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Joel M. Gross,

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

[FR Doc. 95-26256 Filed 10-23-95; 8:45 am]

BILLING CODE 4410-01-M

Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response Compensation and Liability Act of 1980 as Amended

In accordance with Department of Justice policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States v. Farber, et al.*, Civil No. 86-3736, was lodged on October 13, 1995, with the United States District Court for the District of New Jersey. The decree resolves claims against Purex Corp. in the above-referenced action under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA") for contamination at the Syncon Resins Superfund Site in Kearny, New Jersey (the "Site"). In the proposed consent decree, Purex agrees to reimburse the EPA for \$715,000 in past response costs incurred by the Environmental Protection Agency at 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 consent decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. Faber, et al.*, DOJ Ref. Number 90-11-3-116.

The proposed consent decree may be examined at the Office of the United States Attorney, 970 Broad St., Newark, NJ 07102; the Region II Office of the Environmental Protection Agency, 290 Broadway, New York, NY 10278; and the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, DC 20005. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$6.25 (25 cents per page

reproduction costs), payable to the Consent Decree Library.

Bruce S. Gelber,

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

[FR Doc. 95-26255 Filed 10-23-95; 8:45 am]

BILLING CODE 4410-01-M

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

In accordance with Departmental policy and 28 CFR 50.7, notice is hereby given that on October 12, 1995, a partial consent decree in *United States v. Hercules Incorporated et al.*, Civil

Action 95-1094-R, was lodged with the United States District Court for the Western District of Virginia.

This partial consent decree settles claims brought against Hercules Incorporated ("Hercules") pursuant to the Clean Air Act (the "Act"), 42 U.S.C. 7401 *et seq.*, and the National Emission Standard for Hazardous Air Pollutants for asbestos ("asbestos NESHAP"), in connection with allegations that asbestos was improperly handled during the demolition of a building owned by Hercules in Covington, Virginia. Under the terms of the consent decree, Hercules has agreed to pay a civil penalty of \$1.2 million and to take certain enumerated actions to facilitate compliance with the asbestos NESHAP at all of its facilities throughout the United States. The partial consent decree does not settle the United States' claims against Carver Massie Carver, Inc., the contractor named as a co-defendant in this action.

The Department of Justice will receive comments relating to the proposed consent decree for a period of thirty days from the date of publication of this notice. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Hercules Incorporated et al.*, Civil Action No. 95-1094-R Ref. No. 90-5-2-1-1897. The proposed consent decree may be examined at the office of the United States Attorney, Western District of Virginia, Thomas B. Mason Building, 105 Franklin Road, S.W., Roanoke, Virginia 24011. Copies of the consent decree may also be examined and obtained by mail at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005 (202-624-0892) and the offices of the Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107. When requesting a

copy by mail, please enclose a check in the amount of \$6.50 (twenty-five cents per page reproduction costs) payable to the "Consent Decree Library."

Joel M. Gross,

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

[FR Doc. 95-26254 Filed 10-23-95; 8:45 am]

BILLING CODE 4410-01-M

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

Notice is hereby given that two proposed consent decrees in *United States v. American Recovery Company, et al.*, Civil Action No. 95-1590, were lodged on October 6, 1995 with the United States District Court for the Western District of Pennsylvania. The first Consent Decree requires five defendants (Conoco, Inc., Conoco Coal Development Company, Consolidation Coal Company, Durasteel Abrasive Company, and Wheeling-Pittsburgh Steel Corporation) to pay \$19,500 to reimburse a portion of the United States' past costs associated with the investigation and clean up of the Municipal & Industrial Disposal Company Superfund Site ("Site"), located in Elizabeth Township, Pennsylvania. The second Consent Decree requires two defendants (Bethlehem Steel Corporation and Fairchild Industries, Inc.) to pay \$40,000 to reimburse a portion of the United States' past costs associated with the investigation and clean up of 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 consent decrees. 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. American Recovery Company, et al.*, DOJ Ref. #90-11-2-949.

The proposed consent decrees may be examined at the office of the United States Attorney, 633 Post Office & Courthouse, 7th & Grant Streets, Pittsburgh, PA 15219; the Region III Office of the Environmental Protection Agency, 841 Chestnut Building, Philadelphia, Pennsylvania 19107; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of each proposed consent decree may be obtained in person or by mail from the

Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy please refer to the referenced case and enclose a check. For the first Consent Decree, that check should be in the amount of \$5.75 (25 cents per page reproduction costs), payable to the Consent Decree Library. For the second Consent Decree, that check should be in the amount of \$5.50 (25 cents per page reproduction costs), payable to the Consent Decree Library

Bruce S. Gelber,

Acting Chief, Environmental Enforcement Section, Environment and Natural Resources Division

[FR Doc. 95-26253 Filed 10-23-95; 8:45 am]

BILLING CODE 4410-01-M

Notice of Lodging of Consent Decrees in United States v. Nalco Chemical Company, et al., Under the Comprehensive Environmental Response, Compensation, and Liability Act

