

corporate compliance program to ensure compliance with the Clean Water Act at all of its drilling sites in the future.

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 Assistance 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. GHK Company, L.L.C. and GHK/Potato Hills Limited Partnership*, D.J. Ref. No. 90-5-1-1-07654.

The Consent Decree may be examined at the Office of the United States Attorney, Eastern District of Oklahoma, 1200 West Okmulgee Street, Muskogee, OK 74401, and at U.S. EPA Region VI, 1445 Ross Avenue, Dallas, TX 75202-2733. 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 \$19.75 (25 cents per page reproduction cost) payable to the U.S. Treasury.

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

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

[FR Doc. 05-5770 Filed 3-22-05; 8:45 am]

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## DEPARTMENT OF JUSTICE

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

Under 28 C.F.R. § 50.7, notice is hereby given that on March 11, 2005, a First Amendment to the August 2001 Consent Decree in the matter of *United States, et al. v. Marathon Ashland Petroleum LLC*, Civil Action No. 4:01-CV-40119-PVG, was lodged with the United States District Court for the Eastern District of Michigan.

The First Amendment to the August 2001 Consent Decree ("First Amendment") amends a consent decree entered among the United States, as Plaintiff, the County of Wayne, the State of Louisiana, and the State of Minnesota, as Plaintiff-Intervenors, and Marathon Ashland Petroleum LLC

("MAP"), as Defendant. In the August 2001 Consent Decree, MAP agreed, to undertake, *inter alia*, numerous projects to reduce emissions of air pollutants at seven refineries that MAP owns and operates. The proposed First Amendment exclusively involves MAP's refinery in Texas city, Texas. Under the First Amendment, MAP will: (1) Receive an exemption from compliance with the sulfur dioxide emissions limits of the New Source Performance Standards, 40 CFR 60.104(a)(1), at two of MAP's heaters at the Texas City Refinery during limited periods between March 1, 2005, and February 28, 2006, provided that MAP meets certain requirements during those limited periods; (2) accept a permanent reduction of the emissions limitation at the Refinery's fluidized catalytic cracking unit ("FCCU") from 25 ppm to 20 ppm on 365-day rolling average basis, at 0% oxygen; (3) advance by six months the NSPS compliance date of a new sulfur recovery plant that MAP will be installing at the Refinery; (4) advance by five months the NSPS compliance date of six heaters and boilers at the Refinery that currently are not subject to NSPS; (5) limit total sulfur dioxide emissions from the Texas City Refinery to those set forth in MAP's current Texas state permit; and (6) spend no less than \$100,000 to install diesel retrofit technologies on no less than seven sanitation trucks owned and operated by Texas City, Texas.

The Department of Justice will receive for a period of fifteen (15) 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, et al. v. Marathon Ashland Petroleum LLC*, D.J. Ref. No. 90-5-2-1-07247.

The First Amendment may be examined at the Office of the United States Attorney, 211 W. Fort St., Suite 2300, Detroit, Michigan 48226, and at U.S. EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733. During the public comment period, the First Amendment 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 number (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 \$2.75 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Robert D. Brook,**

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

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## DEPARTMENT OF JUSTICE

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

Under 42 U.S.C. section 9622(d)(2) and 28 CFR 50.7, notice is hereby given that on March 2, 2005, a proposed Consent Decree in *United States v. Waste Management of Wisconsin, Inc.*, Civil Action Number 3:05cv00128, was lodged with the United States District Court for the Western District of Wisconsin.

The consent decree resolves claims against Waste Management of Wisconsin, Inc. ("WMWI") on behalf of the Environmental Protection Agency ("EPA") under sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9606 and 9607, for response action to be taken and response costs to be incurred in responding to the release and threatened release of hazardous substances at the City Disposal Corporation Landfill Superfund Site ("Site") in the Town of Dunn, Dane County, Wisconsin.

WMWI has been performing the remedial action for the site under a unilateral administrative order issued by EPA. Under the consent decree, WMWI will complete performance of the Site remedy and will reimburse the United States for response costs the United States will incur at the site. The consent decree also provides for disbursement to WMWI, if specified conditions are met, of approximately \$1.97 million credited to the site from the proceeds of a prior, separate settlement in *In re U.E. Systems, Inc.*, et al., No. 91-32791 (Bankr. N.D. Ind.). The *U.E. Systems* settlement required that amounts recovered therein "shall reduce the liability of the non-settling potentially responsible parties \* \* \* by the amount of the credit." The proposed consent decree with WMWI will implement that provision of the *U.E. Systems* settlement while also providing the United States with full recovery of

all response costs incurred or to be incurred by the United States in connection with the Site.

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. Waste Management of Wisconsin, Inc.*, DOJ Ref. #90-11-2-07850.

