

DC 20044-7611, and should refer to *United States v. Amoco Pipeline Company, Inc.*, DOJ No. 90-5-1-1-06365. The proposed Consent Decree may be examined at the Office of the United States Attorney for the Southern District of Texas, Houston, Texas, and the Region VI Office of the United States Environmental Protection Agency, 1445 Ross Avenue, Dallas, Texas 75202. A copy of the proposed Consent Decree may be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044. In requesting a copy, please enclose a check for reproduction costs (at 25 cents per page) in the amount of \$4.00 for the Decree, payable to the Consent Decree Library.

Bruce S. Gelber,

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

[FR Doc. 00-22136 Filed 8-29-00; 8:45 am]

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DEPARTMENT OF JUSTICE

Lodging of Consent Decree Under Certain Air Act

In accordance with Departmental policy, 38 CFR 50.7, notice is hereby given that a proposed consent decree in *United States v. Appleton Papers, Inc.*, C.A. No. 00-216-J, was lodged on August 16, 2000, with the United States District Court for the Western District of Pennsylvania. The consent decree resolves the United States' claims against Defendant Appleton Papers, Inc. for violations of Section 111 of the Clean Air Act, 42 U.S.C. § 7411, and the Pulp Mill New Source Performance Standards ("NSPS"), 40 CFR part 60, subpart BB, with respect to the operation of Appleton's brown stock washer system. Further, the consent decree resolves the United States' claim that Appleton failed to comply with a recovery boiler fuel use limitation contained in an operating permit, issued pursuant to the Commonwealth of Pennsylvania's State Implementation Plan. The violations occurred at Appleton's facility, located in Roaring Spring, Pennsylvania.

In addition, the consent decree resolves the claims alleged in the Commonwealth of Pennsylvania's complaint-in-intervention, which is based upon the same violations referenced above.

Under the consent decree, Appleton has agreed to pay a civil penalty in the amount of \$490,000. Further, Appleton will implement agreed-upon injunctive relief, requiring the construction of a

Pulp Project that will bring Appleton into compliance with the Clean Air Act and the applicable NSPS regulations not later than January 31, 2002. Moreover, completion and implementation of the Pulp Project will result in Appleton's early compliance with the National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry, 40 CFR part 63, subpart S, which become effective in 2006.

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. Appleton Papers, Inc.*, DOJ Reference No. 90-5-2-1-06607.

The proposed consent decree may be examined at the Office of the United States Attorney, 633 Post Office and Courthouse Building, Pittsburgh, Pennsylvania 15219; and the Region III Office of the Environmental Protection Agency, 1650 Arch Street, Philadelphia, Pennsylvania 19103. A copy of the proposed consent decree may be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, D.C. 20044. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$12.75 (.25 cents per page production costs), payable to the Consent Decree Library.

Walker B. Smith,

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

[FR Doc. 00-22130 Filed 8-29-00; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Water Act and the Oil Pollution Act

Consistent with Department of Justice policy, notice is hereby given that on August 18, 2000, a proposed Consent Decree in *United States v. Davidson Sales & Maintenance, Inc. and Jack L. Davidson*, Civil Action No. 99-73518, was lodged with the United States District Court for the Eastern District of Michigan, Southern Division.

In the action, the United States sought civil penalties under Section 311(b)(7) of the Clean Water Act, 33 U.S.C. 1311(b)(7), and the recovery of removal costs under Sections 1002 and 1017 of the Oil Pollution Act, 33 U.S.C. 2702,

2717, resulting from a discharge of oil into the Wilkenson Creek in Chelsea, Washtenaw County, Michigan, in September of 1995. Under the Consent Decree, the Defendants will pay \$80,000, plus interest, over the course of two years in satisfaction of the claim for costs that the Coast Guard paid to a contractor who performed removal activities.

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 of the Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Washington, DC 20044-7611, and should refer to *United States v. Davidson Sales & Maintenance, Inc. and Jack L. Davidson*, D.J. No. 90-5-1-1-06768.

The Consent Decree may be examined at the Office of the United States Attorney, 211 W. Fort St., Suite 2300, Detroit, MI 48226-3211. A copy of the Consent Decree may be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044. In requesting a copy, please refer to the above-referenced case and DOJ Reference Number 90-5-1-1-06768, and enclose a check in the amount of \$4.25 (25 cents per page reproduction cost) payable to the Consent Decree Library.

Bruce S. Gelber,

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

[FR Doc. 00-22132 Filed 8-29-00; 8:45 am]

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DEPARTMENT OF JUSTICE

Lodging of Consent Decree Pursuant to the Clean Air Act

In accordance with the policy of the Department of Justice, 28 U.S.C. 50.7, notice is hereby given that a proposed consent decree in *United States v. Metropolitan Council*, Civ. No. 99-CV-1105 (DFW/AVB), was lodged with the United States District Court for the District of Minnesota on August 11, 2000. The action was brought by the United States against the Metropolitan Council, a subdivision of the State of Minnesota, which, among other things, operates a wastewater sewage treatment plant in St. Paul, Minnesota. The United State's complaint alleged that the Defendant violated various provisions of the Clean Air Act, 42 U.S.C. 7401 *et seq.*, ("Act"), the Act's New Source Performance Standards, 40 CFR part 60,

and the State of Minnesota State Implementation Plan ("SIP") limiting emissions of particulate matter from multiple hearth incinerators operated by the Defendant which burned sewage sludge generated from the wastewater treatment plant.

