

In a complaint that was filed simultaneously with the Consent Decree, the United States sought injunctive relief and penalties against ERI and EWW pursuant to section 113(b) of the Clean Air Act, 42 U.S.C. 7413(b), for alleged Clean Air Act violations at ERI's refinery located in Vicksburg, Mississippi, and EWW's refinery located in Newell, West Virginia.

Under the settlement, ERI and EWW will implement innovative pollution control technologies to greatly reduce emissions of nitrogen oxides ("NO<sub>2</sub>"), sulfur dioxide ("SO<sub>2</sub>"), particulate matter ("PM"), carbon monoxide ("CO"), and benzene from refinery process units and will adopt facility-wide enhanced monitoring and fugitive emission control programs. ERI and EWW have estimated that this injunctive relief will cost the companies approximately \$8,315,000. ERI will pay a civil penalty of \$138,000, which the State of Mississippi will share, and spend more than \$80,000 on a supplemental environmental project to make modifications to and purchase equipment for the Vicksburg Volunteer Fire Department. EWW will pay a civil penalty of \$111,6000, which the State of West Virginia will share, and spend more than \$167,000 on supplemental environmental projects by upgrading controls on existing drains, replacing four conventional burners with ultra low NO<sub>x</sub> burners, and purchasing equipment for the Newell Volunteer Fire Department. ERI also will perform additional injunctive relief by installing a new oil water separator tank for the wastewater treatment system totaling approximately \$1.5 million. The States of Mississippi and West Virginia will join in this settlement as signatories to the Consent Decree. In addition, EPA and EWW have entered into an administrative Consent Agreement and Final Order in which EWW has agreed to pay a \$155,000 civil penalty to EPA, and an Administrative Compliance Order by consent in which EWW has agreed to install certain wastewater treatment controls. The administrative orders are incorporated by reference and fully enforceable under the Consent Decree.

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, et al., v. Ergon Refining, Inc. et al.*, D.J. Ref. 90-5-2-1-06064/3.

The Consent Decree may be examined at U.S. EPA Region 4, Sam Nunn Atlanta Federal Center, 61 Forsyth Street, SW., Atlanta, Georgia 30303-3104, and U.S. EPA Region 3, 1650 Arch Street, Philadelphia, Pennsylvania, 19103-2029. During the public comment period, the Consent decree may be viewed 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 emailing 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 \$35.50 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Robert D. Brook,**

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

[FR Doc. 03-26247 Filed 10-16-03; 8:45 am]

**BILLING CODE 4410-15-M**

**DEPARTMENT OF JUSTICE**

**Notice of Lodging Proposed Consent Decree**

In accordance with Department Policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States v. G & R Farms, Inc. and Robert E. Dasher* (S.D. Ga.), CV 603-115, was lodged with the United States District Court for the Southern District of Georgia, Statesboro Division, on September 25, 2003.

This proposed Consent Decree concerns a compliant filed by the United States against G & R Farms, Inc. and Robert E. Dasher, pursuant to section 309(b) and (d) of the Clean Water Act, 33 U.S.C. 1319(b) and (d), to obtain injunctive relief from and impose civil penalties against the Defendants for violating the Clean Water Act by discharging pollutants without a permit into waters of the United States. The proposed Consent Decree resolves these allegations by requiring the defendants to restore the impacted areas and to pay a civil penalty. The Consent Decree also provides for the defendants to perform a supplemental environmental project.

The Department of Justice will accept written comments relating to this proposed Consent Decree for thirty (30) days from the date of publication of this Notice. Please address comments to Pamela S. Tonglao, Trial Attorney,

United States Department of Justice, Environmental and Natural Resources Division, P.O. Box 23986, Washington, DC 20026-3986 and refer to *United States v. G & R Farms and Robert E. Dasher* (S.D. Ga) CV603-115, DJ #90-5-1-1-05552.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the Southern District of Georgia, Statesboro Division, 52 N. Main Street, Statesboro, GA 30458. In addition, the proposed Consent Decree may be viewed at <http://www.usdoj.gov/enrd/open.html>.

**Stephen Samuels,**

*Assistant Chief, Environmental Defense Section, Environment & Natural Resources Division.*

[FR Doc. 03-26245 Filed 10-16-03; 8:45 am]

**BILLING CODE 4410-15-M**

**DEPARTMENT OF JUSTICE**

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

Under 28 CFR 50.7 and 42 U.S.C. 9622(i), notice is hereby given that on October 2, 2003, a proposed Consent Decree in *United States v. Sidney Hasselquist, et al.*, Civil Action No. 8:03CV404 was lodged with the United States District Court for the District of Nebraska.

In this action the United States sought response costs relating to response actions by the Environmental Protection Agency ("EPA") at the 10th Street Superfund Site in Columbus, Nebraska at which concentrations of trichloroethylene and tetrachloroethylene were discovered in the soil, soil gas and groundwater. The Consent Decree settles the United States' claims in exchange for EPA access to the Site and injunctive relief.