The Consent Decree (including all its Appendices A through G) may be examined at the Office of the United States Attorney for the Western District of Wisconsin, Madison, Wisconsin, and at the Region 5 Office of the Environmental Protection Agency, 77 W. Jackson Blvd., Chicago, Illinois 60604. During the public comment period, the Consent Decree and all Appendices may also be examined on the following Department of Justice Web site: [www.usdoj.gov/enrd.open.html](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. Please enclose a check for \$20.25 for the Consent Decree text only, or for \$146.75 for the Consent Decree including all attachments (25 cents per page reproduction costs), payable to the U.S. Treasury.

**W. Benjamin Fisherow,**

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

[FR Doc. 05-5767 Filed 3-22-05; 8:45 am]

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**DEPARTMENT OF LABOR**

**Employee Benefits Security Administration**

[Application No. D-10993, et al.]

**Proposed Exemptions; PAMCAH-UA Local 675 Pension Plan (Pension Plan) (Collectively the Plans)**

**AGENCY:** Employee Benefits Security Administration, Labor.

**ACTION:** Notice of proposed exemptions.

**SUMMARY:** This document contains notices of pendency before the

Department of Labor (the Department) of proposed exemptions from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (the Act) and/or the Internal Revenue Code of 1986 (the Code).

**Written Comments and Hearing Requests**

All interested persons are invited to submit written comments or requests for a hearing on the pending exemptions, unless otherwise stated in the Notice of Proposed Exemption, within 45 days from the date of publication of this **Federal Register** Notice. Comments and requests for a hearing should state: (1) The name, address, and telephone number of the person making the comment or request, and (2) the nature of the person's interest in the exemption and the manner in which the person would be adversely affected by the exemption. A request for a hearing must also state the issues to be addressed and include a general description of the evidence to be presented at the hearing.

**ADDRESSES:** All written comments and requests for a hearing (at least three copies) should be sent to the Employee Benefits Security Administration (EBSA), Office of Exemption Determinations, Room N-5649, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210. Attention: Application No. \_\_\_\_, stated in each Notice of Proposed Exemption. Interested persons are also invited to submit comments and/or hearing requests to EBSA via e-mail or FAX. Any such comments or requests should be sent either by e-mail to: "[moffitt.betty@dol.gov](mailto:moffitt.betty@dol.gov)", or by FAX to (202) 219-0204 by the end of the scheduled comment period. The applications for exemption and the comments received will be available for public inspection in the Public Documents Room of the Employee Benefits Security Administration, U.S. Department of Labor, Room N-1513, 200 Constitution Avenue, NW., Washington, DC 20210.

**Notice to Interested Persons**

Notice of the proposed exemptions will be provided to all interested persons in the manner agreed upon by the applicant and the Department within 15 days of the date of publication in the **Federal Register**. Such notice shall include a copy of the notice of proposed exemption as published in the **Federal Register** and shall inform interested persons of their right to comment and to request a hearing (where appropriate).

**SUPPLEMENTARY INFORMATION:** The proposed exemptions were requested in applications filed pursuant to section 408(a) of the Act and/or section 4975(c)(2) of the Code, and in accordance with procedures set forth in 29 CFR part 2570, subpart B (55 FR 32836, 32847, August 10, 1990). Effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978, 5 U.S.C. App. 1 (1996), transferred the authority of the Secretary of the Treasury to issue exemptions of the type requested to the Secretary of Labor. Therefore, these notices of proposed exemption are issued solely by the Department.

The applications contain representations with regard to the proposed exemptions which are summarized below. Interested persons are referred to the applications on file with the Department for a complete statement of the facts and representations. PAMCAH-UA Local 675 Pension Plan (Pension Plan); PAMCAH-UA Local 675 Training Fund (Training Fund) (Collectively the Plans) Located in Honolulu, Hawaii [Exemption Application Nos. D-10993 & L-10994].

**Proposed Exemption**

The Department is considering granting an exemption under the authority of section 408(a) of the Act and section 4975(c)(2) of the Code and in accordance with the procedures set forth in 29 CFR part 2570, subpart B (55 FR 32836, August 10, 1990). If the exemption is granted, the restrictions of sections 406(a), 406(b)(1) and (b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1)(A) through (E) of the Code, shall not apply to: (1) The Training Fund's purchase (the Purchase) of an improved parcel of real property (the Property) located at 731 Kamehameha Highway, Pearl City, Hawaii from the Pension Plan; and (2) a loan (the Loan) from the Pension Plan to the Training Fund to finance the Purchase. This proposed exemption is subject to the following conditions:

(a) The fair market value of the Property is established by an independent, qualified, real estate appraiser that is unrelated to the Plans or any party in interest;

(b) The Training Fund pays no more, and the Pension Plan receives no less than the fair market value of the Property as determined at the time of the transaction;

(c) The Pension Plan will, on irreversible default of the Training Fund, reassume the ownership of the Property automatically without