

Agency's selected remedial action for the Electro-Voice Superfund Site ("EV Site"), Buchanan, Berrien County, Michigan.

Under the proposed consent decree, Mark IV Industries, Inc. will implement U.S. EPA's selected remedy for operable unit 2 ("OU2") at the Site, and pay U.S. EPA's oversight costs. The Consent Decree includes a covenant not to sue by the United States under sections 106 and 107 of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601 *et seq.* ("CERCLA"), and section 7003 of the Resource Conservation and Liability Act ("RCRA"), 42 U.S.C. 6973.

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 Resource Division, United States Department of Justice, Washington, DC 20530, and should refer to *United States v. Mark IV Industries, Inc. et al.*, No. 1:00CV918 (W.D. Mich.), and DOJ Reference No. 90-11-2-07050. Commentors may request an opportunity for a public meeting in the affected area, in accordance with RCRA section 7003(d), 42 U.S.C. 6973(d).

The proposed consent decree may be examined at: (1) The Office of the United States Attorney for the Western District of Michigan, 330 Ionia, NW., Grand Rapids, Michigan 49503 (616) 456-2404; and (2) the United States Environmental Protection Agency (Region 5), 77 West Jackson Boulevard, Chicago, Illinois 60604-3590 (contact Kris Vezner (312-886-6827)) a copy of the proposed consent decree may be obtained by mail from the Consent Decree Library, PO Box 7611, Washington, DC 20044. In requesting a copy, please refer to the referenced case and DOJ Reference Number and enclose a check in the amount of \$18.25 for the consent decree only (73 pages at 25 cents per page reproduction costs), or \$75.75 for the consent decree and all appendices (303 pages), made payable to the consent Decree Library.

**Bruce S. Gelber,**

*Environmental Enforcement Section,  
Environment and Natural Resources Division.*  
[FR Doc. 01-920 Filed 1-10-01; 8:45 am]

BILLING CODE 4410-15-M

## DEPARTMENT OF JUSTICE

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

In accordance with the policy of the Department of Justice, notice is hereby given that a proposed consent decree in *United States v. Michigan Consolidated Gas Co.*, Civ. No. 01-70007, was lodged with the United States District Court for the Eastern District of Michigan, on January 2, 2001. That action was brought against defendant pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) for payment of past costs incurred, and future costs to be incurred, by the United States at the Lower Ecorse Creek Superfund Site in Wyandotte, Michigan. This decree requires the defendant to pay \$230,000.00 in satisfaction of the United States' claims against it for response costs incurred and to be incurred in connection with the site.

The Department of Justice will receive comments relating to the proposed consent decree for a period of 30 days from the date of this publication. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530. All comments should refer to *United States v. Michigan Consolidated Gas Co.*, D.J. Ref. 90-11-3-1744.

The proposed consent decree may be examined at the office of the United States Attorney for the Eastern District of Michigan, 211 W. Fort Street, Suite 2001, Detroit, MI 48226-3211; and at the Region V office of the Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590. A copy of the proposed consent decree may be obtained in person or by mail from the Department of Justice Consent Decree Library, PO Box 7611, Washington, DC 20044-7611. In requesting a copy, please enclose a check in the amount of \$4.25 (25 cents per page reproduction costs) payable to the Consent Decree Library. When requesting a copy, please refer to *United States v. Michigan Consolidated Gas Co.*, D.J. Ref. 90-11-3-1744.

**Bruce S. Gelber,**

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[FR Doc. 01-926 Filed 1-10-01; 8:45 am]

BILLING CODE 4410-15-M

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Air Act, Clean Water Act, RCRA, and EPCRA

Under 28 CFR 50.7, notice is hereby given that on December 19, 2000, a proposed Complaint and Consent Decree in *United States v. Nucor Corporation*, Civil Action No. 4-00:3945-24, was lodged with the United States District Court for the District of South Carolina.

This is a national, multi-facility, multi-media enforcement action against Nucor Corporation ("Nucor"), a major manufacturer of steel and steel products. This action is brought pursuant to section 113(b) of the Clean Air Act ("CAA"), 42 U.S.C. 7413(b) (1983), *amended by* 42 U.S.C. 7413(b) (Supp. 1991); the Resource Conservation and Recovery Act, ("RCRA"), 42 U.S.C. 6901 *et seq.*; the Emergency Planning and Community Right to Know Act ("EPCRA"), 42 U.S.C. 11004(a); and the Clean Water Act ("CWA"), 33 U.S.C. 1251 *et seq.* This settlement involves 8 steel mini-mills and 6 steel fabrication facilities located in Alabama, Arkansas, Indiana, Nebraska, South Carolina, Texas, and Utah, in EPA Regions 4, 5, 6, 7, and 8. The Complaint alleges that Nucor violated the Prevention of Significant Deterioration ("PSD") and New Source Performance Standard ("NSPS") provisions of the Clean Air Act and that K061 dust, a waste product from the electric arc furnaces ("EAFs") and a RCRA listed hazardous waste, was disposed of illegally at the facilities and contributed to National Pollution Discharge Elimination System ("NPDES") permit and Industrial Storm Water violations of the Clean Water Act. In addition, the Complaint alleges that K061 dust has contaminated soil and groundwater at Nucor's steel mills.

The proposed settlement will require Nucor to pilot air pollution control technologies for control of NO<sub>x</sub> emissions from its EAFs and reheat furnaces. Nucor will also conduct sampling of ground water and soils at all facilities, identify areas of contamination and perform corrective action in accordance with an EPA-approved RCRA statement of work for each facility. In addition, Nucor will implement enhancements to its management of K061, and its process and storm water to ensure continued compliance with CWA requirements. Nucor will also pay a civil penalty of \$9 million, and spend \$4 million on Supplemental Environmental Projects. The states of Arkansas, Nebraska, and Utah are joining in this settlement as