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 *U.S. v. Sidney Hasselquist* Consent Decree, D.J. Ref. 90-11-2-07430.

The Consent Decree may be examined at the Office of the United States Attorney, District of Nebraska, 1620 Dodge Street, Suite 1400, Omaha, NE 68102-1506. (402) 661-3700, and at U.S. EPA Region VII, U.S. EPA, Region VII, 901 N. 5th Street, Kansas City, KS

66101, (913) 551-7471. 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 \$10.50 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Robert Maher,**

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

[FR Doc. 03-26246 Filed 10-16-03; 8:45 am]

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## DEPARTMENT OF JUSTICE

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

In accordance with 28 CFR 50.7, notice is hereby given that on October 7, 2003, a proposed Consent Decree in *United States, et al. v. National Cooperative Refinery Association*, Civil Action No. 03-1348-JTM was lodged with the United States District Court for the District of Kansas.

This Consent Decree resolved claims by the United States on behalf of the Environmental Protection Agency and the State of Kansas on behalf of the Kansas Department of Health and the Environment for injunctive relief and civil penalties pursuant to the Clean Air Act, against the National Cooperative Refinery Association (NCRA) arising out of their operation of the McPherson, Kansas petroleum refinery. The Consent Decree requires NCRA to pay a civil penalty of \$350,000, to implement technologies and programs valued at more than \$339 million to reduce sulphur dioxide, nitrogen oxides and particulate matter emissions and perform a supplemental environmental project valued at \$1.5 million to remove chloride pollutants from groundwater at the facility.

For a period of thirty (30) days from the date of this publication, the Department of Justice will receive 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. National Cooperative Refinery Association*, Civil Action No. 03-1348-JTM (D.Kan.), D.J. Ref. 90-5-1-1-06025/2.

The Consent Decree may be examined at the Office of the United States Attorney, District of Kansas, 1200 Epic Center, 301 N. Main St., Wichita, Kansas 67202 and at the Region 7 offices of the US EPA at 901 North Fifth Street, Kansas City, KS 66101. During the public comment period, the Consent Decree, may also be examined on the 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 number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$24.50 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Robert E. Maher,**

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

[FR Doc. 03-26241 Filed 10-16-03; 8:45 am]

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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. 9622(d)(2), 42 U.S.C. 6973(d), and 28 C.F.R. 50.7, notice is hereby given that on October 1, 2003, a proposed Consent Decree in *United States and the State of Wisconsin v. P.H. Glatfelter Company and WTM I Company*, Civil Action No. 03-C-949 (E.D. Wis.) was lodged with the United States District Court for the Eastern District of Wisconsin.

The Consent Decree concerns polychlorinated biphenyl ("PCB") contamination in the portion of the Lower Fox River and Green Bay Site designated as Operable Unit 1. Under the proposed settlement set forth in the Consent Decree, P.H. Glatfelter Company and WTM I Company (the "Defendants") would implement the cleanup remedy for Operable Unit 1 that was selected in a December 2002 Record of Decision issued jointly by the U.S. Environmental Protection Agency ("EPA") and the Wisconsin Department

of Natural Resources ("WDNR"). The Defendants would pay for that remedial action work using a specially-dedicated fund to be established by the companies. That fund would ultimately hold more than \$60 million, including \$50 million from the Defendants, an additional \$10 million available under a prior interim settlement with Appleton Paper Inc. and NCR Corporation, and all interest earned on the money placed in the fund. If that dedicated fund is not sufficient to finance the completion of the work, the Consent Decree reserves the Plaintiffs' rights to require the Defendants to perform or pay for the continuation and completion of the work. The settlement would not resolve the Defendants' potential liability for response activities or response costs relating to areas of the Site other than Operable Unit 1. The Consent Decree also would require the Defendants to pay \$3,000,000 for natural resource damages and \$1,050,000 as partial reimbursement of past costs incurred by EPA, WDNR, and the U.S. Department of the Interior. Even so, the Consent Decree would not resolve the Defendant's potential liability for payment of additional natural resources damages or for additional unreimbursed past costs incurred by the United States or the State of Wisconsin.

The United States intends to hold a public meeting regarding the Consent Decree in the affected area, in accordance with Section 7003(d) of the Resource Conservation and Recovery Act, 42 U.S.C. 6973(d). The meeting will be held at the Neenah Public Library, 240 E. Wisconsin Street in Neenah, from 7:00 p.m. to 9 p.m. on Wednesday, October 29, 2003. Representatives of the Department of Justice, EPA, and WDNR will attend the public meeting to provide information and to answer questions concerning the Consent Decree. Formal comments relating to the Consent Decree will not be accepted in oral form at the public meeting. Any such comments should be submitted in writing as described below.

The Department of Justice will receive comments relating to the 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, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States and the State of Wisconsin v. P. H. Glatfelter Company and WTM I Company*, Civil Action No. 03-C-949 (E.D. Wis.) and D.J. Ref. 90-11-2-1045/2.