

Washington, D.C. 20530, and should refer to *United States v. Elmer Burrows, et al.*, DOJ Ref. #90-11-2-223.

The proposed Order Modifying Amended Consent Decree may be examined at the office of the United States Attorney, Room 399, Federal Building, 110 Michigan, NW, Grand Rapids, Michigan, 49503; the Region 5 Office of the Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604; 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 Order Modifying Amended 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 \$1.00 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel M. Gross,
*Chief, Environmental Enforcement Section,
 Environment and Natural Resources Division.*

United States District Court for the Western District of Michigan

United States of America, Plaintiff/
 Counter-Defendant, v. Elmer Burrows d/b/a Burrows Sanitation and Auto Specialties Manufacturing Company, Defendants, and Duane Funk, Evelyn Funk, Douglas Mackinder, Georgia Mackinder, Du-Wel Products, Inc., Du-Wel Hartford, Inc., and Whirlpool Corporation, Defendants/Counter-Plaintiffs. Hon. Benjamin Gibson, File No. K88-128CA8.

Charles E. Barbieri,
 (P31793)
 Attorney for Defendant Du-Wel Products, Inc., 313 S. Washington Square, Lansing, Michigan 48933, Telephone: (517) 372-8050

Order Modifying Amended Consent Decree

At a session of said Court, held in the District Court Rooms, Western District of Michigan, City of Grand Rapids, State of Michigan, on the ____ day of _____, 1994.

Present: Honorable Benjamin Gibson, District Judge.

This Court having reviewed the Joint Motion of Plaintiff, United States of America, and Defendant, Du-Wel Products, Inc., to Modify Amended Consent Decree entered July 20, 1992, and the Supporting Brief; this Court finding that the parties to the Amended Consent Decree have consented to the requested modification in the Joint Motion, and this Court, being fully advised in the premises;

It is hereby ordered and Adjudged, that the Amended Consent Decree

entered dated July 20, 1992, be amended as follows:

11.A. Settling Defendants shall perform the Work required herein so that the concentrations of chemicals of concern in the groundwater do not exceed the Safe Drinking Water Act Maximum Contaminant Levels (MCLs), Maximum Contaminant Level Goals (MCLGs), whichever is lower, or Water Quality Criteria for Protection of Human Health due to Ingestion of Drinking Water, where no MCLs or MCLGs exist. These Groundwater Cleanup Standards for the chemicals of concern are as follows:

- Chromium—100 UG/L
- Copper—1,000 UG/L
- Lead—20 UG/L
- Nickel—150 UG/L
- Zinc—5,000 UG/L.

Extraction and off-site treatment and disposal of the groundwater is required to achieve the Groundwater Cleanup Standards and shall be implemented by Settling Defendants according to the schedule set forth in the Amended RAP. Settling Defendants shall, once Groundwater Cleanup Standards have been achieved, extract and treat and dispose of one additional volume of groundwater equal to that pumped to achieve the Groundwater Cleanup Standards, as required above, or, in the alternative, Settling Defendants may undertake an alternative to extracting and treating and disposing of one additional volume of groundwater equal to that pumped to achieve the Groundwater Cleanup Standards that is acceptable to and approved in writing by U.S. EPA. In any event, Settling Defendants shall continue to extract groundwater and to treat and dispose of the same off-site as required above unless and until U.S. EPA approves in writing an alternative to extracting and treating and disposing of one additional volume of groundwater equal to that pumped to achieve the Groundwater Cleanup Standards, as required above.

It is further ordered that Table 2-1 on page 2-2 of the Amended Remedial Action Plan, which is part of the Amended Consent Decree entered by the Court on July 20, 1992, be amended as follows:

GROUNDWATER CLEAN-UP STANDARDS
 [Concentrations reported in UG/L.]

Indicator chemical	Groundwater clean-up standards ^a
Chromium	100
Copper	1,000
Lead	20
Nickel	^b 150

GROUNDWATER CLEAN-UP STANDARDS—Continued
 [Concentrations reported in UG/L.]

Indicator chemical	Groundwater clean-up standards ^a
Zinc	5,000

^aBased on SDWA MCLs, MCLGs, and proposed MCLGs.

^bNo MCL or MCLG established. Criteria based on Office of Drinking Water Health Advisory.

It is so ordered.
 Benjamin Gibson,
U.S. District Judge.
 [FR Doc. 96-6097 Filed 3-13-96; 8:45 am]
BILLING CODE 4410-01-M

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

In accordance with Departmental policy, 28 C.F.R. § 50.7, 38 Fed. Reg. 19029, notice is hereby given that on March 1, 1996, a proposed Amended Consent Decree in *United States v. Crown Paper Co. and James River Paper Company, Inc.*, Civil Action No. 95-258-SD, was lodged with the United States District Court for the District of New Hampshire resolving the matters alleged in a complaint filed on May 16, 1995. The proposed Amended Consent Decree concerns alleged violations by James River of Sections 309 (b) and (d) of the Clean Water Act ("CWA"), 33 U.S.C. §§ 1319 (b) and (d), Sections 3008 (a) and (g) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. §§ 6928 (a) and (g), Section 109(c) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. § 6909(c), and Section 325(b)(3) of the Emergency Planning and Community Right-to-Know Act ("EPCRA"), 42 U.S.C. 11045(b)(3), at pulp and paper mills operated by James River in Gorham and Berlin, New Hampshire.

