

## DEPARTMENT OF JUSTICE

## Notice of Lodging of Consent Decree Pursuant to the Clean Air Act

Notice is hereby given that on April 4, 2007, a proposed consent decree in *United States and Illinois v. PennTex Resources Illinois, Inc. and Rex Energy Operating Corp.*, Civil Action No. 07-0241, was lodged with the United States District Court for the Southern District of Illinois.

In this civil action brought pursuant to the Clean Air Act, 42 U.S.C. 7603, the United States sought to prevent the emission of hydrogen sulfide in amounts that may present an imminent and substantial endangerment to human health, welfare or the environment from oil production facilities owned by PennTex Resources Illinois, Inc. and operated by Rex Energy Operating Corp. near the towns of Bridgeport and Petrolia in Lawrence County, Illinois. The State of Illinois joined this action as co-plaintiff asserting a claim under state law to prevent air pollution. Under the proposed consent decree, PennTex and Rex Energy will install vapor control measures to collect hydrogen sulfide from eight gathering facilities and destroy them in elevated flares.

The Department of Justice will accept comments relating to the proposed consent decree for a period of thirty (30) days from the date of publication of this notice. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and mailed either electronically to [pubcommentees.enrd@usdoj.gov](mailto:pubcommentees.enrd@usdoj.gov) or in hard copy to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611. Comments should refer to *United States and Illinois v. PennTex Resources Illinois, Inc. and Rex Energy Operating Corp.*, Civil Action No. 07-0241, (S.D. Ill.) and D.J. Reference No. 90-5-2-1-08915.

The proposed consent decree may be examined at: (1) The Office of the United States Attorney for the Southern District of Illinois, Nine Executive Drive, Fairview Heights, Illinois 62208, (618) 628-3700; and (2) the United States Environmental Protection Agency (Region 5), 77 West Jackson Boulevard, Chicago, Illinois 60604-3590 (contact Mary T. McAullife (312) 886-6237)). During the comment period, the proposed consent decree may also be examined on the following Department of Justice Web site: [http://www.usdoj.gov/enrd/Consent\\_Decree.html](http://www.usdoj.gov/enrd/Consent_Decree.html). A copy of the proposed consent decree may also be obtained by mail from the Department

of Justice Consent Decree Library, P.O. Box 7611, 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 refer to the referenced case and D.J. Reference No. 90-5-2-1-08915, and enclose a check in the amount of \$23.25 for the consent decree (93 pages at 25 cents per page reproduction costs), made payable to the U.S. Treasury.

**William D. Brighton,**

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

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**BILLING CODE 4410-15-M**

## LEGAL SERVICES CORPORATION

## Sunshine Act Meetings of the Board of Directors and Four of the Board's Committees

**TIMES AND DATES:** The Legal Services Corporation Board of Directors and four of its Committees will meet on April 27-28, 2007 in the order set forth in the following schedule, with each meeting commencing shortly after adjournment of the immediately preceding meeting. Members of the public may attend the open portions or listen to them live by calling (toll-free) 1-877-352-5208. Those joining the meetings by telephone are requested to mute their telephones to eliminate background noises.

## MEETING SCHEDULE

Friday, April 27, 2007	Time <sup>1</sup>
1. Provision for the Delivery of Legal Services Committee (Provisions Committee) .....	1:30 p.m.
2. Operations & Regulations Committee <sup>2</sup> .....	
Saturday, April 28, 2007	Time
3. Annual Performance Reviews Committee (Performance Reviews Committee) .....	8:30 a.m.
4. Operations & Regulations Committee (continued) .....	

<sup>1</sup> Please note that the meetings will be held in the Central Time zone.

<sup>2</sup> The Operations & Regulations Committee meeting will be conducted over a two-day period and is noticed accordingly herein.

<sup>3</sup> It is LSC's goal to begin the Board of Directors meeting at approximately 1 p.m., after a brief lunch break. Depending on the length of the preceding meetings, however, it is possible that the Board's meeting could begin earlier or later than 1 p.m.

## MEETING SCHEDULE—Continued

5. Finance Committee .....	
6. Board of Directors <sup>3</sup> .....	

**LOCATION:** The Peabody Hotel, Three State Street, Little Rock, Arkansas.

**STATUS OF MEETINGS:** Open, except as noted below.

• **Status: April 28, 2007 Performance Reviews Committee Meeting—Closed.**

The meeting of the Performance Reviews Committee may be closed to the public pursuant to a vote of the Board of Directors authorizing the Committee to meet in executive session to consider and act on the performance evaluation of the LSC Inspector General for calendar year 2006. The closing will be authorized by the relevant provision(s) of the Government in the Sunshine Act [5 U.S.C. 552b(c)(6)] and the Legal Services Corporation's corresponding regulation, 45 CFR 1622.5(e). A verbatim written transcript of the session will be made. The transcript of any portions of the closed session falling within the relevant provision of the Government in the Sunshine Act [5 U.S.C. 552b(c)(6)] and the corresponding provision of LSC's implementing regulation [45 CFR 1622.5(e)] will not be available for public inspection. The transcript of any portions not falling within this provision will be available for public inspection. A copy of the General Counsel's Certification that the closing is authorized by law will be available upon request.

• **Status: April 28, 2007 Board of Directors Meeting—Open,** except that a portion of the meeting of the Board of Directors may be closed to the public pursuant to a vote of the Board of Directors to hold an executive session. At the closed session, the Board will consider and may act on the General Counsel's report on litigation to which the Corporation is or may become a party, and will receive a briefing from the Inspector General (IG).<sup>4</sup> A verbatim written transcript of the session will be made. The transcript of any portions of the closed session falling within the relevant provision(s) of the Government in the Sunshine Act [5 U.S.C. 552b(c)(10)] and LSC's implementing regulation 45 CFR 1622.5(h) will not be available for public inspection. The

<sup>4</sup> Any portion of the closed session consisting solely of staff briefings does not fall within the Sunshine Act's definition of the term "meeting" and, therefore, the requirements of the Sunshine Act do not apply to such portion of the closed session. 5 U.S.C. 552(b)(2) and (b). See also 45 CFR 1622.2 & 1622.3.