

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Oil Pollution Act

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States and State of California v. ARCO Pipe Line Company*, CV 97-0361 JMI (C.D. Cal.), was lodged on January 17, 1997 with the United States District Court for the Central District of California. In the complaint in that action, the United States and State of California seek natural resource damages, reimbursement of response costs and damage assessment costs, and civil penalties from defendant ARCO Pipe Line Company ("APL"), relating to ruptures of an APL pipeline near Los Angeles in January 1994, that resulted in oil being discharged to the Santa Clara River, among other locations.

Pursuant to the Consent Decree, APL will pay to the federal and state natural resource trustees \$7.1 million for natural resource damages, to be used for restoration of natural resources damaged from the oil spills; \$1.3 million in payments to California for use in various state environmental projects and accounts in settlement of penalty claims; reimbursement of the United States' and California's response and damage assessment costs; a \$25,000 civil penalty pursuant to the Endangered Species Act; and payments totaling \$500,000 to the Los Angeles District Attorney's office and other environmental entities in settlement of the District Attorney's claim for penalties.

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, U.S. Department of Justice, P.O. Box 7611, Washington, DC 20044; and refer to *United States v. ARCO Pipe Line Company*, DOJ Ref. #90-5-1-1-4347.

The proposed consent decree may be examined at the office of the United States Attorney, Central District of California, 300 N. Los Angeles Street, Los Angeles, California 90012; and at the Consent Decree Library, 1120 G Street NW., 4th Floor, Washington, DC 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 NW., 4th Floor, Washington, DC 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. 97-2664 Filed 2-3-97; 8:45 am]

BILLING CODE 4410-15-M

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

In accordance with the Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States v. Atlantic Richfield Company and Vastar Resources, Inc.*, Civil Action No. 97-B-35, was lodged on January 9, 1997, with the United States District Court for the District of Colorado.¹ The proposed Consent Decree addresses the Clean Air Act violations of Vastar Resources, Inc. at Vastar's coalbed degasification operations in the Ignacio Blanco Fruitland field, which is part of the South Ute Indian Reservation in LaPlata County, Colorado. Specifically, the complaint filed with the settlements alleges that Vastar violated the Prevention of Significant Deterioration ("PSD") regulations, 40 CFR 52.21 (b)-(w), of the Clean Air Act, 42 U.S.C. 7413 *et seq.* by failing to install proper pollution control equipment to limit emissions of carbon monoxide from engines used in the natural gas production operations it took over the operations from the Atlantic Richfield Company ("ARCO") in 1993. These violations of the Clean Air Act were discovered by the company during a routine environmental audit and were disclosed to the government in October 1995 pursuant to EPA's interim "Incentives for Self-Policing" policy.

The proposed Consent Decree requires Vastar Resources, Inc. to pay a penalty of \$137,949.00 pursuant to EPA's Incentives for Self-Policing Policy. Under the Consent Decree, until EPA issues final PSD permits to Vastar, Vastar is required to maintain and operate the control equipment already in place at the facilities in a manner consistent with that set forth in its pending permit applications and undertake any additional injunctive relief ordered by EPA to meet the PSD requirements. Once PSD permits are issued to Vastar, Vastar must maintain and operate the facilities in a manner consistent with the terms of the permits.

¹ The United States' claims against the Atlantic Richfield Company in this case were resolved by Stipulation which is not subject to public comment pursuant to 28 CFR 50.7.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed settlement. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044, and should refer to *United States v. Atlantic Richfield Company and Vastar Resources, Inc.*, DOJ Ref. #90-5-2-1-2073.

The proposed settlement document may be examined at the Office of the United States Attorney, District of Colorado, 1961 Stout Street, Suite 1200, Denver, Colorado; Region VIII Office of the Environmental Protection Agency, 999 18th Street, Denver, Colorado; 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 at the address listed above. In requesting a copy, please refer to the referenced case and number, the document requested (Consent Decree) and enclose a check in the amount of \$3.00 for the Consent Decree (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. 97-2662 Filed 2-3-97; 8:45 am]

BILLING CODE 4410-15-M

Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, As Amended

In accordance with Department of Justice policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in the action entitled *United States and State of New Jersey versus Irving I. Ellis*, Civil Action No. 93-1661 (GEB) (D.N.J.), was lodged on January 16, 1997 with the United States District Court for the District of New Jersey. The proposed consent decree resolves the claims by the United States and the State of New Jersey under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9601-9675, on behalf of the U.S. Environmental Protection Agency and the New Jersey Department of Environmental Protection against the defendant, Irving I. Ellis. These claims are for recovery of response costs

incurred and to be incurred by the United States and the State of New Jersey in connection with the Ellis Property Superfund Site ("Site") in Burlington County, New Jersey.

