

DEPARTMENT OF JUSTICE

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

Notice is hereby given that an agreed order amending the consent decree in *United States v. A&D Recycling, Inc., et al.*, Civil Action No. 1:CV-99-1332 (M.D. Pa.) was lodged with the court on January 22, 2001.

The original consent decree resolves claims of the United States against 120 defendants under sections 106 and 107 of the Comprehensive Environmental Response, Compensation and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9606 and 9607, for response costs and actions at the Jack's Creek Superfund Site in Mifflin County, PA. The proposed amendment reduces the amount one *de minimis* party, United Holdings Co., Inc., is required to pay from \$58,526.44 to \$33,600. This reduction is made based on a mutual mistake of fact in the original decree as to the amount of material United sent to the site.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed amendment. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. A&D Recycling, Inc., et al.*, Civil Action No. 1:CV-99-1332 (M.D. Pa.), DOJ Ref. #90-11-2-911.

The proposed amendment may be examined and copied at the Office of the United States Attorney, Room 1162, Federal Building, 228 Walnut Street, Harrisburg, PA 17108; or at the Region III Office of the Environmental Protection Agency, c/o Daniel Isales, Assistant Regional Counsel, 1650 Arch Street, Philadelphia, PA 19103. A copy of the proposed amendment may be obtained by mail from the Consent Decree Library, P.O. Box No. 7611, Washington, DC 20044. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$2.75 (25 cents per page reproduction costs), payable to the Consent Decree Library. Exhibits to the amendment may be obtained for an additional fee.

Bruce Gelber,

Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.
[FR Doc. 01-3276 Filed 2-7-01; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

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

In accordance with 28 CFR section 50.7 and section 122 of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9622, notice is hereby given that on January 26, 2001, a proposed consent decree in *United States v. Alcoa, Inc.*, Civil Action No. 01-CV-0131, was lodged with the United States District Court for the Northern District of New York.

In this action the United States sought costs for response activities in connection with the aluminum product manufacturing facility owned by Alcoa, Inc. in Massena, New York. The Complaint alleges that the defendant is liable under section 107(a), 42 U.S.C. 9607(a), of CERCLA. Pursuant to the decree, defendant will pay to the United States past unreimbursed response costs in an amount totaling at least \$695,117.26, plus interest.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed 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 v. Alcoa, Inc.*, Civil Action No. 01-CV-0131, D.J. Ref. 90-11-3-07173.

The proposed consent decree may be examined at the Office of the United States Attorney, Northern District of New York, James T. Foley Federal Building, 445 Broadway, Albany, New York, 12207 and at U.S. EPA, (Region II) 290 Broadway, 17th Floor New York, New York 10007-1866. A copy of the proposed 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. In requesting a copy, please enclose a check in the amount of \$5.00 (25 cents per page reproduction cost) payable to the Consent Decree Library.

Bruce S. Gelber,

Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.
[FR Doc. 01-3273 Filed 2-7-01; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

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

Notice is hereby given that on January 30, 2001, a proposed Consent Decree ("Decree") in *United States v. Avco Corporation*, Civil No. 4:CZ01-0198, was lodged with the United States District Court for the Middle District of Pennsylvania. The United States filed this action pursuant to the Comprehensive Environmental Response, Compensation and Liability Act for recovery of costs incurred by the United States in responding to releases of hazardous substances at the Avco Lycoming Site in Williamsport, Pennsylvania.

Pursuant to the proposed Consent Decree, Avco Corporation will pay \$461,500, in reimbursement of past costs, and agrees to pay future response costs of the United States, other than 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 Decree. 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. Avco Corporation*, D.J. Ref. #90-11-3-06903.

The Decree may be examined at the office of the U.S. Attorney, Federal Building, 228 Walnut Street, Harrisburg, Pennsylvania; at U.S. EPA Region 3, Office of Regional Counsel, 1650 Arch Street, Philadelphia, PA. A copy of the Decree may be obtained by mail from the Consent Decree Library, U.S. Department of Justice, P.O. Box 7611, Washington, DC 20044. In requesting a copy, please enclose a check in the amount of \$44.75 for the Decree (25 cents per page reproduction cost) payable to the Consent Decree Library.

Walker B. Smith,

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

[FR Doc. 01-3275 Filed 2-7-01; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Air Act, RCRA, CERCLA, and EPCRA

Under 28 CFR 50.7, notice is hereby given that on January 18, 2001, a Consent Decree in *United States v. BP*

Exploration & Co., et al., Civil Action No. 2:96 CV 095, was lodged with the United States District Court for the Northern District of Indiana, Hammond Division.

