

Washington, D.C. 20530, and should refer to *United States v. Elmer Burrows, et al.*, DOJ Ref. #90-11-2-223.

The proposed Order Modifying Amended Consent Decree may be examined at the office of the United States Attorney, Room 399, Federal Building, 110 Michigan, NW, Grand Rapids, Michigan, 49503; the Region 5 Office of the Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the proposed Order Modifying Amended Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$1.00 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel M. Gross,

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

United States District Court for the
Western District of Michigan

United States of America, Plaintiff/
Counter-Defendant, v. Elmer Burrows d/b/a
Burrows Sanitation and Auto Specialties
Manufacturing Company, Defendants, and
Duane Funk, Evelyn Funk, Douglas
Mackinder, Georgia Mackinder, Du-Wel
Products, Inc., Du-Wel Hartford, Inc., and
Whirlpool Corporation, Defendants/Counter-
Plaintiffs. Hon. Benjamin Gibson, File No.
K88-128CA8.

Charles E. Barbieri,
(P31793)

Attorney for Defendant Du-Wel Products,
Inc., 313 S. Washington Square, Lansing,
Michigan 48933, Telephone: (517) 372-
8050

Order Modifying Amended Consent
Decree

At a session of said Court, held in the
District Court Rooms, Western District
of Michigan, City of Grand Rapids, State
of Michigan, on the ____ day of
____, 1994.

Present: Honorable Benjamin Gibson,
District Judge.

This Court having reviewed the Joint
Motion of Plaintiff, United States of
America, and Defendant, Du-Wel
Products, Inc., to Modify Amended
Consent Decree entered July 20, 1992,
and the Supporting Brief; this Court
finding that the parties to the Amended
Consent Decree have consented to the
requested modification in the Joint
Motion, and this Court, being fully
advised in the premises;

It is hereby ordered and Adjudged,
that the Amended Consent Decree

entered dated July 20, 1992, be amended
as follows:

11.A. Settling Defendants shall
perform the Work required herein so
that the concentrations of chemicals of
concern in the groundwater do not
exceed the Safe Drinking Water Act
Maximum Contaminant Levels (MCLs),
Maximum Contaminant Level Goals
(MCLGs), whichever is lower, or Water
Quality Criteria for Protection of Human
Health due to Ingestion of Drinking
Water, where no MCLs or MCLGs exist.
These Groundwater Cleanup Standards
for the chemicals of concern are as
follows:

Chromium—100 UG/L
Copper—1,000 UG/L
Lead—20 UG/L
Nickel—150 UG/L
Zinc—5,000 UG/L.

Extraction and off-site treatment and
disposal of the groundwater is required
to achieve the Groundwater Cleanup
Standards and shall be implemented by
Settling Defendants according to the
schedule set forth in the Amended RAP.
Settling Defendants shall, once
Groundwater Cleanup Standards have
been achieved, extract and treat and
dispose of one additional volume of
groundwater equal to that pumped to
achieve the Groundwater Cleanup
Standards, as required above, or, in the
alternative, Settling Defendants may
undertake an alternative to extracting
and treating and disposing of one
additional volume of groundwater equal
to that pumped to achieve the
Groundwater Cleanup Standards that is
acceptable to and approved in writing
by U.S. EPA. In any event, Settling
Defendants shall continue to extract
groundwater and to treat and dispose of
the same off-site as required above
unless and until U.S. EPA approves in
writing an alternative to extracting and
treating and disposing of one additional
volume of groundwater equal to that
pumped to achieve the Groundwater
Cleanup Standards, as required above.

It is further ordered that Table 2-1 on
page 2-2 of the Amended Remedial
Action Plan, which is part of the
Amended Consent Decree entered by
the Court on July 20, 1992, be amended
as follows:

GROUNDWATER CLEAN-UP STANDARDS
[Concentrations reported in UG/L.]

Indicator chemical	Groundwater clean-up stand- ards ^a
Chromium	100
Copper	1,000
Lead	20
Nickel	^b 150

GROUNDWATER CLEAN-UP

STANDARDS—Continued

[Concentrations reported in UG/L.]

Indicator chemical	Groundwater clean-up stand- ards ^a
Zinc	5,000

^aBased on SDWA MCLs, MCLGs, and pro-
posed MCLGs.

^bNo MCL or MCLG established. Criteria
based on Office of Drinking Water Health Ad-
visory.

It is so ordered.

Benjamin Gibson,

U.S. District Judge.

[FR Doc. 96-6097 Filed 3-13-96; 8:45 am]

BILLING CODE 4410-01-M

**Notice of Lodging of Amended
Consent Decree Pursuant to the Clean
Water Act**

In accordance with Departmental
policy, 28 C.F.R. § 50.7, 38 Fed. Reg.
19029, notice is hereby given that on
March 1, 1996, a proposed Amended
Consent Decree in *United States v.
Crown Paper Co. and James River Paper
Company, Inc.*, Civil Action No. 95-
258-SD, was lodged with the United
States District Court for the District of
New Hampshire resolving the matters
alleged in a complaint filed on May 16,
1995. The proposed Amended Consent
Decree concerns alleged violations by
James River of Sections 309 (b) and (d)
of the Clean Water Act ("CWA"), 33
U.S.C. §§ 1319 (b) and (d), Sections 3008
(a) and (g) of the Resource Conservation
and Recovery Act ("RCRA"), 42 U.S.C.
§§ 6928 (a) and (g), Section 109(c) of the
Comprehensive Environmental
Response, Compensation, and Liability
Act ("CERCLA"), 42 U.S.C. § 6909(c),
and Section 325(b)(3) of the Emergency
Planning and Community Right-to-
Know Act ("EPCRA"), 42 U.S.C.
11045(b)(3), at pulp and paper mills
operated by James River in Gorham and
Berlin, New Hampshire.

