

## DEPARTMENT OF JUSTICE

**Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act**

Notice is hereby given that on March 28, 2002, a proposed Consent Decree ("Decree") in *United States v. Daniel E. Caulk and RAMP Industries, Inc.*, Civil Action No. 02-D-0625, was lodged with the United States District Court for the District of Colorado. The action was filed pursuant to Section 107(a)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9607(a)(2), for costs EPA incurred in responding to the release or threatened release of hazardous substances at or from the RAMP Industries Site in Denver, Colorado. Under the terms of the Decree the settling defendants will pay the United States \$95,000 over four years, with interest on the outstanding principal balance accruing at the statutory rate.

The Department of Justice will receive comments relating to the Decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, and sent to the Denver Field Office, 999 18th Street, Suite 945NT, Denver, CO 80202, and should refer to *United States v. Daniel E. Caulk and RAMP Industries, Inc.*, D.J. Ref. 90-11-2-1290/7.

The Decree may be examined at the offices of the EPA Library, EPA Region VIII, located at 999 18th Street, First Floor, Denver, Colorado 80202. A copy of the 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 a request to Tonia Fleetwood, fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy, please enclose a check in the amount of \$5.00 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Robert Brook,**

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

[FR Doc. 02-8742 Filed 4-10-02; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

**Revised Notice of Lodging of Consent Decree: Natural Resource Damages Under the Oil Pollution Act of 1990**

Notice is hereby given that on March 18, 2002, a proposed Consent Decree: Natural Resource Damages ("Decree") in *United States and State of Alaska v. Kuroshima Shipping, S.A. and Unique Trading Co., Ltd.*, Civil Action No. A02-0057 (JKS), was lodged with the United States District Court for the District of Alaska.

In this action brought pursuant to Section 1002(b)(2)(A) of the Oil Pollution Act of 1990, 33 U.S.C. 2702(b)(2)(A), the United States and the State of Alaska sought natural resource damages, including the reasonable costs of assessing those damages, arising out of the November 26, 1997 grounding and subsequent discharge of oil from the M/V Kuroshima in the area of Summer Bay, Unalaska Island, Alaska ("the Kuroshima Spill"). The defendants are the owner and operator of the vessel at the time of the incident. The federal and state natural resource trustees, in consultation with the Qawalangin Tribe of Unalaska, conducted an assessment of damage to natural resources and loss of use of natural resources occasioned by the Kuroshima Spill and have proposed a plan for restoring these natural resources and the loss of their use by the public. That plan appears as Appendix A to the Decree. The proposed Decree provides that defendants shall pay \$644,017 to the natural resource trustees for their implementation of the restoration plan and shall place another \$9,000 in the registry of the Court until the natural resource trustees determine whether that amount is necessary for the field component of the restoration plan aimed at restoring vegetation or may be returned to the defendants. The proposed Decree requires that the defendants reimburse the natural resource trustees in excess of \$66,158.09 for damage assessment costs. In exchange for these payments, the United States and the State of Alaska covenant not to sue the defendants for natural resource damages arising from the Kuroshima Spill.

The Department of Justice will accept comments relating to the proposed Decree through April 29, 2002. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, United States Department of Justice and sent to 801 B Street, Suite 504, Anchorage, Alaska 99501-3657. Comments should refer to *United States*

*v. Kuroshima Shipping, S.A. et al.*, D.J. Ref # 90-5-1-1-06147.

The Decree may be examined at the above address by contacting Lorraine Carter at 907-271-5452. A copy of the Decree (minus Appendix A) may be obtained by contacting Ms. Carter in writing at the address above. In requesting a copy, please enclose a check in the amount of \$5.50 (25 cents per page reproduction cost) payable to the U.S. Treasury. A copy of Appendix A may be obtained during the comment period from the National Oceanic and Atmospheric Administration by contacting Doug Helton at 206-526-4563 or at [Doug.Helton@noaa.gov](mailto:Doug.Helton@noaa.gov). Alternatively, Appendix A may be viewed at [www.darcnw.noaa.gov/kuro.htm](http://www.darcnw.noaa.gov/kuro.htm).

**Robert E. Maher, Jr.,**

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

[FR Doc. 02-8743 Filed 4-10-02; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

**Notice of Lodging of Consent Decree Pursuant to the Clean Air Act, Clean Water Act, Resource Conservation and Recovery Act, Comprehensive Environmental Response, Compensation and Liability Act, and the Emergency Planning and Community Right-to-Know Act**

In accordance with 28 CFR 50.7, notice is hereby given that on April 1, 2002, a proposed consent decree in *United States and the State of Illinois v. The Premcor Refining Group, Inc.*, Civil Action No. 98-C-5618, was lodged with the United States District Court for the Northern District of Illinois.

In this action, the United States sought civil penalties and injunctive relief for alleged environmental violations at The Premcor Refining Group, Inc.'s refinery in Blue Island, Illinois. The United States' complaint alleges violations of the following five federal statutes (and federal and state laws implementing them): Clean Air Act ("CAA"), 42 U.S.C. 7401 *et seq.*, Clean Water Act ("CWA"), 33 U.S.C. 1311 *et seq.*, 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. 9601 *et seq.*; and the Emergency Planning and Community Right-To-Know Act ("EPCRA"), 42 U.S.C. 11001 *et seq.* Under the terms of the proposed consent decree, Premcor will pay a civil penalty of \$6,250,000 to resolve the

claims of the United States and the State of Illinois. The settlement proceeds will be split evenly between the United States and the State.

