

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *In re: Cuyahoga Equipment Corporation, et al.*, DOJ Ref. No. 90-11-3-442. Commenters may request an opportunity for a public meeting in the affected area, in accordance with Section 7003(d) of the Resource Conservation and Recovery Act, 42 U.S.C. § 6973(d).

The proposed consent decree may be examined at the office of the United States Attorney for the Southern District of New York, 100 Church Street, 19th Floor, New York, New York 10007; the Region III Office of the Environmental Protection Agency, located at 1650 Arch Street, Philadelphia, Pennsylvania 19103. A copy of the proposed consent order may also be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, D.C. 20044-7611. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$5.25 (25 cents per page reproduction costs) payable to the Consent Decree Library.

Joel Gross,

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

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act

In accordance with Department policy, 28 C.F.C. § 50.7, 38 Fed. Reg. 19029, and 42 U.S.C. § 9622(d), on October 26 1999 (64 Fed. Reg. 576), notice was given that a proposed consent decree in *United States v. General Electric Company*, Civil Action No. 99-30225-MAP, was lodged with the United States District Court for the District of Massachusetts. The proposed consent decree resolves certain claims against General Electric Company ("GE") under Sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. §§ 9606 and 9607; Section 7003 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6973; and Section 309 of the Clean Water Act, 33 U.S.C.

§ 1319, regarding the disposal, release and/or threat of release of hazardous substances and/or wastes from the GE facility in Pittsfield, Massachusetts and related areas.

Pursuant to requests from interested persons, the Department of Justice extended the period for comments relating to the proposed consent decree to January 25, 2000. 64 Fed. Reg. 68374 (December 7, 1999). The Department of Justice is extending the comment period on final time to and including February 23, 2000. 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. General Electric Company*, Civil Action No. 99-30225-MAP, D.J. Ref. 90-11-3-1479, and 90-11-3-1479z.

The proposed consent decree may be examined at either of the following locations: (1) The Springfield Office of the United States Attorney, District of Massachusetts, 1550 Main Street, Suite 310, Springfield, Massachusetts, 01103; or (2) Region I, Office of the Environmental Protection Agency, One Congress Street, Boston, Massachusetts, 02203. A copy of the consent decree can be obtained by mail (without attachments) from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044. In requesting a copy of the consent decree (without attachments), please enclose a check in the amount of \$102.25 (25 cents per page reproduction cost) payable to the Consent Decree Library.

Joel Gross,

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

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Clean Water Act

In accordance with Department policy, 28 C.F.R. § 50.7, notice is hereby given that a proposed Consent Decree in *United States v. Koch Industries, Inc. et al.*, Civil Action No. H 95-1118 (S.D. Tx.), and *United States v. Koch Industries, Inc. et al.*, Civil Action No. 97 CV 687 B(E) (N.D.Ok.), was lodged with the United States District Court for the Southern District of Texas on January 13, 2000. The proposed Consent Decree settles the civil claims of the United States on behalf of the United States Environmental Protection Agency and United States Coast Guard, and the State of Texas, against Koch Industries,

Inc. and a number of subsidiaries ("Koch"), in both of these actions.

In these actions, the United States alleged that, on numerous occasions, Koch violated Section 311(b) and (c) of the Clean Water Act, 33 U.S.C. § 1321(b) and (d), through the discharge of oil and related petroleum products in numerous spills from Koch oil and refined petroleum product pipelines and related pipeline facilities. The State of Texas intervened as co-plaintiff against Koch in both actions.

The proposed Consent Decree requires Koch Industries Inc. to pay \$30,000,000 million in civil penalties, \$15 million to the United States and \$15 million to the State of Texas. The proposed Consent Decree also requires Koch to perform injunctive relief consisting of enhancements to its leak prevention programs on pipelines that are still operated by Koch. Koch will also expend at least \$5 million to perform a number of environmental projects under the proposed Consent Decree in Oklahoma, Texas and Kansas, the States most affected by the subject discharges. These environmental projects include: a pipeline safety study; acquisition and preservation of wildlife habitat; other wetlands and water quality enhancement projects; and an emergency planning and response project.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General of the Environmental and Natural Resources Division, U.S. Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044-7611, and should refer to *United States v. Koch Industries, Inc. et al.*, D.J. Ref. #90-5-1-1-4109.

The Consent Decree may be examined at the following offices: United States Attorney's Office, Southern District of Texas, 910 Travis, Suite 1500, Houston, Texas 770208; United States Attorney's Office, Northern District of Oklahoma, 3900 U.S. Courthouse, 333 W. 4th Street, Tulsa, Oklahoma 74103; United States Environmental Protection Agency, Region 6, 1445 Ross Avenue, Dallas, Texas 750202-2733; United States Environmental Protection Agency, Region 7, 901 N. 5th Street, Kansas City, Kansas 66101. A copy of the Consent Decree may be obtained by mail from the Consent Decree Library, Department of Justice, P.O. Box 7611, Washington, D.C. 20044. In requesting a complete copy with all Attachments, please enclose a check in the amount of \$11.75 (25 cents per page reproduction