In the Second Amended Complaint the United States sought civil penalties and injunctive relief against BP Exploration & Co., Amoco Oil Company, and Atlantic Richfield Company (hereinafter, "BP"), pursuant to Section 113(b) of the Clean Air Act ("CAA"), 42 U.S.C. 7413(b) (1983), *amended by*, 42 U.S.C. §7413(b) (Supp. 1991), the Resource Conservation and Recovery Act, ("RCRA"), 42 U.S.C. 6901 *et seq.*; the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9603(a) and the Emergency Planning and Community Right to Know Act ("EPCRA"), 42 U.S.C. 11004(a) for alleged violations at BP's eight refineries located in Whiting, Indiana; Toledo, Ohio; Mandan, North Dakota; Salt Lake City, Utah; Texas City, Texas; Yorktown, Virginia; Cherry Point, Washington; and Carson, California.

Under the settlement, BP will implement innovative pollution control technologies to greatly reduce emissions of nitrogen oxides ("NO_x") and sulfur dioxide ("SO₂") from refinery process units and adopt facility-wide enhanced monitoring and fugitive emission control programs. In addition, BP will pay a civil penalty of \$10 million. The States of Indiana, Ohio, Utah, and the Northwest Air Pollution Authority, will join in this settlement as signatories to the Consent Decree.

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 v. BP Exploration & Co., et al.*, D.J. Ref. 90-5-2-1-07109.

The Consent Decree may be examined at the Office of the United States Attorney, 1001 Main Street, Suite A, Dyer, Indiana 46311 and at U.S. EPA Region 5, 77 West Jackson Blvd., Chicago, Illinois 60604. 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. In requesting a copy, please enclose a check in the amount of \$41.00 (25 cents

per page reproduction cost) payable to the Consent Decree Library.

Walker Smith,

Principal Deputy Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 01-3270 Filed 2-07-01; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)

Notice is hereby given that on January 18, 2001 a proposed Consent Decree ("Decree") in *United States and State of Colorado v. Burlington Northern Railroad Co.*, Civil Action No. 86-Z-369 was lodged with the United States District Court for the District of Colorado. The United States filed this action pursuant to sections 107(a)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9607(a)(2), to recover past response costs incurred by the United States Environmental Protection Agency ("EPA") in conducting response actions taken at or in connection with the release or threatened release of hazardous substances at or from the Broderick Wood Products Superfund Site located at 5800 Galapago Street in Adams County, Colorado. The Decree provides for the reimbursement to EPA of \$6,800,000.00 plus accrued interest from June 1, 2000 from Burlington Northern Railroad Company.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to 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 and State of Colorado v. Burlington Northern Railroad Co.*, D.J. Ref. 90-7-1-254.

The Decree may be examined at the offices of the U.S. EPA Region VIII, 999 18th Street, Suite 500 South Tower, Denver, Colorado and at the Office of the United States Attorney, District of Colorado 1961 Stout Street, 11th Floor, Denver, CO 80294. A copy of the proposed 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 either with or without the multiple signature pages and

attachments. In requesting a copy of the proposed consent decree, please enclose a check payable to the Consent Decree Library for \$5.25 for a complete copy of the decree (25 cents per page reproduction cost).

Robert D. Brook,

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

[FR Doc. 01-3271 Filed 2-7-01; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Extension of Time for Comments Relating to the Lodging of a Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act

Notice is hereby given that the public comment period on a proposed Consent Decree in *United States and State of Colorado v. Robert Friedland*, Civil No. 96 N 1213 (D. Colo.), has been extended at the request of a member of the public. The Department of Justice will continue to accept comments until February 20, 2001. The Consent Decree was lodged on December 22, 2000 with the United States District Court for the District of Colorado. Notice of the public comment period was previously published at 65 FR 83084 (December 29, 2000).

Comments should be addressed to the Assistant Attorney General of the Environmental and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to, *United States and State of Colorado v. Robert Friedland*, Civil No. 96 N 1213, and D.J. Ref. #90-11-3-1133B.

The Decree may be examined at the office of the U.S. Department of Justice, Environmental Enforcement Section, 999 18th Street, Suite 945, North Tower, Denver, Colorado; at U.S. EPA Region 8, Office of Regional Counsel, 999 18th Street, Suite 300, South Tower, Denver, Colorado. A copy of the Decree may be obtained by mail from the Consent Decree Library, U.S. Department of Justice, P.O. Box 7611, Washington, DC 20044. In requesting a copy, please enclose a check in the amount of \$5.50 for the Decree (25 cents per page reproduction cost) payable to the Consent Decree Library.

Robert Brook,

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

[FR Doc. 01-3272 Filed 2-7-01; 8:45 am]

BILLING CODE 4410-15-M