

*United States v. Cotter Corporation*, C.A. No. 00-WM-1076 (D. Col.), was lodged on May 25, 2000, with the United States District Court for the District of Colorado. The consent decree resolves the United States' claims against the Cotter Corporation with respect to past response costs incurred, pursuant to section 107 of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9607, in connection with the clean-up of the Lincoln Park Site. The Site is located near Canon City, Fremont, Colorado. Under the consent decree, defendant Cotter Corporation will pay the United States \$52,500 in reimbursement of past response costs incurred in connection with the Site.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. Cotter Corporation*, DOJ Reference No. 90-11-3-305-A.

The proposed consent decree may be examined at the Office of the United States Attorney, 1961 Stout Street, Suite 1200, Denver, Colorado; and the Region VIII Office of the Environmental Protection Agency, 999 18th Street, Suite 500, Denver, Colorado. A copy of the proposed 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 referenced case and enclose a check in the amount of \$5.25 (.25 cents per page production costs), payable to the Consent Decree Library.

**Joel M. Gross,**

*Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*  
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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Sections 309(b) and 311(b) of the Clean Water Act

Notice is hereby given that on June 8, 2000 a proposed Consent Decree ("Decree") in *United States v. Southern Pacific Transportation Co. et al.*, Civil Action No. 97-WM-469 (D. Colo.), was lodged with the United States District Court for the District of Colorado. The United States filed this action pursuant to sections 309(b) and 311(b) of the Clean Water Act (the "Act"), 33 U.S.C.

1319(b) and 1321(b), for civil penalties and injunctive relief for violations of Sections 301(a)/402(a) and 311(b) of the Act, 33 U.S.C. 1311(a)/1342(a) & 1321(b), arising from eight separate incidents in Colorado and Utah. All but one of the incidents were associated with freight train wrecks. The violations concern spills of diesel fuel from ruptured or leaking locomotive fuel tanks. Two of the eight incidents also involved a spill of an additional pollutant (taconite) or hazardous substance (sulfuric acid) from hoppers/tank cars.

As part of the settlement UP will pay a civil penalty in the amount of \$800,000. In addition, UP will undertake injunctive relief which includes: (a) A requirement that all freight locomotives UP purchases during the next five years be equipped with fuel tanks meeting a new industry standard for crash-worthiness; (b) implementation of a comprehensive rock fall equipped with fuel tanks meeting a new industry standard for crash-worthiness; (c) implementation of a comprehensive rock fall hazard mitigation project; (d) installation of locomotive fuel tank patch kits on hi-rail vehicles and training the operators of such vehicles; (e) preparation of emergency response contingency plans for the Colorado River in Colorado and Utah, and the Spanish For River in Utah along which UP's track is aligned; and (e) other relief.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Decree. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to, *United States v. Southern Pacific Transportation Company et al.*, Civil Action No. 97-WM-469 (D. Colo.) and D.J. Ref. #90-5-1-1-4381.

The Decree may be examined at the United States Department of Justice, Environment and Natural Resources Division, Denver Field Office, 999 18th Street, North Tower Suite 945, Denver, Colorado, 80202. A copy of the Decree may also be obtained by mail from the Department of Justice Consent Decree Library, 13th Floor, 1425 New York Avenue, NW, Washington, DC 20005. In requesting a copy, please enclose a check in the amount of \$15.50 for the Decree (25 cents per page reproduction

cost) payable to the Consent Decree Library.

**Joel M. Gross,**

*Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*  
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## DEPARTMENT OF JUSTICE

### Antitrust Division

#### Proposed Final Judgment and Competitive Impact Statement; *United States v. Alcoa Inc., et al.*

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b)-(h), that a proposed Final Judgment, Hold Separate Stipulation and Order, and Competitive Impact Statement have been filed with the U.S. District Court for the District of Columbia in *United States v. Alcoa Inc., et al.*, Civil No. 00-CV-954 (RMU). On May 3, 2000, the United States filed a Complaint alleging that the proposed acquisition of Reynolds Metals Company by Alcoa Inc. would substantially lessen competition in the manufacture and sale of smelter grade alumina ("SGA") worldwide and chemical grade alumina ("CGA") in North America in violation of section 7 of the Clayton Act, 15 U.S.C. 18.

The proposed Final Judgment orders Alcoa and Reynolds to sell Reynolds' controlling interest in an alumina refinery in Worsley, Western Australia, and Reynolds' alumina refinery located near Corpus Christi, Texas. Public comment is invited within the statutory sixty-day comment period. Such comments, and responses thereto, will be published in the **Federal Register** and filed with the Court. Written comments should be directed to Roger W. Fones, Chief, Transportation, Energy, and Agriculture Section, Antitrust Division, 325 Seventh Street, NW, Suite 500, Washington, DC 20530 (telephone: (202) 307-6351).

Copies of the Complaint, Hold Separate Stipulation and Order, proposed Final Judgment, and Competitive Impact Statement are available for inspection in Room 215 of the U.S. Department of Justice, Antitrust Division, 325 Seventh Street, NW, Washington, DC 20530 (telephone: (202) 514-2481) and at the office of the Clerk of the U.S. District Court for the District of Columbia, 333 Constitution Avenue, NW, Washington, DC 20001. Copies of any of these materials may be obtained