

lodged with the United States District Court for the Southern district of Illinois on June 20, 1997 contemporaneously with the filing of a complaint. This proposed consent decree would resolve the United States' civil claims against Shell Oil Company and Shell Wood River Refining Company under the Clean Air Act, 42 U.S.C. §§ 7401 *et seq.* Under the terms of the proposed consent decree, the defendants will pay a civil penalty of \$678,000 and perform injunctive relief, including the installation of an enhanced biodegradation unit for controlling benzene emissions from the water extracted from certain groundwater production wells at Defendants facility.

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. Shell Oil Company and Shell Wood River Refining Company*, Civil Action No. 97-539-WDS, and the Department of Justice Reference No. 90-5-2-1-2037.

The proposed consent decree may be examined at the Office of the United States Attorney, Southern district of Illinois, 9 Executive Drive, Fairview Heights, Illinois 62208; the Region 5 Office of the Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590; 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 \$6.50 (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. 97-17435 Filed 7-2-97; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to Clean Air Act

In accordance with Department policy, 28 CFR § 50.7, notice is hereby given that on June 3, 1997, a proposed Consent Decree in *United States v. WACO International, Inc.* Civil Action

No. 1:94CV0713, was lodged in the United States District Court for the Northern District of Ohio. The Complaint, filed by the United States under the Clean Air Act, as amended, alleged that WACO violated the volatile organic compound (VOC) portion of the Ohio state implementation plan (SIP). The Consent Decree requires WACO to pay a civil penalty of \$75,000. The Consent Decree also requires WACO to install a zero-VOC powder coating operation by October 31, 1996. This supplemental environmental project (SEP) is valued at \$500,000.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments concerning the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environmental and Natural Resources Division, U.S. Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044, and should refer to *United States v. WACO International, Inc.*, D.J. Ref. No. 90-5-2-1-1872.

The proposed Consent Decree may be examined at any of the following offices: (1) The United States Attorney for the Northern District of Ohio, 1800 Bank One Center, 600 Superior Avenue, East, Cleveland, Ohio 44114-2600 (contact Assistant United States Attorney Arthur I. Harris); (2) the U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590 (contact Assistant Regional Counsel Susan Perdomo); and (3) 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 \$3.25 (25 cents per page reproduction charge) payable to Consent Decree Library.

Joel M. Gross,

Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.
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NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 97-090]

National Environmental Policy Act; Cassini Mission

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Notice of availability of final supplemental environmental impact statement (FSEIS) for the Cassini Mission to Saturn and its moons.

SUMMARY: Pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 *et seq.*), the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA (40 CFR parts 1500-1508), and NASA policy and procedures (14 CFR part 1216, subpart 1216.3), NASA has prepared and issued an FSEIS for the Cassini Mission. The FSEIS focuses on the most recently available information pertinent to the risk analyses of potential accidents during the launch and cruise phases of the mission. Certain accidents could potentially result in some release of plutonium dioxide from one or more of the three Radioisotope Thermoelectric Generators (RTG's) and the 129 Radioisotope Heater Units (RHU's) onboard the Cassini spacecraft. The currently planned mission involves the launch of the Cassini spacecraft from Cape Canaveral Air Station (CCAS), Florida, during the primary launch opportunity that begins in early October 1997.

DATES: NASA will take no final action on the proposed launch of the Cassini Mission before August 4, 1997, or 30 days from the date of publication in the **Federal Register** of the U.S. Environmental Protection Agency's notice of availability of the Cassini Mission FSEIS, whichever is later.

ADDRESSES: The FSEIS may be reviewed at the following locations:

- (a) NASA Headquarters, Library, Room 1J20, 300 E Street SW, Washington, DC 20546.
 - (b) Spaceport U.S.A. Room 2001, John F. Kennedy Space Center, FL 32899. Please call Lisa Fowler beforehand at 407-867-2497 so that arrangements can be made.
 - (c) Jet Propulsion Laboratory, Visitors Lobby, Building 249, 4800 Oak Grove Drive, Pasadena, CA 91109 (818-354-5179).
- In addition, the FSEIS may be examined at the following NASA locations by contacting the pertinent Freedom of Information Act Office:
- (d) NASA, Ames Research Center, Moffett Field, CA 94035 (415-604-4190).
 - (e) NASA, Dryden Flight Research Center, Edwards, CA 93523 (805-258-3448).
 - (f) NASA, Goddard Space Flight Center, Greenbelt, MD 20771 (301-286-0730).
 - (g) NASA, Johnson Space Center, Houston, TX 77058 (713-483-8612).

- (h) NASA, Langley Research Center, Hampton, VA 23655 (757-864-2497).
- (i) NASA, Lewis Research Center, 21000 Brookpark Road, Cleveland, OH 44135 (216-433-2222).
- (j) NASA, Marshall Space Flight Center, AL 35812 (202-544-0031).
- (k) NASA, Stennis Space Center, MS 39529 (601-688-2164).

Limited copies of the FSEIS are available, on a first request basis, by contacting Mark R. Dahl at the address or telephone number indicated below.

FOR FURTHER INFORMATION CONTACT:

Mr. Mark R. Dahl, NASA Headquarters, Code SD, Washington, DC 20546-0001; telephone 202-358-1544.

