

These releases are commonly made to maintain, as nearly as practicable, active storage in Lake Mead equal to the active storage in Lake Powell. These releases are commonly referred to as "equalization" releases. When projected storage is less than 602(a) Storage, such equalization releases from Lake Powell are not made.

In July 2000, Reclamation issued a draft environmental impact statement (DEIS) on the proposed adoption of specific criteria under which surplus water conditions may be determined in the Lower Colorado River Basin for 15 years. During the public comment period on the DEIS, the seven Colorado River Basin States submitted information to the Department of the Interior that contained a proposal on interim surplus criteria and a number of other related issues. This information was published in the **Federal Register** on August 8, 2000 (65 FR 48531-38). One component of the Colorado River Basin States' proposal is section V, "Determination of 602(a) Storage in Lake Powell During the Interim Period," and reads as follows:

During the Interim Period, 602(a) storage requirements determined in accordance with article II (1) of the Criteria [Long-Range Operating Criteria] shall utilize a value of not less than 14.85 maf (elevation 3,630 feet) for Lake Powell (65 FR 48537).

In December 2000, Reclamation issued a final environmental impact statement (FEIS) on the proposed adoption of specific criteria under which surplus water conditions would be determined in the Lower Colorado River Basin through the year 2016. The preferred alternative in the FEIS was based in large part on the Colorado River Basin States' proposal, but as noted in the FEIS, the preferred alternative did not contain all of the specific elements of the Basin States' proposal.

On January 16, 2001, the Secretary signed the record of decision (ROD) for the Colorado River Interim Surplus Guidelines. The FEIS and the ROD did not consider or implement section V of the Colorado River Basin States' proposal (Basin States' proposed 602(a) Storage). Representatives of the Colorado River Basin States have expressed an interest in having the Basin States' proposed 602(a) Storage adopted by the Secretary, through the year 2016, in order to protect Upper Basin storage against the potential drawdown of Lake Mead storage that could occur due to dry hydrology and continued surplus deliveries from Lake Mead to the Lower Division States. The

Colorado River Basin is now in its fourth consecutive year of drought.

Under these circumstances, the Secretary believes that it may be prudent to adopt the Basin States' proposed 602(a) Storage, or a reasonable alternative to it, as a guideline for making 602(a) Storage determinations during the period through 2016. As part of the process initiated by this notice, Reclamation will analyze the effects of the Basin States' proposed 602(a) Storage on the Colorado River system.

Reclamation will utilize a public process pursuant to NEPA during the analysis of the Basin States' proposed 602(a) Storage guideline. By this notice, Reclamation invites all interested parties, including the Colorado River Basin States, Indian tribes, water users, members of the general public, organizations, and agencies to present written comments concerning the Basin States' proposed 602(a) Storage and the issues and alternatives that they believe should be analyzed.

Our practice is to make comments, including names and home address of respondents, available for public review. Individual respondents may request that we withhold their home address from public disclosure, which we will honor to the extent allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public disclosure in their entirety.

Dated: November 22, 2002.

**Rick L. Gold,**

*Regional Director—Upper Colorado Region.*  
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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Water Act, Clean Air Act, and Resource Conservation and Recovery Act

Notice is hereby given that on January 15, 2003, a proposed Consent Decree in *United States v. Koppers Industries, Inc.*, Civil Action No. CV-03-C-0097S, was lodged with the United States District Court for the Northern District of Alabama.

In this action the United States sought civil penalties and injunctive relief for numerous violations of the Clean Water Act at Koppers facilities throughout the

United States. The United States also sought civil penalties for violations of the Clean Air Act and the Resource Conservation and Recovery Act occurring at a Koppers' facility in Woodward, Alabama. The alleged violations include Koppers' failure to submit reports and comply with discharge limits required by Clean Water Act permits; Koppers' failure to operate a gas blanketing system at storage tanks in the Woodward facility; and Koppers' use of a crushed tank to store used oil at the Woodward facility. This Woodward facility closed in 1998. In settlement of these allegations, Koppers agrees to pay a \$2.9 million civil penalty (plus interest) over three years, and to implement an environmental management system and auditing program at facilities throughout the United States.

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, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Koppers Industries, Inc.*, D.J. Ref. 90-5-2-1-06126.

The Consent Decree may be examined at the Office of the United States Attorney, 200 Robert S. Vance Federal Building, 1800 5th Avenue North, Room 200, Birmingham, Alabama, and at U.S. EPA Region 4, Atlanta Federal Center, 61 Forsyth Street, Atlanta, Georgia. 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. In requesting a copy, please enclose a check in the amount of \$29.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Ellen Mahan,**

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of the Consent Decree Between the United States of America and Olympic Pipe Line Company Pursuant to the Clean Water Act

Pursuant to 28 CFR 50.7, notice is hereby given that on January 17, 2003, a proposed Consent Decree Between the United States of America and Olympic