overflow Response Plan to project the public health by responding to overflows, and an extensive preventive maintenance program.

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 Environmental and Natural Resources Division, United States Department of Justice, Washington, D.C. 20530, and should refer to *United States and Louisiana v. Baton Rouge*, No. 01-978-B-M-3 (M.D. La.) DOJ Ref. #90-5-1-1-2769/1.

The proposed Consent Decree may be examined at the office of the United States Attorney, Middle District of Louisiana, 777 Florida St., Baton Rouge, LA 70801 and the office of the U.S. Environmental Protection Agency, Region 6, 1445 Ross Avenue, Dallas, Texas 75202. A copy of the proposed Consent Decree may be obtained by mail from the Consent Decree Library, P.O. Box 7611, Washington, D.C. 20044-7611. When requesting a copy please refer to *United States and Louisiana v. Baton Rouge*, No. 01-978-B-M-3 (M.D. La.), DOJ Ref. # 90-5-1-1-2769/1 and enclose a check in the amount of \$67.75

(25 cents per page reproduction costs), payable to the "Consent Decree Library."

**Thomas A. Mariani, Jr.,**

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

[FR Doc. 01-31789 Filed 12-26-01; 8:45 am]

**BILLING CODE 4410-15-M**

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

Notice is hereby given that a consent decree in *United States v. Chevron U.S.A. Production Company* Civil Action No. 01-D-1921 (D. CO) was lodged with the District Court for the District of Colorado on September 28, 2001. This notice was previously published in the **Federal Register** on October 15, 2001 and the public was given 30 days to comment. No comments were received. However, because of severe disruption in the mail service, the United States is unable to conclude with certainty that any comments mailed in response to that notice would have been received. As a result, the United States is providing this second opportunity for comment. Any prior commenter should resubmit their comments as directed below.

Under this Consent Decree Chevron shall pay a civil penalty and perform injunctive relief to resolve claims alleging violations of the CWA, 33 U.S.C. 1251 *et seq.* The Compliant asserts claims pursuant to section 301(a) and 311(b)(3) of the CWA, 33 U.S.C. 1311(a) & 1321(b)(3), for spills of produced water and oil from pipelines at Chevron's Rangely Weber Sand Unit and oil exploration and production unit, in Rangely, Colorado. Under the terms of the settlement, Chevron shall pay a \$750,000 civil penalty and perform work over the next few years at the Rangely Unit in an effort to achieve compliance with the Act.

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 sent via telefax to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, at (202) 616-6583, or, alternatively, mailed to the United States Attorney's Office, District of Colorado, 1225 17th Street, Suite 700, Denver, Colorado 80202 and should refer to *United States v. Chevron U.S.A. Production Company* Civil Action No.

01-D-1921 (D. Co), DOJ Ref. #90-5-1-1-4513.

The proposed consent decree may be examined at the Office of United States Attorney, District of Colorado, 1951 Stout St., Suite 1200, Denver Co, 80294 (303) 454-0100. A copy of the proposed consent decree may be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$9.00 (25 cents per page reproduction costs, including attachments), payable to the Consent Decree Library.

**Bob Brook,**

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

[FR Doc. 01-31781 Filed 12-26-01; 8:45 am]

**BILLING CODE 4410-15-M**

**DEPARTMENT OF JUSTICE****Notice of Lodging of Consent Decree Pursuant to the Resource Conservation and Recovery Act**

In accordance with the policy of the Department of Justice, notice is hereby given that a proposed consent decree in *United States v. Clean Harbors Inc., et al.*, Civ. No. C1-01-821, was lodged with the United States District Court for the Southern District of Ohio, on November 28, 2001. That action was brought against defendants pursuant to the Resource Conservation and Recovery (RCRA) seeking civil penalties for certain violations of the State RCRA permit for the facility, which is located in Cincinnati, Ohio. The decree requires defendants to pay \$400,000.00 in civil penalties, to change certain procedures at the facility concerning hazardous waste analysis and handling, and to apply to the Ohio Environmental Protection Agency for permit modifications associated with these procedures.

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 20503. All comments should refer to *United States v. Clean Harbors, Inc., et al.*, DJ# 90-7-1-06612.

The proposed consent decree may be examined at the office of the United States Attorney for the Southern District of Ohio, 100 East Fifth Street, 220 Potter Stewart Courthouse, Cincinnati, Ohio 45202; 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 \$6.00 (25 cents per page reproduction costs) payable to the Consent Decree Library. When requesting a copy, please refer to *United States v. Clean Harbors, Inc., et al.*, DJ# 90-7-1-06612.