The Department of Justice will receive comments relating to the proposed consent decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, U.S. Department of Justice, PO Box 7611, Washington, D.C. 20044-7611, and should refer to *United States v. The Premcor Refining Group, Inc. (f/k/a Clark Refining and Marketing, Inc.)*, Civil Action No. 98-C-5618 and Department of Justice Reference No. 90-5-2-1-2214.

The proposed consent decree may be examined at the Office of the United States Attorney, North District of Illinois, 219 South Dearborn Street, Chicago, Illinois 60604, and the Region 5 Office of the Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590. A copy of the Consent Decree may also be obtained in person or by mail from the Consent Decree Library, 1425 New York Ave., NW, Washington, DC 20005, or by faxing a request to Tonia Fleetwood at (202) 616-6584, phone confirmation number (202) 515-1547. In requesting a copy, please refer to the above-referenced case name, civil action number and Department of Justice reference number, and enclose a check in the amount of \$9.50 (25 cents per page reproduction costs), payable to the U.S. Treasury.

**William Brighton,**

*Assistant Section Chief, Environmental Enforcement Section.*

[FR Doc. 02-8744 Filed 4-10-02; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

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

In accordance with Department policy, 28 C.F.R. 50.7, notice is hereby given that on March 26, 2002, a proposed consent decree in *United States v. Texaco Exploration and Production Inc.*, Civil No. 2:98-CV-00213-ST, was lodged with the United States District Court for the District of Utah.

This consent decree represents a settlement of claims brought against Texaco Exploration and Production Inc. ("Texaco") under Sections 309 and 311 of the Clean Water Act ("CWA"), 33 U.S.C. 1319 and 1321, in a civil complaint filed on March 26, 1998. The

complaint alleged the following: (1) Texaco violated CWA Section 301 by unauthorized discharges of produced water and mixed oil and produced water from its oil and gas production field in Aneth, Utah (the "Aneth Unit") into waters of the U.S.; (2) Texaco violated CWA Section 311 by discharging a mix of oil and produced water from the Aneth Unit into waters of the U.S. and adjoining shorelines; and (3) in violation of CWA Section 311(j) and 40 CFR Part 112, Texaco failed to prepare an adequate Spill Prevention Control and Countermeasure ("SPCC") Plan, failed to adequately implement the SPCC plan, and failed to provide notification to EPA of oil spills from the Aneth Unit.

Under the proposed settlement, Texaco is required to implement a series of measures as injunctive relief including: rerouting of flowlines; construction of berming; replacement of pipelines; installation of stuffing box leak detectors on producing wells; construction of overflow tanks; and installation of emergency shutdown equipment on producing wells, the injection distribution system, and the production transfer system. Texaco will also submit a revised SPCC Plan and fully implement the Plan. Texaco is also required to provide for the construction and implementation of two Supplemental Environmental Projects, at an estimated cost of \$478,700, to provide an adequate supply of drinking water and sanitary facilities for residents in the vicinity of Montezuma Creek, Utah, on the Navajo Nation. Finally, Texaco will pay a civil penalty of \$369,922.

The Department of Justice will receive comments relating to the proposed consent decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Divisions, U.S. Department of Justice, P.O. Box 7611, Washington, DC 20044-7611, and should refer to *United States v. Texaco Exploration and Production Inc.*, DOJ Ref. 90-5-1-1-4457/1. A copy of any comments should be sent to Robert D. Mullaney, U.S. Department of Justice, 301 Howard St., Suite 1050, San Francisco, CA 94105.

The proposed consent decree may be examined at the Office of the United States Attorney, 185 South State Street, Suite 400, Salt Lake City, Utah 84111, and at the Office of Regional Counsel, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105. A copy of the proposed Consent Decree may also be obtained by mail from the Consent

Decree Library, U.S. Department of Justice, P.O. Box 7611, Washington, DC 20044-7611, or by faxing a request to Tonia Fleetwood, Department of Justice Consent Decree Library, fax no. (202) 514-0097; phone confirmation no. (202) 514-1547. There is a charge for the copy (25 cent per page reproduction cost). In requesting a copy, please enclose a check in the amount of \$36.00 payable to the "U.S. Treasury." (A copy of the decree, exclusive of attachments, may be obtained for \$8.75.)

**Ellen M. Mahan,**

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

[FR Doc. 02-8753 Filed 4-10-02; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Proposed Information Collection Request Submitted for Public Comment and Recommendations; Permissible Equipment Testing

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95)(44 U.S.C. 3506(c)(2)(A)). This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed.

**DATES:** Submit comments on or before June 10, 2002.

**ADDRESSES:** Send comments to David L. Meyer, Director, Office of Administration and Management, 4015 Wilson Boulevard, Room 615, Arlington, VA 22203-1984. Commenters are encouraged to send their comments on a computer disk, or via Internet E-mail to [Meyer-David@msha.gov](mailto:Meyer-David@msha.gov), along with an original printed copy. Mr. Meyer can be reached at (703) 235-1383 (voice), or (703) 235-1563 (facsimile).

**FOR FURTHER INFORMATION CONTACT:**

Charlene N. Barnard, Regulatory Specialist, Records Management Division, U.S. Department of Labor, Mine Safety and Health Administration,