Notice is hereby given that the Third through Sixth Partial Consent Decrees in *United State v. Nalco Chemical Company, et al.*, Case No. 91-C-4482 (N.D. Ill.), entered into by the United States on behalf of U.S. EPA and eleven settling parties were lodged on October 18, 1995 with the United States District Court for the Northern District of Illinois. The proposed Consent Decrees resolve certain claims of the United States against the settling parties under the Comprehensive Environmental Response Compensation and Liability Act, 42 U.S.C. 9601 *et seq.* relating to the Byron Salvage Superfund Site in Ogle County, Illinois. The Third and Fourth Partial Consent Decrees are de minimis settlements with two Interstate Pollution Control customer third party defendants and provide for the payment of a total of approximately \$88,000 to the Hazardous Substances Superfund. The Fifth and Sixth Consent Decrees are past costs only settlements with a total of four defendants and five IPC customer third party defendants and provide for the payment of a total of approximately \$2.7 million to the Hazardous Substances Superfund.

The Department of Justice will receive comments relating to the proposed Consent Decrees for 30 days following the publication of this Notice. 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. Nalco Chemical Company, et al.*, D.J. Ref. No. 90-11-3-687. The proposed Consent Decrees may

be examined at the Office of the United States Attorney for the Northern District of Illinois, 219 S. Dearborn St., Chicago, Illinois 60604; the Regionl V Office of the United States Environmental Protection Agency, 77 West Jackson Street, Chicago, Illinois 60604; and at the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005 (202-624-0892). A copy of the proposed Consent Decrees may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005. In requesting a copy of the Third Through Sixth Partial Consent Decrees, please enclose a check in the amount of \$22.50 (25 cents per page for reproduction costs), payable to the Consent Decree Library.

Bruce S. Gelber,

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

[FR Doc. 95-26252 Filed 10-23-95; 8:45 am]

BILLING CODE 4410-01-M

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

Notice is hereby given that a proposed consent decree in *United States v. Virgin Islands Water and Power Authority*, Civil Action No. 89-09, was lodged on October 17, 1995 with the United States District Court for the District of the Virgin Islands.

The complaint in this action was filed on January 11, 1989, against the Virgin Islands Water and Power Authority ("VIWAPA"), pursuant to Sections 309 (b) and (d) of the Clean Water Act ("Act"), 33 U.S.C. 1319 (b) and (d). The complaint sought penalties and injunctive relief for discharges of pollutants from VIWAPA's Power Generation and Desalting Facility on St. Croix and its Power Generation and Desalting Facility on St. Thomas in violation of Section 301(a) of the Act, 33 U.S.C. 1311(a), and for violations of certain terms and conditions of National Pollutant Discharge Elimination System ("NPDES") permits issued to VIWAPA by EPA pursuant to Section 402 of the Act, 33 U.S.C. 1342.

The proposed consent decree embodies an agreement by VIWAPA to pay a civil penalty in the amount of \$35,000, plus interest, in two installments. Under the Decree, VIWAPA has agreed to pay \$17,500 within 30 days of entry of the Decree and \$17,500, plus interest, within six months of the date of entry of the Decree. In addition, VIWAPA has agreed to comply with all terms and conditions of its renewed NPDES permits.

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 for the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Virgin Islands Water and Power Authority*, DOJ Ref. # 90-5-1-1-3209.

The proposed Consent Decree may be examined at the Region II Office of the Environmental Protection Agency, 290 Broadway, New York, New York, at the United States Attorney's Office located at the Federal Building and U.S. Courthouse, Charlotte Amalie, St. Thomas, Virgin Islands, and at the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, D.C. 20005. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$2.75 payable to the Consent Decree Library.

Joel M. Gross,

Acting Section Chief, Environmental Enforcement Section.

[FR Doc. 95-26251 Filed 10-23-95; 8:45 am]

BILLING CODE 4410-10-M

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

Notice is hereby given that a Superseding Consent Decree in *United States v. Virgin Islands Water and Power Authority*, Civil Action No. 83-85, was lodged on October 17, 1995 with the United States District Court for the District of the Virgin Islands.

The complaint in this action was filed in March, 1983 against the Virgin Islands Water and Power Authority ("VIWAPA") pursuant to Section 113(b) of the Clean Air Act (the "Act"), 42 U.S.C. 7413(b) for penalties and injunctive relief for violations of the Act and the provisions of Air Quality Implementation Plan for the United States Virgin Islands (the "SIP") established pursuant to Section 110 of the Act, 42 U.S.C. 7410. The complaint alleged, *inter alia*, that VIWAPA violated the Act by failing to comply with the Prevention of Significant Deterioration of Air Quality ("PSD") regulations set forth in 40 C.F.R. 52.21, with respect to its installation and subsequent operation of two gas turbines, one located on St. Thomas and one located on St. Croix. In April, 1983,