

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act

Notice is hereby given that on March 28, 2002, a proposed Consent Decree ("Decree") in *United States v. Daniel E. Caulk and RAMP Industries, Inc.*, Civil Action No. 02-D-0625, was lodged with the United States District Court for the District of Colorado. The action was filed pursuant to Section 107(a)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9607(a)(2), for costs EPA incurred in responding to the release or threatened release of hazardous substances at or from the RAMP Industries Site in Denver, Colorado. Under the terms of the Decree the settling defendants will pay the United States \$95,000 over four years, with interest on the outstanding principal balance accruing at the statutory rate.

The Department of Justice will receive comments relating to the 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, Department of Justice, and sent to the Denver Field Office, 999 18th Street, Suite 945NT, Denver, CO 80202, and should refer to *United States v. Daniel E. Caulk and RAMP Industries, Inc.*, D.J. Ref. 90-11-2-1290/7.

The Decree may be examined at the offices of the EPA Library, EPA Region VIII, located at 999 18th Street, First Floor, Denver, Colorado 80202. A copy of the 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 or by faxing a request to Tonia Fleetwood, fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy, please enclose a check in the amount of \$5.00 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Robert Brook,

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

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DEPARTMENT OF JUSTICE

Revised Notice of Lodging of Consent Decree: Natural Resource Damages Under the Oil Pollution Act of 1990

Notice is hereby given that on March 18, 2002, a proposed Consent Decree: Natural Resource Damages ("Decree") in *United States and State of Alaska v. Kuroshima Shipping, S.A. and Unique Trading Co., Ltd.*, Civil Action No. A02-0057 (JKS), was lodged with the United States District Court for the District of Alaska.

In this action brought pursuant to Section 1002(b)(2)(A) of the Oil Pollution Act of 1990, 33 U.S.C. 2702(b)(2)(A), the United States and the State of Alaska sought natural resource damages, including the reasonable costs of assessing those damages, arising out of the November 26, 1997 grounding and subsequent discharge of oil from the M/V Kuroshima in the area of Summer Bay, Unalaska Island, Alaska ("the Kuroshima Spill"). The defendants are the owner and operator of the vessel at the time of the incident. The federal and state natural resource trustees, in consultation with the Qawalangin Tribe of Unalaska, conducted an assessment of damage to natural resources and loss of use of natural resources occasioned by the Kuroshima Spill and have proposed a plan for restoring these natural resources and the loss of their use by the public. That plan appears as Appendix A to the Decree. The proposed Decree provides that defendants shall pay \$644,017 to the natural resource trustees for their implementation of the restoration plan and shall place another \$9,000 in the registry of the Court until the natural resource trustees determine whether that amount is necessary for the field component of the restoration plan aimed at restoring vegetation or may be returned to the defendants. The proposed Decree requires that the defendants reimburse the natural resource trustees in excess of \$66,158.09 for damage assessment costs. In exchange for these payments, the United States and the State of Alaska covenant not to sue the defendants for natural resource damages arising from the Kuroshima Spill.

The Department of Justice will accept comments relating to the proposed Decree through April 29, 2002. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, United States Department of Justice and sent to 801 B Street, Suite 504, Anchorage, Alaska 99501-3657. Comments should refer to *United States*

v. Kuroshima Shipping, S.A. et al., D.J. Ref # 90-5-1-1-06147.

The Decree may be examined at the above address by contacting Lorraine Carter at 907-271-5452. A copy of the Decree (minus Appendix A) may be obtained by contacting Ms. Carter in writing at the address above. In requesting a copy, please enclose a check in the amount of \$5.50 (25 cents per page reproduction cost) payable to the U.S. Treasury. A copy of Appendix A may be obtained during the comment period from the National Oceanic and Atmospheric Administration by contacting Doug Helton at 206-526-4563 or at Doug.Helton@noaa.gov. Alternatively, Appendix A may be viewed at www.darcnw.noaa.gov/kuro.htm.

Robert E. Maher, Jr.,

Assistant Section 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, Clean Water Act, Resource Conservation and Recovery Act, Comprehensive Environmental Response, Compensation and Liability Act, and the Emergency Planning and Community Right-to-Know Act

In accordance with 28 CFR 50.7, notice is hereby given that on April 1, 2002, a proposed consent decree in *United States and the State of Illinois v. The Premcor Refining Group, Inc.*, Civil Action No. 98-C-5618, was lodged with the United States District Court for the Northern District of Illinois.

In this action, the United States sought civil penalties and injunctive relief for alleged environmental violations at The Premcor Refining Group, Inc.'s refinery in Blue Island, Illinois. The United States' complaint alleges violations of the following five federal statutes (and federal and state laws implementing them): Clean Air Act ("CAA"), 42 U.S.C. 7401 *et seq.*, Clean Water Act ("CWA"), 33 U.S.C. 1311 *et seq.*, the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. 6901 *et seq.*; the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9601 *et seq.*; and the Emergency Planning and Community Right-To-Know Act ("EPCRA"), 42 U.S.C. 11001 *et seq.* Under the terms of the proposed consent decree, Premcor will pay a civil penalty of \$6,250,000 to resolve the