

DEPARTMENT OF JUSTICE**Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act**

In accordance with Section 122(d)(2) of CERCLA, 42 U.S.C. 9622(d)(2) as well as Departmental Policy, 28 C.F.R. 50.7, notice is hereby given that a proposed Consent Decree in *United States v. Broward County, Florida*, Civil Action No. 96-7148 (CIV-MORENO) was lodged with the United States District Court for the Southern District of Florida on October 4, 1996. Under this Decree, the settling defendant, Broward County, Florida, will pay the sum of \$66,368.77 to the Hazardous Substances Superfund in partial reimbursement of response costs incurred by the United States Environmental Protection Agency at the Davie Landfill Superfund Site, located in the Town of Davie, Florida. Broward County will also pay for future response costs incurred by EPA at the site, up to certain specified amounts set forth in the Decree.

The Department of Justice will receive for a period of (30) days from the date of this publication, comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Broward County, Florida*, DOJ #90-11-2-1181.

The Decree may be examined at the offices of the United States Environmental Protection Agency, 345 Courtland Street, N.E., Atlanta, Georgia 30365, 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 enclose a check in the amount of \$5.25 (25 cents per page reproduction costs) payable to Consent Decree Library.

Joel M. Gross,

*Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.*
[FR Doc. 96-29280 Filed 11-14-96; 8:45 am]

BILLING CODE 4410-01-M

Notice of Lodging of Settlement Agreement Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act

Notice is hereby given that a proposed Consent Decree in *United States v. FSN, Inc.*, No. 96-5086-CV-SW-8, (W.D. Mo.), was lodged on October 1, 1996, with the United States District Court for the Western District of Missouri. With regard to the Defendant, the Consent Decree resolves a claim filed by the United States on behalf of the United States Environmental Protection Agency ("EPA") pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. 9601 *et seq.*

The United States entered into the Consent Decree in connection with Oronogo/Duenweg Mining Belt Site ("the Site"), located in Jasper County, Missouri. The Consent Decree provides that FSN will reimburse the United States \$1,000,000 for response costs incurred and to be incurred at the Site. The Site is part of the historic Tri-State Mining District, and is located in the southwest portion of the State of Missouri.

The Department of Justice will receive, for a period of fifteen (15) days from the date of this publication, comments relating to the proposed Settlement Agreement. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. FSN, Inc.*, DOJ Ref. #90-11-3-1001.

The proposed Settlement Agreement may be examined at the office of the United States Attorney, 1201 Walnut, Suite 2300, Kansas City, Missouri, 64106-2149; the Region 7 Office of the Environmental Protection Agency, 726 Minnesota Avenue, Kansas City, Kansas 66101; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed Settlement Agreement may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, DC 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$2.25 (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. 96-29281 Filed 11-14-96; 8:45 am]

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

In accordance with Department of Justice policy and 42 U.S.C. 9622(i), notice is hereby given that a proposed partial consent decrees in *United States v. International Paper Company, et al.*, Civil No. 94-4681 (BDP); *Warwick Administrative Group, et al. v. Avon Products, Inc., et al.*, Civil No. 92-9469 (BDP) (Consolidated Cases), was lodged on November 5, 1996 with the United States District Court for the Southern District of New York. The decrees resolve claims of the United States against Avon Products, Inc. and Orange & Rockland Utilities in the above-referenced action under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA") for contamination at the Warwick Superfund Site in the Town of Warwick, Orange County, New York (the "Site"). In the proposed partial consent decree, Avon Products, Inc. agrees to pay the United States \$1,731, and Orange & Rockland Utilities agrees to pay the United States \$1,259 in settlement of the United States' claims for response costs incurred and to be incurred by the Environmental Protection Agency at the Site.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to both proposed consent decrees. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. International Paper Company, et al.*, DOJ Ref. Number 90-11-3-812.

The proposed consent decree may be examined at the Office of the United States Attorney, 100 Church Street, New York, NY 10007; the Region II Office of the Environmental Protection Agency, 290 Broadway, New York, NY 10278; and the Consent Decree Library, 1120 G Street, N.W., 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, N.W., 4th Floor, Washington, DC 20005. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$6.00 for the partial consent decree with (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. 96-29284 Filed 11-14-96; 8:45 am]

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

In accordance with Departmental Policy, 28 C.F.R. 50.7 notice is hereby given that a consent decree in *United States of America v. Simpson Timber Co. et al.*, No. 96-1890 LKK/GGH (E.D. Cal.), was lodged with the United States District Court for the Eastern District of California on October 29, 1996. The proposed decree concerns alleged violations of sections 301(a) and 404 of the Clean Water Act, 33 U.S.C. §§ 1311(a) and 1344, as a result of the discharge of dredged and fill materials into wetlands located at the Tehama Fiber Farm in Tehama County near Corning, California, by Simpson Timber Company and Simpson Redwood Company ("Simpson").