Under the proposed consent decree, Metropolitan Council will undertake a series of compliance measures designed with the goal of eliminating future violations of applicable emission limitations until new control equipment is installed. Defendant, among other things, has designed and installed new dampers and seals on the incinerator's emergency stacks that will prevent leakage of particulate matter; will develop a fan alarm system; will develop and implement an operator training program; will develop and implement an improved operation and maintenance plan; and will limit the feed rate to the incinerators. In addition, Metropolitan Council is required to replace the existing multiple hearth incinerators with new fluidized bed incinerators in accordance with a schedule attached to the proposed decree.

In addition to the above, Metropolitan Council has agreed to expend not less than \$1.6 million to perform a Supplemental Environmental Project—the installation of a dry electrostatic precipitator—which will result in an additional forty percent (40%) removal of particulate matter from emissions. Installation of this additional control device is not required by the Act or the Minnesota SIP. Beyond these various compliance measures, Metropolitan Council will also pay a civil penalty of \$250,000.

The proposed consent decree may be examined at: (1) the Office of the United States Attorney for the District of Minnesota, United States Courthouse, 300 South Fourth Street, Minneapolis, MN (contact Assistant United States Attorney Friedrich A.P. Siekert (612-664-5600)); (2) the United States Environmental Protection Agency (Region 5), 77 West Jackson Boulevard, Chicago, Illinois 60604-3590 (contact Mary McAuliffe (312-886-6237)); and, (3) a copy of the proposed Consent Decree may be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Ben Franklin Station, Washington, DC 20044. When requesting a copy, please refer to *United States v. Metropolitan Council*, DJ #90-5-2-1-2243, and enclose a check in the amount of \$8.25 for the consent decree only (33 pages at 25 cents per page reproduction costs), or \$10.75 for the consent decree and all

appendices (43 pages), made payable to the Consent Decree Library.

Bruce S. Gelber,

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

[FR Doc. 00-22133 Filed 8-29-00; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Extension of Public Comment Period on Eighth Consent Decree in *United States v. Nalco Chemical Company, et al.*, Under the Comprehensive Environmental Response, Compensation, and Liability Act

Notice is hereby given that the public comment period on a proposed eighth Consent Decree in *United States v. Nalco Chemical Company, et al.*, Case No. 91-C-4482 (N.D. Ill.) entered into by the United States on behalf of U.S. EPA and Commonwealth Edison Company has been extended until September 21, 2000. The eighth Consent Decree was lodged on August 3, 1999 with the United States District Court for the Northern District of Illinois. Notice of the public comment period was previously published at 65 FR 44809 (July 20, 2000).

Comments should be addressed to the Assistant Attorney General of 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. Nalco Chemical Company, et al.*, D.J. Ref. No. 90-11-3-687. The proposed Consent Decree may be examined at the Office of the United States Attorney for the Northern District of Illinois, 219 S. Dearborn St., Chicago, Illinois 60604; and the Region V Office of the United States Environmental Protection Agency, 77 West Jackson Street, Chicago, Illinois 60604. A copy of the Consent Decree may also be obtained by request addressed to the Department of Justice Consent Decree Library, P.O. Box 7611, Ben Franklin Station, Washington, DC 20044. In requesting a copy of the Consent Decree, please enclose a check in the amount of \$37.00 (25 cents per page for reproduction costs), payable to the Consent Decree Library.

Bruce S. Gelber,

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

[FR Doc. 00-22135 Filed 8-29-00; 8:45 am]

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DEPARTMENT OF JUSTICE

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

Pursuant to Section 122(d)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9622(d)(2), and 28 CFR 50.7, notice is hereby given that a proposed consent decree embodying a settlement in *United States v. Operating Industries, Inc., et al.*, No. CV 00-08794 SVW (CW_x), was lodged on August 18, 2000, with the United States District Court for the Central District of California, Western Division.

In a complaint filed concurrently with the lodging of the consent decree, the United States, the State of California, and the California Hazardous Substance Account, seek injunctive relief for performance of response actions and reimbursement of response costs incurred by the United States Environmental Protection Agency ("EPA") and by the California Department of Toxic Substances Control ("DTSC"), pursuant to Sections 106 and 107 of CERCLA, 42 U.S.C. 9606, 9607, in response to releases of hazardous substances at the Operating Industries, Inc. ("OII") Superfund site in Monterey Park, California.

Under the proposed consent decree, the settling defendants have agreed to fund and perform future response actions at the OII Site. The consent decree also imposes obligations on, and provides benefits to Greenfield Monterey Park, LLC ("Greenfield"), an entity that intends to purchase a portion of the site for redevelopment purposes.

The consent decree requires the Owner/Operator Group, the City of Monterey Park and Southern California Edison to contribute approximately \$8.65 million to a trust that will be used to pay for past and future costs of remediating the site, and the Owner/Operator Group to pay \$3.1 million to the OII Custodial Trust, to be established for the purpose of receiving, holding and distributing funds in accordance with the provisions of the consent decree. If Greenfield purchases the Development Parcel it will conduct remedial action work valued at approximately \$6-\$7 million at the northern portion of the site and pay approximately \$3,633,000 to the Owner/Operator Group which, in turn, will deposit those funds into the OII Site Custodial Trust. The Generator Group will create and administer an escrow account, and conduct certain work valued at approximately \$850,000 at the