SUPPLEMENTARY INFORMATION: The planned Cassini Mission is an international cooperative effort of NASA, the European Space Agency, and the Italian Space Agency, to explore the planet Saturn and its environment. Saturn is the second-largest and second-most massive planet in the solar system and has the largest, most visible dynamic ring structure of all the planets. The planned mission is an important part of NASA's program for exploration of the solar system, the goal of which is to understand the system's birth and evolution. The Cassini Mission would involve a 4-year scientific exploration of Saturn, its atmosphere, moons, rings, and magnetosphere. The Cassini spacecraft consists of the Cassini Orbiter and the detachable Huygens Probe. The Huygens Probe would be released for a parachute descent into the atmosphere of Titan, Saturn's largest moon. The scientific information gathered by the Cassini Mission could help provide clues to the evolution of the solar system and the origin of life on Earth.

NASA issued the *Final Environmental Impact Statement for the Cassini Mission* in July 1995 (hereinafter the "EIS") followed by the associated Record of Decision (ROD) to complete preparation of the Cassini Mission for launch in the October 1997 opportunity, or either the secondary or backup opportunities, and to implement the mission.

The Cassini spacecraft would carry three RTG's that use the heat of decay of plutonium dioxide to generate electric power for the spacecraft and its instruments. The spacecraft would also use 129 RHU's, each containing a small amount of plutonium dioxide, to generate heat for controlling the thermal environment of the spacecraft and several of its instruments.

The action selected and documented in the ROD associated with the EIS consists of completing preparations for

and implementing the Cassini Mission to Saturn and its moons, with a launch of the Cassini spacecraft onboard a Titan IV(SRMU)/Centaur. The launch would take place at CCAS during the primary launch opportunity that begins in early October 1997 and continues into mid-November 1997. A secondary launch opportunity extends from the end of November 1997 to early January 1999, with a backup opportunity from mid-March to early April 1999, both using the Titan IV(SRMU)/Centaur. The primary launch opportunity would employ a Venus-Venus-Earth-Jupiter-Gravity-Assist trajectory to Saturn; the secondary and backup opportunities would both employ a Venus-Earth-Earth-Gravity-Assist (VEEGA) trajectory. The above primary launch opportunity remains NASA's preferred alternative and Proposed Action and would allow the Cassini spacecraft to gather the full science return desired to accomplish mission objectives.

Along with the No-Action alternative (ceasing preparations and not implementing the Cassini Mission), the EIS evaluated in detail two other mission alternatives. The March 1999 alternative would have used two Shuttle flights with on-orbit integration of the spacecraft and upper stage, followed by injection of the spacecraft into a VEEGA trajectory to Saturn. Due to the long lead-time in developing and certifying the new upper stage that would be needed to implement it, this alternative is no longer considered reasonable. The other mission alternative considered in the EIS was the 2001 alternative which would use a Titan IV(SRMU)/Centaur to launch the spacecraft from CCAS in March 2001 on a Venus-Venus-Venus-Gravity-Assist trajectory. A backup opportunity in May 2002 would use a VEEGA trajectory. The 2001 alternative would require completing development and testing of a new high-performance rehenium engine for, as well as adding about 20 percent more propellant to, the spacecraft. Science returns from this alternative would meet the minimum acceptable level for the mission.

The results from the safety risk analyses have recently become available. The FSEIS compares this recent best available information with that presented in the EIS. The FSEIS addresses the Proposed Action, the No-Action alternative, and the 2001 mission alternative (which is still available to NASA).

Comments on the draft supplemental environmental impact statement were solicited from Federal, State and local agencies, organizations, and members of the general public through: (a) notices published in the **Federal Register**—

NASA notice on April 9, 1997, (62 FR 17216) and U.S. Environmental Protection Agency notice on April 11, 1997, (62 FR 17810); and (b) direct mailings to interested parties. Comments received have been addressed in the FSEIS.

Benita A. Cooper,

Associate Administrator for Management Systems and Facilities.

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NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 97-091]

National Environmental Policy Act; X-33 Advanced Technology Demonstrator Vehicle Program

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Notice of availability of the draft environmental impact statement (DEIS) for the X-33 Advanced Technology Demonstrator Vehicle program.

SUMMARY: Pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 *et seq.*), the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA (40 CFR parts 1500-1508), and NASA policy and procedures (14 CFR part 1216 subpart 1216.3), NASA has prepared and issued a DEIS for Phase II of the X-33 Program, which involves the development and demonstration of the X-33 test vehicle. The DEIS addresses environmental issues associated with the preparation of the flight operations (launch) and landing sites and testing of the X-33 technology demonstrator spaceplane. The purpose of the proposed test program is to demonstrate the feasibility of technology which could result in commercially viable Reusable Launch (RLVs).

The reasonable alternative launch sites are located within Edwards Air Force Base (AFB) near Lancaster, California.

Reasonable alternative landing sites for segments of the flight test activities are located at Silurian Lake, near Baker, California; China Lake Naval Air Warfare Center, near Ridgecrest, California; Dugway Proving Grounds, near Tooele, Utah; Grant County Airport, Moses Lake, Washington; and Malmstrom AFB, Great Falls, Montana. NASA is the lead agency in the preparation of the environmental impact statement. Components of the U.S. Department of Defense; the U.S.