

Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590; and at the Consent Decree Library, 1120 G Street, N.W., 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, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$6.50 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel M. Gross,

Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.
[FR Doc. 97-12980 Filed 5-16-97; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Relating to the Lemberger Superfund Sites in Manitowoc County, Wisconsin, Under the Comprehensive Environmental Response, Compensation, and Liability Act

Notice is hereby given that a proposed consent decree in *United States v. Red Arrow Products Company, a Wisconsin Partnership, et al.* Civil Action No. 96-C-0699, was lodged with the United States District Court for the Eastern District of Wisconsin, on May 6, 1996. This action was commenced pursuant to the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9601, *et seq.* in connection with the Lemberger Landfill Superfund Site (#5-3E), and the Lemberger Transport & Recycling Superfund Site (#5-J4). (See the National Priorities List in 40 CFR Part 300, Appendix B) which are located near the intersection of Hempton Lake and Sunnyslope Roads, near the town of Whitelaw, in Manitowoc County, Wisconsin.

The Operable Unit 1 and Operable Unit 2 remedial and removal actions at the two Lemberger Sites are being performed by a group of potentially responsible parties (the Lemberger Sites Remediation Group or the "LSRG") who signed a Consent Decree in 1992 and an Administrative Order in 1993 with the United States. The Red Arrow consent decree was signed by the United States, the State of Wisconsin, Red Arrow Partnership, the trustees for twelve trusts that form the Red Arrow Partnership, and Red Arrow Products Company, a Wisconsin Corporation (collectively "the Red Arrow Defendants"). In the decree, the Red

Arrow Defendants have agreed to reimburse the United States \$1,425,000 in past response costs, and Red Arrow Products Company has agreed to continue performing the Operable Units 1 and 2 remedial and removal actions for the two Lemberger Sites, as a member of the Lemberger Sites Remediation Group.

The Department of Justice will receive comments relating to the proposed consent decrees for a period of 30 days from the date of this publication. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530. All comments should refer to "*United States v. Red Arrow Products Company, a Wisconsin Partnership, et al.* (Lemberger Superfund Sites), DJ #90-11-2-712A.

The proposed consent decree may be examined at the Office of the United States Attorney for the Eastern District of Wisconsin, 517 E. Wisconsin Ave, Room 530, Milwaukee, WI 53202 (c/o William Lipscomb); the Region V Office of the U.S. Environmental Protection Agency, 77 West Jackson Street, Seventh Floor, Chicago, Illinois 60604; or at the Department of Justice Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005. A copy of the proposed consent decree may be obtained in person or by mail from the Department of Justice Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy, please refer to the above-referenced DJ numbers, and enclose a check in the amount of \$8.00 (twenty-five cents per page reproduction costs) for the consent decree (32 pages), payable to the Consent Decree Library.

Joel M. 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 Resource Conservation and Recovery Act

In accordance with Departmental policy, 28 CFR § 50.7, notice is hereby given that a proposed consent decree in *United States v. Somerset Refinery Inc.*, Civil Action No. 93-186, was lodged on April 28, 1997 with the United States Court for the Eastern District of Kentucky. The second amended complaint was brought pursuant to Sections 3005, 3008, and 9006 of the Resource Conservation and Recovery

Act (RCRA), 42 U.S.C. §§ 6925, 6928 and 6991e against Somerset Refinery, Inc. and Somerset Oil, Inc. (Somerset). The second amended complaint sought civil penalties and injunctive relief. Somerset owns and operates a small petroleum refinery located in Somerset, Kentucky. The second amended complaint alleged numerous RCRA violations based on the unpermitted treatment, storage, and disposal of various hazardous wastes at Somerset's refining facility. Most of these violations relate to the facility's petroleum wastewater treatment system. In addition, Somerset owns and operates approximately 250 underground storage tanks for gasoline, diesel, and other petroleum products at service stations throughout eastern Kentucky. The second amended complaint alleged numerous violations of the RCRA petroleum underground storage tank (UST) regulations, 40 CFR part 280.

Under the terms of the consent decree, Somerset will be required to perform corrective action pursuant to Section 3008(h) of RCRA, 42 U.S.C. § 6928(h), at the Somerset refinery, which EPA has estimated will cost in excess of \$4 million. Somerset will also pay a civil penalty in the amount of \$200,000 and will perform a Supplemental Environmental Project involving remediation of abandoned USTs in eastern Kentucky.

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. Somerset Refinery, Inc.*, DOJ Ref. #90-7-1-714.

The proposed consent decree may be examined at the office of the United States Attorney, Eastern District of Kentucky, 110 West Vine Street, Suite 400, Lexington, Kentucky 40507; the Region 4 Office of the Environmental Protection Agency, 100 Alabama Street, S.W., Atlanta, Georgia 30303; and at the Consent Decree Library, 1120 G Street, N.W., 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, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$6.25 (25 cents