

**FOR FURTHER INFORMATION CONTACT:** Superintendent, Lake Meredith National Recreation Area and Alibates Flint Quarries National Monument, at the above address and telephone number.

Dated: May 15, 2002.

**R. Everhart,**

*Director, Intermountain Region, National Park Service.*

[FR Doc. 02-19245 Filed 7-31-02; 8:45 am]

**BILLING CODE 4310-70-M**

## DEPARTMENT OF JUSTICE

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

In accordance with Departmental policy and 28 CFR 50.7, the Department of Justice gives notice that a proposed consent decree with the City of Anderson, Indiana ("Anderson") in the case captioned *United States and the State of Indiana v. City of Anderson, Indiana*, Civil Action No. IP 02-1103 C M/S (S.D. Ind.) was lodged with the United States District Court for the Southern District of Indiana on July 18, 2002. The compliant filed in the case by the United States and the State of Indiana (the "Plaintiffs") seeks civil penalties and injunctive relief from Anderson for alleged violations of the Clean Water Act, 33 U.S.C. 1251 *et seq.*, and comparable state law.

The proposed consent decree sets forth the terms of a proposed settlement between the Plaintiffs and Anderson. Under the settlement, Anderson would: (1) pay a \$250,000 civil penalty; and (2) implement specified compliance measures concerning operation and improvement of Anderson's sewer system and wastewater treatment plant.

For a period of thirty (30) days from the date of this publication, the Department of Justice will receive comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, United States Department of Justice, PO Box 7611, Washington, DC 20044-7611, and should refer to *United States and the State of Indiana v. City of Anderson, Indiana*, Civil Action No. IP 02-1103 C M/S (S.D. Ind.), and DOJ Reference Number 90-5-2-1-07043/2. A copy of the proposed consent decree may be examined at: (1) The Office of the United States Attorney for the Southern District of Indiana, 10 West Market Street—Suite 2100, Indianapolis, Indiana 46204 (contact Thomas Kieper (317-226-6333)); and (2) the U.S. Environmental Protection Agency

(Region 5), 77 West Jackson Boulevard, Chicago, Illinois 60604 (contact Stephen Mendoza (312-886-6852)). Copies of the proposed consent decree may also be obtained by mail from the Department of Justice Consent Decree Library, PO Box 7611, Washington, DC 20044-7611. In requesting copies, please refer to the above-referenced case name and DOJ Reference Number, and enclose a check made payable to the Consent Decree Library for \$33.00 (132 pages at 25 cents per page reproduction cost).

**William D. Brighton,**

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

[FR Doc. 02-19387 Filed 7-31-02; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Water Act 33 U.S.C. 1251 to 1387

Notice is hereby given that on July 18, 2002, a proposed Consent Decree in *United States v. Asarco Incorporated*, Civil Action No. 98-49-H-CCL was lodged with the United States District Court for the District of Montana, Helena Division.

In this action the United States alleges under section 309(b) and (d) of the Clean Water Act (the "Act"), 33 U.S.C. 1319(b) and (d), that Asarco violated certain conditions of the Act's categorical pretreatment program which regulates industrial users who discharge to publicly owned treatment works ("POTWs"). Specifically, the United States alleged that from May 1991 to December 1997, Asarco discharged plant process wastewater from its smelting facility to the East Helena, Montana POTW in excess of monthly average effluent limits for lead and zinc applicable to primary lead processing plants under 40 CFR 421.75. The Complaint also alleged that beginning in November 1991 and continuing through November 1994 Asarco violated the Act's reporting requirements by failing to include in Asarco's semi-annual Periodic Reports on Continuing Compliance data describing the nature and concentration of pollutants in Asarco's discharge to the POTW as required under 40 CFR 403.12. The proposed Consent Decree resolves all allegations raised in the United States Complaint against Asarco in exchange for a civil penalty of \$100,000.00 paid over two years, the performance of several Supplemental Environmental Projects ("SEPs") estimated to be worth

in total \$169,852.00, and other consideration worth \$15,480.00.

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 Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Asarco, Inc.*, D.J. Ref. 90-5-1-1-4323/1.

The proposed consent decree may be examined at U.S. EPA Region 8, 999 18th Street, Suite 500, Denver Colorado, 80202 and through the Project Coordinator, United States Environmental Protection Agency, Region 8, Federal Office Bldg. 10 West 15th Street, Suite 3200 Helena, Montana 59626. A copy of the consent 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 no. (202) 514-1547. In requesting a copy, please enclose a check in the amount of \$6.75 (25 cents per page reproduction cost) payable to the U.S. Treasury. In requesting a copy exclusive of exhibits and defendants' signatures, please enclose a check in the amount of \$5.75 (25 cents per page reproduction cost) payable to the U.S. Treasury. The check should refer to *United States v. Asarco Incorporated.*, Civil Action No. 98-49-H-CCL, (D. Mont.).

**Benjamin Fisherow,**

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

[FR Doc. 02-19383 Filed 7-31-02; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on July 22, 2002, a proposed consent decree in *United States v. Axel Johnson Inc. et al.*, Civil Action No. 7:00-CV-252-F(1), was lodged with the United States District Court for the Eastern District of North Carolina.

In this action the United States sought under section 107(a) of CERCLA, 42 U.S.C. 9607(a), the recovery of past response costs with respect to the Potter Septic Tank Service Pits Superfund Site, located in the Town of Sandy Creek,