Under the terms of the proposed consent decree, Mr. Ellis, the owner of the Site, will sell the Site after its remediation and pay 43 percent of the proceeds of the sale to the United States and 17 percent of the proceeds to the State of New Jersey in reimbursement of response costs.

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, U.S. Department of Justice, Washington, D.C. 20530, and should refer to *United States and State of New Jersey versus Irving I. Ellis*, Civil Action No. 93-1661 (GEB), DOJ Ref. No. 90-11-3-1140.

The proposed consent decree may be examined at the Office of the United States Attorney, 970 Broad Street, Newark, New Jersey 07102; the Region II Office of the Environmental Protection Agency, 290 Broadway, New York, New York 10007-1866; and the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, telephone (202) 624-0892. A copy of the proposed 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 \$7.25 (25 cents per page reproduction costs) made payable to Consent Decree Library.

Joel Gross,

Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.
[FR Doc. 97-2665 Filed 2-3-97; 8:45 am]

BILLING CODE 4410-15-M

Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980

Consistent with Departmental Policy, 28 CFR 50.7, notice is hereby given that on January 13, 1997, a proposed consent decree in *United States of America v. Monsanto Company, et al.*, Civil Action No. 97-110 (DRD), was lodged with the United States District Court for the District of New Jersey. The United States' complaint sought recovery of response costs under the Comprehensive Environmental Response, Compensation, and Liability

Act (CERCLA), 42 U.S.C. 9601, *et seq.*, against three corporations responsible for hazardous substances found at the White Chemical Corporation Superfund Site located at 660 Frelinghuysen Avenue, Newark, New Jersey.

The consent decree provides that the settling defendants will reimburse the Environmental Protection Agency (EPA) for \$600,000 in past response costs incurred by the United States in connection with the White Chemical Corporation Superfund Site. In addition, the consent decree provides that the defendants will dismiss their petitions submitted to EPA pursuant to Section 106(b)(2)(A) of CERCLA, 42 U.S.C. 9606(b)(2)(A), for reimbursement of costs of compliance with an administrative order issued by EPA Region II under CERCLA Section 106(a).

The Department of Justice will receive comments relating to the proposed consent decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530 and should refer to *United States v. Monsanto Company et al.*, D.J. Ref. 90-11-2-642A.

The proposed consent decree may be examined at the office of the United States Attorney, 970 Broad St., Room 502, Newark, N.J. 07102 and at the Region II office of the Environmental Protection Agency, 26 Federal Plaza, New York, New York 10278. The proposed 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 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 enclose a check in the amount of \$4.50 (25 cents per page reproduction cost) payable to the "Consent Decree Library."

Bruce S. Gelber,

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

[FR Doc. 97-2660 Filed 2-3-97; 8:45 am]

BILLING CODE 4410-15-M

Notice of Lodging of Consent Decree Pursuant to Multiple Environmental Statutes

In accordance with United States Department of Justice policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States v. Puerto Rico Electric Power*

Authority, No. 93-2527, was lodged on January 10, 1997, with the United States District Court for the District of Puerto Rico. The consent decree resolves the United States' claims against the Puerto Rico Electric Authority ("PREPA") that are identified in a complaint filed on October 27, 1993. In that complaint, the United States cited PREPA for violations of multiple federal and Commonwealth environmental statutes and regulations, including: (1) the air quality and emission limitations requirements of the Clean Air Act, 42 U.S.C. 7401-7431; (2) the effluent limitations and National Pollutant Discharge Elimination System requirements of Sections 301 and 402 of the Federal Water Pollution Control Act (the "Clean Water Act"), 33 U.S.C. 1311, 1342; (3) the oil pollution prevention requirements promulgated at 40 CFR Part 110 pursuant to Section 311 of the Clean Water Act; (4) the inventory reporting requirements for hazardous chemicals pursuant to Section 312 of the Emergency Planning and Community-Right-to-Know Act ("EPCRA"), 42 U.S.C. 11022; (5) the hazardous substance release reporting requirements promulgated at 40 CFR Part 302 pursuant to section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9603; (6) the hazardous substance release reporting requirements of Section 304 of EPCRA; and (7) the underground storage tank requirements promulgated at 40 CFR Part 280 pursuant to Section 9003 of the Resource Conservation and Recovery Act, 42 U.S.C. 6991b. The United States sought civil penalties and injunctive relief for the violations alleged in the complaint.

In the proposed consent decree, PREPA agrees to pay a civil penalty of \$1.5 million; to implement environmental projects costing \$3.5 million; to spend \$1 million to hire an Environmental Review Contractor to oversee and monitor PREPA's implementation and compliance with the proposed consent decree; and to undertake extensive injunctive relief designed to assure PREPA's compliance with environmental laws and regulations.

The Department of Justice will receive, for a period of sixty (60) 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, U.S. Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Puerto Rico Electric Power Authority*,