**Catherine R. McCabe,**

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

[FR Doc. 01-31786 Filed 12-26-01; 8:45 am]

BILLING CODE 4410-15-M

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decrees Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act and the Clean Air Act

In accordance with 28 CFR § 50.7 and Departmental policy, notice is hereby given that on December 5, 2001, a proposed consent decree in the case captioned *United States v. Cohen, et al.*, Civil Action No. 96 C 7801 (N.D. Ill.), was lodged with the United States District Court for the Northern District of Illinois. The proposed consent decree relates to the Standard Scrap Metal/Chicago International Exporting Site located at 4004-4020 South Wentworth and 4000-4027 South Wells Streets in Chicago, Illinois. The proposed consent decree would resolve civil claims of the United States for recovery of past response costs under Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. 9607 ("CERCLA"), as well as claims for civil penalties under section 104 of CERCLA, and for civil penalties and injunctive relief under section 113 of the Clean Air Act, 42 U.S.C. 7413, against Steven Cohen, Lawrence A. Cohen, Chicago International Chicago, Inc., and Chicago International Exporting ("Settling Defendants"). Under the proposed consent decree, the Settling Defendants paid the United States \$500,000 in partial reimbursement of past response costs: \$105,000 in civil penalties for violations of section 104 of CERCLA; and \$105,000 in civil penalties for violations of the Clean Air Act. The Settling Defendants also certified that they had removed from their property the metal sorting lines and metal

shredding lines that were the subject of the CAA violations.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed comment decree. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resource Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Cohen, et al.*, Civil Action No. 96 C 7801 (N.D. Ill.), and DOJ Reference No. 90-11-3-1414A.

The proposed consent decree may be examined at: (1) the Office of the United States Attorney for the Northern District of Illinois, 219 South Dearborn St., Chicago, Illinois, 60604; and (2) the United States Environmental Protection Agency (Region 5), 77 West Jackson Boulevard, Chicago, Illinois 60604-3590. Copies of the proposed consent decree may 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 above-referenced case and DOJ Reference Number and enclose a check for \$6.50 (25 cents per page reproduction cost) made payable to the Consent Decree Library.

**William D. Brighton,**

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

[FR Doc. 01-31782 Filed 12-26-01; 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 Departmental policy, 28 CFR § 50.7, 38 FR 19029, and consistent with 42 U.S.C. 9622, notice is hereby given that on December 10, 2001, a proposed consent decree in *United States and California Department of Toxic Substances Control v. Del Norte County*, Civil Action No. 01-4847 JCS, was lodged with the United States District Court for the Northern District of California. The proposed consent decree resolves claims under Section 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9606 and 9607, regarding the release and/or threat of release of hazardous substances at and from the Del Norte County Pesticide Storage Area Superfund Site near

Crescent City, California. The settler is the owner/operator of the site which was centralized storage area for pesticide and herbicide containers. The accumulated containers, exposed to the elements, released hazardous substances.

Pursuant to the proposed settlement, the County shall continue to perform the remaining response action for the Site consisting of groundwater monitoring and implementation of land use restrictions. The County also shall reimburse the United States and the State in the amount of \$50,000 apiece for certain past response costs. The settlement amount is based on the County's representation as to its financial condition.

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 sent simultaneously to the following: (1) By facsimile (202) 514-2583 and U.S. mail addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Benjamin Franklin Station, Washington, DC 20044; (2) Charles O'Connor, Assistant U.S. Attorney, 450 Golden Gate Avenue, San Francisco, CA 94102; and (3) Rose Fua, Deputy Attorney General, 1515 Clay Street, Oakland, CA 94612. Comments should refer to *United States and California Dept. of Toxic Substances Control v. Del Norte County*, Civil Action No. 01-4847 JCS, D.J. Ref. 90-11-3-836.

The proposed consent decree may be examined at either of the following locations: (1) The Office of the United States Attorney, Northern District of California; or (2) Region 9, Office of the Environmental Protection Agency, 75 Hawthorne Street, San Francisco, California. A copy of the consent decree can be obtained (without attachments) by facsimile request ((202) 514-0997) sent to the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044. To receive a copy of the consent decree (without attachments), a party will be required to provide a check in the amount of \$15.00 (25 cents per page reproduction cost) payable to the Consent Decree Library.

**Ellen Mahan,**

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

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