

meeting in the affected area, in accordance with Section 7003(d) of RCRA, 42 U.S.C. 6973(d).

The Consent Decree may be examined at the Office of the United States Attorney for the District of Delaware, 1201 Market Street, Suite 1100, Wilmington, DE, and at the Region 10 Office of the United States Environmental Protection Agency, 1200 Sixth Ave., Seattle, WA 98101. 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 \$26.00 (25 cents per page reproduction cost) payable to the U.S. Treasury for the entire Consent Decree and attachments or the amount of \$9.75 for the Consent Decree without attachments.

**W. Benjamin Fisherow,**

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

[FR Doc. 04-18939 Filed 8-17-04; 8:45 am]

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## DEPARTMENT OF JUSTICE

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

Under 28 CFR 50.7, notice is hereby given that on August 5, 2004, a proposed Settlement Agreement and Final Order ("Settlement Agreement") in *United States and State of California ex rel. California Regional Water Quality Control Board, Los Angeles Region v. City of Los Angeles*, Civil Action No. 01-191-RSWL, was lodged with the United States District Court for the Central District of California, Western Division. The United States and the State's action is consolidated with *Santa Monica Baykeeper v. The City of Los Angeles*, Civil Action No. 98-9039-RSWL.

The United States and the State's action sought injunctive relief and a civil penalty to address sanitary sewer overflows and other violations of the Clean Water Act and the City of Los Angeles's National Pollutant Discharge Elimination System ("NPDES") permits. Under the Settlement Agreement, the

City will (i) begin work on specific projects to increase the sewer system's capacity and submit a report in two years recommending additional capacity projects necessary to assure that the sewer system has sufficient capacity to convey wet weather flows, and (ii) begin work on the rehabilitation and replacement of the sewer pipes in poor condition and submit a report in two years recommending what further rehabilitation and replacement work is necessary (the report must recommend at least the rehabilitation and replacement of 60 miles of pipe per year on a three-year rolling average and 50 miles of pipe per year). Under the Settlement Agreement, the City must also (iii) clean approximately 2,800 miles of pipe on a three-year rolling average, (iv) inspect all restaurants each year and review, and where necessary, improve the City's enforcement of its ordinance regulating the discharge of grease from restaurants, (v) address sewer odors, and (vi) inspect at least 600 miles of pipe annually with closed circuit TV.

The City will pay a cash penalty to the United States of \$800,000 and make a payment of \$800,000 to the State to resolve the State's civil penalty claims. The State has elected to devote its \$800,000 penalty to supplemental environmental projects ("SEPs"). The Settlement Agreement requires the City to spend an additional \$7.7 million on SEPs, bringing the total devoted to SEPs to \$8.5 million. The Settlement Agreement contains a list of possible SEPs, most of which are wetland and stream restoration projects, located primarily along the Los Angeles River, that are designed to restore aquatic areas and provide water quality benefits by treating local runoff.

The United States Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Settlement Agreement. 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. City of Los Angeles*, D.J. Ref. No. 90-5-1-1-809/1.

The Settlement Agreement may be examined during the public comment period on the following Department of Justice Web site: <http://www.usdoj.gov/enrd/open.html>. A copy of the Settlement Agreement may also be obtained by mail from the Settlement Agreement 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 number (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Settlement Agreement Library, please enclose a check in the amount of \$21.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Benjamin Fisherow,**

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

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## DEPARTMENT OF JUSTICE

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

Under 28 CFR 50.7, notice is hereby given that on August 3, 2004, a proposed consent decree in *United States v. Mobile Exploration and Producing U.S. Inc.*, Case No. 2:98-DV-00220-ST, was lodged with the United States District Court for the District of Utah.

In this action, the United States sought injunctive relief and civil penalties under Sections 309 and 311 of the Clean Water Act ("CWA") against Mobil at its McElmo Creek Unit and Ratherford Unit near Aneth, Utah, for unpermitted discharges of produced water and oil into waters of the United States, failure to prepare and implement an adequate Spill Prevention, Control, and Countermeasure Plan, failure to provide notification of an oil spill, and failure to prepare and implement a Facility Response Plan. The consent decree requires Mobil to: (1) Install new equipment and implement measures to prevent spills and minimize the volume of future spills, (2) implement a supplemental environmental project to extend a water line to provide drinking water to local residents, and (3) pay a civil penalty of \$515,000.

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 with a copy to Robert Mullaney, U.S. Department of Justice, 301 Howard Street, Suite 1050, San Francisco, CA 94105, and should refer to *United States v. Mobil Exploration and Producing U.S. Inc.*, D.J. Ref. #90-5-1-1-4457.