The CWA violations alleged in the
complaint include: violations of the
federal pretreatment standards and
National Prohibited Discharge Standard;
the unauthorized discharge of pollutants
without a permit; and the discharge of
pollutants in excess of levels allowed
under a permit. The RCRA violation
alleged in the complaint includes the
disposal of hazardous waste without a
permit. Finally, the CERCLA and
EPCRA violations alleged in the
complaint include the failure to timely
report the spill of sulfuric acid at the
pulp mill.

Under the terms of the Amended Consent Decree, the defendants will pay a civil penalty of \$200,000 to the United States and will be required to comply with the Clean Water Act. In addition, the defendants will be required to install equipment at the pulp mill necessary to reduce certain sulfur emissions from wastewater effluent and to perform an assessment of their compliance with the Clean Water Act's prohibition on unpermitted discharges.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication comments relating to the proposed Amended Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, U.S. Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Crown Paper Co. and James River Paper Company*, D.J. Ref. 90-5-1-1-4123.

The proposed Amended Consent Decree may be examined at the Region I Office of the Environmental Protection Agency, One Congress Street, Boston, Massachusetts, and at the office of the United States Attorney, District of New Hampshire, 55 Pleasant Street, Concord, New Hampshire, c/o Gretchen L. Witt, Assistant U.S. Attorney. Copies of the proposed Amended Consent Decree may also be examined at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the proposed Amended Consent Decree may be obtained in person or by mail from the Consent Decree Library. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$5.75 (25 cents per page reproduction cost) made payable to Consent Decree Library.

Joel M. Gross,

Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.
[FR Doc. 96-6040 Filed 3-13-96; 8:45 am]

BILLING CODE 4410-01-M

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

In accordance with Departmental policy, 28 C.F.R. § 50.7, notice is hereby given that a proposed consent decree in *United States versus Elliott Drywall & Asbestos, Inc.*, Civil Action No. 94-2487-JWL, was lodged on February 14, 1996 with the United States District Court for the District of Kansas. The United States filed an action against Elliott Drywall alleging violations of the Clean Air Act Section 112, 42 U.S.C. § 7412, and the asbestos NESHAP, 40

C.F.R. Part 61, Subpart M, § 61.45. Under the proposed consent decree, Settling Defendants will pay a civil penalty of \$50,000.

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 versus Elliott Drywall & Asbestos, Inc.*, DOJ Ref. #90-5-2-1-1512A.

The proposed consent decree may be examined at the office of the United States Attorney, District of Kansas, Suite 360, 500 State Avenue, Kansas City, KA 66101; the Region VII Office of the Environmental Protection Agency, 726 Minnesota Avenue, Kansas City, KA 66101; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$2.50 (25 cents per page reproduction costs, payable to the Consent Decree Library.

Joel M. Gross,

Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.
[FR Doc. 96-6095 Filed 3-13-96; 8:45 am]

BILLING CODE 4410-01-M

Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response Compensation and Liability Act

In accordance with Departmental policy, 28 C.F.R. § 50.7, and Section 122(d)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9622(d)(2), notice is hereby given that a proposed consent decree in *United States v. Mobil Mining and Minerals Co.*, Civil Action No. CV H 96 0605 was lodged on February 21, 1996 with the United States District Court for the Southern District of Texas.

The proposed consent decree settles the government's claims set forth in the complaint pursuant to Sections 107 and 113 of CERCLA, 42 U.S.C. 9607, 9613, for damages for injury to, destruction of or loss of natural resources belonging to, managed by, controlled by or appertaining to the United States or the

State of Texas, including the cost of assessing such injury or loss, because of a release of hazardous substances from a facility known as the Mobil Pasadena facility (Mobil Site) located in Pasadena, Texas. The complaint alleges, *inter alia*, that the defendant is an owner and operator of the Pasadena facility from which hazardous substances were released on April 6, 1992.

Under the terms of the proposed consent decree, the defendants agree to fund and implement a remedy near the Pasadena site which includes the creation and maintenance of a Wetlands Restoration Project.

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. Mobil Mining and Minerals Co.*, DOJ Ref. #90-11-2-1027.

The proposed consent decree may be examined at the Office of the United States Attorney, Southern District of Texas, 910 Travis St., suite 1500, Houston, TX 77002 and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$6.75 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel Gross,

Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.
[FR Doc. 96-6094 Filed 3-13-96; 8:45 am]

BILLING CODE 4410-01-M

Notice of Lodging of Consent Decree Pursuant to 28 C.F.R. § 50.7

Notice is hereby given that the proposed consent decree in *United States v. The Municipal Authority of Union Township, et al.*, Civil Action No. 1:CV-94-0621, was lodged on February 29, 1996 with the United States District Court for the Middle District of Pennsylvania. The Consent Decree requires the Municipal Authority of Union Township to pay \$20,000 in civil penalties and to perform certain injunctive relief for its failure to enforce its pretreatment program in violation of