

with respect to DuPont's fluoroproducts plant in Louisville, Kentucky.

The settlement provides for payment of \$550,000 in civil penalties and performance of eight Supplemental Environmental Projects ("SEPs") valued at \$552,000. Under the proposed SEPs, DuPont will provide emergency response equipment and training for Local Emergency Planning Committees ("LEPCs"), provide a green buffer zone between its facility and the surrounding area, and contract with a community group in an environmental justice area to set up a website on environmental issues and ensure that the group can continue to run its information center which disseminates information on environmental issues.

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, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. E.I. DuPont De Nemours and Company*, D.J. Ref. 90-5-2-1-2099/2.

The Consent Decree may be examined at U.S. EPA Region 4, 61 Forsyth Street, Atlanta, Georgia 30303. During the public comment period, the Consent Decree, may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$14.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Ellen M. Mahan,**

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## DEPARTMENT OF JUSTICE

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

In accordance with Department policy, 28 U.S.C. 50.7, notice is hereby given that a proposed Consent Decree in *United States v. Earthgrains Baking Companies, Inc., et al.*, Civil Action No.

4-03CV01043SNL, was lodged on July 31, 2003, with the United States District Court for the Eastern District of Missouri.

In this action the United States sought civil penalties and injunctive relief for Defendants' violations of the industrial refrigerant, repair, testing, record-keeping, and reporting regulations at 40 CFR, part 82, subpart F, §§ 82.156-82.166 ("Recycling and Emissions Reduction"), promulgated pursuant to subchapter VI of the Act ("Stratospheric Ozone Protection"), 42 U.S.C. 7671-7671q.

The Consent Decree settles an action brought under section 113 of the Clean Air Act, 42 U.S.C. 7413. The Consent Decree provides that *Earthgrains Baking Companies, Inc., et al.*, will pay the United States \$5.25 million in civil penalties, and perform extensive injunctive relief by retrofitting, replacing, or retiring a total of 264 Industrial Refrigeration Appliances and Commercial Refrigeration Appliances that presently contain ozone depleting substances with non-ozone depleting substances (e.g. glycol, water, ammonia, etc).

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 Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Earthgrains Baking Companies, Inc., et al.*, D.J. Ref. #90-5-2-1-07388.

The proposed Consent Decree may be examined at the office of the United States Attorney, Eastern District of Missouri, Thomas F. Eagleton U.S. Courthouse, 111 South 10th Street, Room 20.333, St. Louis, Missouri 63102; the Headquarters Office of the Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460. During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. 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 or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$10.00 (25 cents per

page reproduction costs), payable to the U.S. Treasury.

**Robert Maher,**

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

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Air Act

Under 28 CFR 50.7, notice is hereby given that on August 11, 2003, a proposed Consent Decree ("Decree") in *United States v. Glencore AG*, Civil Action No. 3:03CV1381 (JBA) was lodged with the United States District Court for the District of Connecticut.

In this action the United States seeks civil penalties and injunctive relief to address Glencore's alleged violations of the Clean Air Act and its implementing regulations in 40 CFR part 80 with respect to Glencore's importation, refining, distribution and sale of reformulated and conventional motor gasoline within the United States. The alleged violations include exceedances of the regulatory limits for Reid vapor pressure and exhaust benzene levels for certain batches of gasoline, three reporting or record keeping violations, and a tank sampling violation. To resolve these alleged violations, the Decree requires Glencore to pay a civil penalty of \$450,000 to the United States and complete a three-year "Compliance Assurance Program" as specified in the Decree to ensure Glencore's future compliance with the Clean Air Act's programs and regulations concerning reformulated and conventional motor gasoline. The Compliance Assurance Program requires Glencore to retain an auditor or consultant to perform certain detailed periodic reviews and verification procedures with respect to Glencore's records, reports and laboratory data concerning its compliance with applicable fuel regulations.

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. Glencore AG*, Civil Action No. 3:03CV1381 (JBA) (D. Conn.), D.J. Ref. 90-5-2-1-2169.

The Decree may be examined at the Office of the United States Attorney,