The Consent Decree provides for the payment of a civil penalty to the United States, the preservation of environmentally valuable wetlands, and the performance of environmental projects.

The Department of Justice will receive written comments relating to the consent decree for a period of thirty (30) days from the date of this notice. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, United States Department of Justice, Attention: Sylvia Quast, Trial Attorney, Environmental Defense Section, P.O. Box 23986, Washington, D.C. 20026-3986, and should refer to *United States of America v. Simpson Timber Co. et al.*, DJ Reference No. 90-5-1-1-4267.

The proposed consent decree may be examined at the Offices of the United States Attorney for the Eastern District of California, 650 Capitol Mall, Sacramento, California 95814; and the Environmental Protection Agency Region IX Library, 75 Hawthorne Street, 13th Floor, San Francisco, California, 94105, (415) 744-1510.

Letitia J. Grishaw,

Chief, Environmental Defense Section,
Environment and Natural Resources Division,
United States Department of Justice.

[FR Doc. 96-29283 Filed 11-14-96; 8:45 am]

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Notice of Lodging of Consent Decree Pursuant to the Clean Water Act, the Clean Air Act and the Resource Conservation and Recovery Act

Notice is hereby given that a consent decree in *United States v. Weirton Steel Corporation*, Civ. Act. No. 5:96-CV-171 (N.D. W.Va.) was lodged on October 31, 1996.

The proposed decree resolves the claims of the United States Against Weirton Steel Corporation, the only defendant, under the Clean Air Act, 42 U.S.C. 7401, *et seq.*, the Clean Water Act, 33 U.S.C. 1251 *et seq.*, and the Resource Conservation and Recovery Act, 42 U.S.C. 6901 *et seq.* for violations occurring at Weirton's steel mill in Weirton, West Virginia. The decree obligates Weirton (1) to pay a civil penalty of \$3,180,954; (2) to carry out two environmentally beneficial projects to reduce air pollution below levels allowed by law; and (3) to implement comprehensive injunctive relief to assure future compliance with the environmental laws.

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. Weirton Steel Corporation*, DOJ Ref. No. 90-5-1-1-4339.

The proposed consent decree may be examined at the United States Department of Justice, Environment and Natural Resources Division, 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 \$35.00 (25 cents per page reproduction costs), payable to the Consent Decree Library. Attachments to the proposed consent decree can be obtained for additional amount.

Joel M. Gross,

Chief, Environmental Enforcement Section.

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Notice of Lodging of Consent Decree in Resource Conservation and Recovery Act and Clean Water Act Civil Enforcement Action

In accordance with the Departmental Policy, 28 C.F.R. 50.7, notice is hereby given that a Consent Decree in *United States v. Wheeling-Pittsburgh Steel Corporation*, Civil Action No. 5-96-3CV-20, was lodged with the United States District Court for the Northern District of West Virginia on November 4, 1996.

On February 5, 1996, the United States filed a complaint against Wheeling-Pittsburgh Steel Corporation (Wheeling-Pittsburgh) alleging violations of the Federal Water Pollution Control Act, 33 U.S.C. 1251 *et seq.* ("Clean Water Act" or "CWA"), and the Resource Conservation and Recovery Act, 42 U.S.C. 6901 *et seq.*, as amended ("RCRA"), occurring at its facility in Follansbee, West Virginia (the "Follansbee plant"). The complaint alleged that Wheeling-Pittsburgh violated the Clean Water Act by discharging oil and other pollutants in violation of the terms of its National Pollutant Discharge Elimination System ("NPDES") permit. The complaint also alleged that Wheeling-Pittsburgh violated RCRA by storing hazardous wastes in excess of 90 days without the permit of interim status required for such storage. The proposed Consent Decree resolves Wheeling-Pittsburgh's liability for these violations. The Decree requires Wheeling-Pittsburgh to comply with the relevant requirements of the CWA and RCRA and to pay a civil penalty of \$200,000 for the alleged violation.

The Department of Justice will accept written comments relating to these proposed Consent Decree for thirty (30) days from the date of publication of this notice. Please address comments to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044 and refer to *United States v. Wheeling-Pittsburgh Steel Corp.*, DOJ Nos. 90-5-1-4159/90-7-1-781.

Copies of the proposed Consent Decree may be examined at the Office of the United States Attorney, Northern District of West Virginia, 1100 Main Street, Suite 200, Horne Building, Wheeling, West Virginia, 26003; Region III Office of the Environmental Protection Agency, 841 Chestnut Building, Philadelphia, Pennsylvania 19107; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005 (202) 624-