

settling defendants will be required to pay for future oversight costs.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Amendment. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Boise Cascade Corp.*, D.J. Ref. 90-11-3-1144.

The Consent Decree may be examined at the Office of the United States Attorney, James Foley Bldg., 445 Broadway, Room 218, Albany 12207 (contact Civil Chief, Assistant U.S. Attorney James Woods), and at U.S. EPA Region II, 290 Broadway, 17th Floor, New York, New York, 10007-1866 (contact Assistant Regional Attorney James Doyle). 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/open.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 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 enclose a check in the amount of \$30.75 (25 cents per page reproduction cost) payable to the U.S. Treasury.

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Oil Pollution Act and the Clean Water Act

Notice is hereby given that on March 24, 2005, a proposed Consent Decree in *United States, et al. v. Marathon Oil Company, et al.*, Civil Action No. 2:05-CV-0090-LIM-WGH, was lodged with the United States District Court for the Southern District of Indiana. This Consent Decree represents a settlement of claims brought by the United States and the State of Indiana against Marathon Oil Company and Marathon Ashland Pipe Line LLC ("Settling Defendants") in the above referenced action under Sections 1002 and 1006 of the Oil Pollution Act, 33 U.S.C. 2702

and 2706, and Section 311 of the Clean Water Act, 33 U.S.C. 1321, for natural resource damages relating to discharges of oil from pipelines owned or operated by Settling Defendants in and around Rosedale, Catlin, and Daylight, Indiana.

Under the proposed Consent Decree, the Settling Defendants would convey 56.54 acres of riparian flood plain habitat to the Indiana Department of Natural Resources for replacement or acquisition of the equivalent of injured natural resources. In addition, the Settling Defendants would pay the United States and the State of Indiana \$24,220.10 for costs incurred in assessing the damages to natural resources resulting from the discharges of oil, and \$5,779.90 to be used for future restoration of the 56.64 acre property.

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, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States, et al. v. Marathon Oil Company, et al.* (S.D. Ind.), D.J. Ref. 90-5-1-1-4150/1.

The Consent Decree may be examined at the Office of the United States Attorney, 10 West Market Street, Suite 2100, Indianapolis, IN 46204-3048, and at the U.S. Department of the Interior, Three Parkway Center, Room 385, Pittsburgh, PA 15220. During the public comment period, the Consent Decree also may be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.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 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 enclose a check in the amount of \$6.50 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**William D. Brighton,**

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## DEPARTMENT OF JUSTICE

### Notice of Settlement Agreement Under the Comprehensive Environmental Response, Compensation, and Liability Act

Under 28 CFR 50.7, notice is hereby given of a proposed settlement agreement, *In the Matter of: Morning Star Mine Site*, for the performance of a removal action and the reimbursement of response costs incurred by the Department of the Interior ("DOI") under Sections 104, 107, and 122 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA").

The proposed settlement resolves CERCLA claims against respondent Vanderbilt Gold Corporation ("VGC") and potential CERCLA claims against respondent Mineral, Metal & Mining Management Company ("4EM") related to VGC's mining activities at the Morning Star Mine Site ("Site"), which is an inactive open mine pit located in the Mojave National Preserve, a unit of the National Park Service. DOI incurred response costs of approximately \$1 million for a "time critical" removal action taken in response to the releases and threats of releases of hazardous substances at the Site. The proposed settlement requires respondents VGC and 4EM to: (1) Conduct a removal action at the Site, (2) reimburse DOI, over time, for approximately \$1 million in past response costs, (3) pay DOI's future response costs, and (4) pay DOI \$1 million, over time, for deposit into the DOI Natural Resource Damage Assessment and Restoration Fund to restore, replace, or acquire the equivalent of Park System Resources injured by VGC. In exchange, DOI agrees not to sue respondents for the work, past response costs, and future response costs.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed settlement. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, with a copy to Robert Mullaney, U.S. Department of Justice, 301 Howard Street, Suite 1050, San Francisco, CA 94105, and should refer to *In the Matter of: Morning Star Mine Site*, D.J. Ref. #90-11-2-08222.

During the public comment period, the proposed settlement agreement may be examined on the following Department of Justice Web site: <http://www.usdoj.gov/enrd/open.html>. A copy