

into compliance with various environmental statutes and regulations at their facilities in Point Comfort, Texas, and Baton Rouge, Louisiana. The Defendants still are in the process of complying with the 2010 Decree. However, at the Point Comfort Facility, FPX TX violated certain leak detection and repair (“LDAR”) provisions of the Decree (which are based on regulations promulgated under the Clean Air Act, 42 U.S.C. 7401, *et seq.*), and the United States and FPC TX agreed to a proposed first amendment to the Consent Decree. Under the proposed first amendment, FPC TX will undertake a comprehensive review of equipment such as valves, pumps, and compressors at the Point Comfort facility to determine the applicability of certain LDAR requirements and will pay a stipulated penalty of \$1,447,925.

The publication of this notice opens a period of public comment on the first amendment. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Formosa Plastics Corporation, Texas, et al.*, D.J. Ref. No. 90–5–2–1–08995. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	Send them to:
By e-mail	<a href="mailto:pubcomment-ees.enrd@usdoj.gov">pubcomment-ees.enrd@usdoj.gov</a>
By mail .....	Assistant Attorney General U.S. DOJ—ENRD P.O. Box 7611 Washington, DC 20044–7611.

During the public comment period, the first amendment may be examined and downloaded at this Department of Justice Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). We will provide a paper copy of the first amendment upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check in the amount of \$ 8.50 (25 cents per page reproduction cost) payable to the United States Treasury.

**Maureen Katz,**

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

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**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Proposed Consent Decree Under the Clean Air Act**

On January 4, 2013, the Department of Justice lodged a proposed consent decree with the United States District Court for the Eastern District of Wisconsin in the lawsuit entitled *United States v. Wisconsin Public Service Corporation*, Civ. No. 13–C–10 (E.D. Wis.).

In this civil enforcement action under the federal Clean Air Act, the United States alleges that Wisconsin Public Service Corporation (“WPS”) failed to comply with certain requirements of the Act intended to protect air quality. The complaint seeks injunctive relief and civil penalties for violations of the Prevention of Significant Deterioration (“PSD”) and Title V provisions of the Clean Air Act, 42 U.S.C. 7470–92 and 42 U.S.C. 7661a–76661f, and related state and federal implementing regulations. The complaint alleges that WPS failed to obtain appropriate permits and failed to install and operate required pollution control devices to reduce emissions of various air pollutants at the Weston Generation Station, a coal-fired power plant in Marathon County, Wisconsin.

The proposed consent decree would resolve past Clean Air Act violations and would require WPS to reduce harmful emissions of sulfur dioxide (“SO<sub>2</sub>”), nitrogen oxides (“NO<sub>x</sub>”), and particular matter (“PM”) emissions, at the Weston Generation Station, as well as the Pulliam Generation Station, a coal-fired power plant located in Brown County, Wisconsin. The reductions would be achieved through emission control requirements and limitations specified by the proposed consent decree, including installation and operation of pollution controls; retirement, refueling, or repowering of certain generating units; and annual emission caps at both the Weston and Pulliam plants. WPS will also spend \$6 million to fund environmental mitigation projects that will further reduce emissions and benefit communities adversely affected by pollution from its plants, and pay a civil penalty of \$1.2 million.

The publication of this notice opens a period for public comment on the proposed consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Wisconsin Public Service Corporation*, Civ. No. 13–C–10 (E.D. Wis.), D.J. Ref. No. 90–5–2–1–1230/1. All comments must be

submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	Send them to:
By e-mail	<a href="mailto:pubcomment-ees.enrd@usdoj.gov">pubcomment-ees.enrd@usdoj.gov</a>
By mail .....	Assistant Attorney General U.S. DOJ—ENRD P.O. Box 7611 Washington, DC 20044–7611.

During the public comment period, the proposed consent decree may be examined and downloaded at this Justice Department Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). We will provide a paper copy of the proposed consent decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for \$19.00 (25 cents per page reproduction cost) payable to the United States Treasury.

**Maureen Katz,**

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**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Proposed Partial Consent Decree Under the Clean Water Act**

Notice is hereby given that on January 3, 2013, a proposed partial Consent Decree (“Decree”) was lodged in *U.S. v. BP Exploration and Production, et al.*, Civil No. 10–4536 (E.D. La.) (That case is centralized in MDL 2179: *In Re: Oil Spill by the Oil Rig “Deepwater Horizon” in the Gulf of Mexico, on April 20, 2010.*)

In this civil enforcement action the United States sought, among other things, civil penalties under Section 311(b) of the Clean Water Act, 33 U.S.C. 1321(b), from the “Transocean Defendants” (Transocean Deepwater Inc., Transocean Offshore Deepwater Drilling Inc., Transocean Holdings LLC, and Triton Asset Leasing GmbH). That claim arises against the Transocean Defendants, and other defendants as well, from the discharge of oil into the Gulf of Mexico resulting from the blowout of the Macondo Well that began in April 2010.