

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, and either emailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to the matter as *United States v. Municipality of Arecibo and the Commonwealth of Puerto Rico*, D.J. Ref. 90-5-1-1-09891.

The Consent Decree may be examined at the Office of the United States Attorney, Torre Chardon Suite 1201, 350 Carlos Chardon Avenue, San Juan, Puerto Rico 00918, and at U.S. EPA CEPD office, City View Plaza—Suite 7000, #48 Rd. 165 KM. 1.2, Guaynabo, Puerto Rico 00968-8069. 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/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.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 emailing a request to “Consent Decree Copy” ([EEESCDCopy.ENRD@usdoj.gov](mailto:EEESCDCopy.ENRD@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 \$16.00 (25 cents per page reproduction costs of the Consent Decree) payable to the U.S. Treasury or, if by email or fax, forward a check in that amount to the Consent Decree Library at the stated address.

**Ronald G. Gluck,**

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

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under The Clean Air Act, the Comprehensive Environmental Response, Compensation and Liability Act, and the Emergency Planning and Community Right-To-Know Act

Notice is hereby given that on June 4, 2012, a proposed Consent Decree (“Consent Decree”) in *United States v. INEOS USA LLC*, Civil Action No. 3:12-cv-01404, was lodged with the United States District Court for the Northern District of Ohio.

In this action, the United States sought injunctive relief and civil penalties from INEOS USA LLC (“INEOS”) for alleged violations of Section 112 of the Clean Air Act (“CAA”), 42 U.S.C. § 7412; the federally enforceable Ohio State Implementation Plan; INEOS’s CAA Permit-to-Install Numbered 03-9227; INEOS’s CAA Title V Permit No. 03-02-02-0015; Section 103(a) of the Comprehensive Environmental Response, Compensation and Liability Act (“CERCLA”), 42 U.S.C. 9603(a); and Sections 304(a) and (b) of the Emergency Planning and Community Right-To-Know Act (“EPCRA”), 42 U.S.C. 11004(a) and (b). The alleged violations occurred at INEOS’ chemical manufacturing plant in Lima, Ohio.

Under the Consent Decree, INEOS is required to undertake the following: (i) implement an enhanced leak detection and repair program; (ii) improve training, reporting and recordkeeping on bypassing a control device; and (iii) undertake a root cause analysis of CERCLA/EPCRA reportable quantity releases; review and update CERCLA/EPCRA emergency notification training; and perform a CERCLA/EPCRA audit. INEOS also will pay a civil penalty of \$1,150,000.

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During the public comment period, the Consent Decree may be examined on the following Department of Justice Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.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 emailing a request to “Consent Decree Copy” ([EEESCDCopy.ENRD@usdoj.gov](mailto:EEESCDCopy.ENRD@usdoj.gov)), fax number (202) 514-0097; phone confirmation number (202) 514-5271. If requesting a copy from the Consent Decree Library by mail, please enclose a check in the amount of \$ 18.00 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if requesting by email or fax, forward a check in that amount to the Consent

Decree Library at the address given above.

**Maureen M. Katz,**

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Modification To Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act

Notice is hereby given that on June 1, 2012, a proposed Amendment to the Consent Decree in *U.S. v. Allied Signal Inc., et al.*, 96 Civ. 1513 (RPP) was lodged with the United States District Court for the Southern District of New York.

The Original Consent Decree that was entered in 1996 involves the Cortese Landfill Superfund Site, located in the Town of Tusten, Sullivan County, New York. The Amendment to the Consent Decree modifies the Original Consent Decree to require implementation of a modified remedy that the United States Environmental Protection Agency has selected for the Site.

In the course of the performance of the original remedy, two additional sources of contamination were discovered beneath a former drum disposal areas at the Site, which required the selection of an additional response action to address this newly identified source-area contamination. Accordingly, EPA modified the original remedy to provide for air sparging/soil vapor extraction and amendment addition (*i.e.*, injection of soil amendment into the subsurface), subsequent application of in-situ chemical oxidation, if necessary, to address the sources of contamination beneath the former drum disposal areas, and monitored natural attenuation to address the groundwater downgradient from the landfill perimeter.

The Department of Justice will receive for a period of 30 days from the date of this publication comments relating to the Amendment to the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either emailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *U.S. v. Allied Signal Inc., et al.*, D.J. Ref. 90-11-2-1078/1.