The CWA violations alleged in the complaint include: violations of the federal pretreatment standards and National Prohibited Discharge Standard; the unauthorized discharge of pollutants without a permit; and the discharge of pollutants in excess of levels allowed under a permit. The RCRA violation alleged in the complaint includes the disposal of hazardous waste without a permit. Finally, the CERCLA and EPCRA violations alleged in the complaint include the failure to timely report the spill of sulfuric acid at the pulp mill.

Under the terms of the Amended Consent Decree, the defendants will pay a civil penalty of \$200,000 to the United States and will be required to comply with the Clean Water Act. In addition, the defendants will be required to install equipment at the pulp mill necessary to reduce certain sulfur emissions from wastewater effluent and to perform an assessment of their compliance with the Clean Water Act's prohibition on unpermitted discharges.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication comments relating to the proposed Amended Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, U.S. Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Crown Paper Co. and James River Paper Company*, D.J. Ref. 90-5-1-1-4123.

The proposed Amended Consent Decree may be examined at the Region I Office of the Environmental Protection Agency, One Congress Street, Boston, Massachusetts, and at the office of the United States Attorney, District of New Hampshire, 55 Pleasant Street, Concord, New Hampshire, c/o Gretchen L. Witt, Assistant U.S. Attorney. Copies of the proposed Amended Consent Decree may also be examined at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the proposed Amended Consent Decree may be obtained in person or by mail from the Consent Decree Library. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$5.75 (25 cents per page reproduction cost) made payable to Consent Decree Library.

Joel M. Gross,

Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.
[FR Doc. 96-6040 Filed 3-13-96; 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, 28 C.F.R. § 50.7, notice is hereby given that a proposed consent decree in *United States versus Elliott Drywall & Asbestos, Inc.*, Civil Action No. 94-2487-JWL, was lodged on February 14, 1996 with the United States District Court for the District of Kansas. The United States filed an action against Elliott Drywall alleging violations of the Clean Air Act Section 112, 42 U.S.C. § 7412, and the asbestos NESHAP, 40

C.F.R. Part 61, Subpart M, § 61.45. Under the proposed consent decree, Settling Defendants will pay a civil penalty of \$50,000.

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 versus Elliott Drywall & Asbestos, Inc.*, DOJ Ref. #90-5-2-1-1512A.

The proposed consent decree may be examined at the office of the United States Attorney, District of Kansas, Suite 360, 500 State Avenue, Kansas City, KA 66101; the Region VII Office of the Environmental Protection Agency, 726 Minnesota Avenue, Kansas City, KA 66101; 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 \$2.50 (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. 96-6095 Filed 3-13-96; 8:45 am]

BILLING CODE 4410-01-M

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

In accordance with Departmental policy, 28 C.F.R. § 50.7, and Section 122(d)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9622(d)(2), notice is hereby given that a proposed consent decree in *United States v. Mobil Mining and Minerals Co.*, Civil Action No. CV H 96 0605 was lodged on February 21, 1996 with the United States District Court for the Southern District of Texas.

The proposed consent decree settles the government's claims set forth in the complaint pursuant to Sections 107 and 113 of CERCLA, 42 U.S.C. 9607, 9613, for damages for injury to, destruction of or loss of natural resources belonging to, managed by, controlled by or appertaining to the United States or the

State of Texas, including the cost of assessing such injury or loss, because of a release of hazardous substances from a facility known as the Mobil Pasadena facility (Mobil Site) located in Pasadena, Texas. The complaint alleges, *inter alia*, that the defendant is an owner and operator of the Pasadena facility from which hazardous substances were released on April 6, 1992.

Under the terms of the proposed consent decree, the defendants agree to fund and implement a remedy near the Pasadena site which includes the creation and maintenance of a Wetlands Restoration Project.

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. Mobil Mining and Minerals Co.*, DOJ Ref. #90-11-2-1027.

The proposed consent decree may be examined at the Office of the United States Attorney, Southern District of Texas, 910 Travis St., suite 1500, Houston, TX 77002 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 \$6.75 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel Gross,

Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.
[FR Doc. 96-6094 Filed 3-13-96; 8:45 am]

BILLING CODE 4410-01-M

Notice of Lodging of Consent Decree Pursuant to 28 C.F.R. § 50.7

Notice is hereby given that the proposed consent decree in *United States v. The Municipal Authority of Union Township, et al.*, Civil Action No. 1:CV-94-0621, was lodged on February 29, 1996 with the United States District Court for the Middle District of Pennsylvania. The Consent Decree requires the Municipal Authority of Union Township to pay \$20,000 in civil penalties and to perform certain injunctive relief for its failure to enforce its pretreatment program in violation of