

*Exploration & Co., et al.*, Civil Action No. 2:96 CV 095, was lodged with the United States District Court for the Northern District of Indiana, Hammond Division.

In the Second Amended Complaint the United States sought civil penalties and injunctive relief against BP Exploration & Co., Amoco Oil Company, and Atlantic Richfield Company (hereinafter, "BP"), 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 Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9603(a) and the Emergency Planning and Community Right to Know Act ("EPCRA"), 42 U.S.C. 11004(a) for alleged violations at BP's eight refineries located in Whiting, Indiana; Toledo, Ohio; Mandan, North Dakota; Salt Lake City, Utah; Texas City, Texas; Yorktown, Virginia; Cherry Point, Washington; and Carson, California.

Under the settlement, BP will implement innovative pollution control technologies to greatly reduce emissions of nitrogen oxides ("NO<sub>x</sub>") and sulfur dioxide ("SO<sub>2</sub>") from refinery process units and adopt facility-wide enhanced monitoring and fugitive emission control programs. In addition, BP will pay a civil penalty of \$10 million. The States of Indiana, Ohio, Utah, and the Northwest Air Pollution Authority, will join in this settlement as signatories to 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 v. BP Exploration & Co., et al.*, D.J. Ref. 90-5-2-1-07109.

The Consent Decree may be examined at the Office of the United States Attorney, 1001 Main Street, Suite A, Dyer, Indiana 46311 and at U.S. EPA Region 5, 77 West Jackson Blvd., Chicago, Illinois 60604. 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. In requesting a copy, please enclose a check in the amount of \$41.00 (25 cents

per page reproduction cost) payable to the Consent Decree Library.

**Walker Smith,**

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

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)

Notice is hereby given that on January 18, 2001 a proposed Consent Decree ("Decree") in *United States and State of Colorado v. Burlington Northern Railroad Co.*, Civil Action No. 86-Z-369 was lodged with the United States District Court for the District of Colorado. The United States filed this action pursuant to sections 107(a)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9607(a)(2), to recover past response costs incurred by the United States Environmental Protection Agency ("EPA") in conducting response actions taken at or in connection with the release or threatened release of hazardous substances at or from the Broderick Wood Products Superfund Site located at 5800 Galapago Street in Adams County, Colorado. The Decree provides for the reimbursement to EPA of \$6,800,000.00 plus accrued interest from June 1, 2000 from Burlington Northern Railroad Company.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to 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 and State of Colorado v. Burlington Northern Railroad Co.*, D.J. Ref. 90-7-1-254.

The Decree may be examined at the offices of the U.S. EPA Region VIII, 999 18th Street, Suite 500 South Tower, Denver, Colorado and at the Office of the United States Attorney, District of Colorado 1961 Stout Street, 11th Floor, Denver, CO 80294. A copy of the proposed 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 either with or without the multiple signature pages and

attachments. In requesting a copy of the proposed consent decree, please enclose a check payable to the Consent Decree Library for \$5.25 for a complete copy of the decree (25 cents per page reproduction cost).

**Robert D. Brook,**

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

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## DEPARTMENT OF JUSTICE

### Extension of Time for Comments Relating to the Lodging of a Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act

Notice is hereby given that the public comment period on a proposed Consent Decree in *United States and State of Colorado v. Robert Friedland*, Civil No. 96 N 1213 (D. Colo.), has been extended at the request of a member of the public. The Department of Justice will continue to accept comments until February 20, 2001. The Consent Decree was lodged on December 22, 2000 with the United States District Court for the District of Colorado. Notice of the public comment period was previously published at 65 FR 83084 (December 29, 2000).

Comments should be addressed to the Assistant Attorney General of the Environmental and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to, *United States and State of Colorado v. Robert Friedland*, Civil No. 96 N 1213, and D.J. Ref. #90-11-3-1133B.

The Decree may be examined at the office of the U.S. Department of Justice, Environmental Enforcement Section, 999 18th Street, Suite 945, North Tower, Denver, Colorado; at U.S. EPA Region 8, Office of Regional Counsel, 999 18th Street, Suite 300, South Tower, Denver, Colorado. A copy of the Decree may be obtained by mail from the Consent Decree Library, U.S. Department of Justice, P.O. Box 7611, Washington, DC 20044. In requesting a copy, please enclose a check in the amount of \$5.50 for the Decree (25 cents per page reproduction cost) payable to the Consent Decree Library.

**Robert Brook,**

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

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