

waters to the brook without a permit; (4) an oil spill which occurred in 1998; and (5) failure to timely prepare an oil spill prevention, control, and countermeasure (SPCC) plan in relation to Pilgrim's oil storage facilities on the site.

The Consent Decree imposes civil penalties in the amount of \$190,000 and injunctive relief including construction of berms around the tank farm, other material storage areas, and hazardous substance storage tanks; completion of improvements to liquid materials and products delivery, conveyance, storage, and loading systems; and revision of the SPCC plan.

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. Old Dutch Mustard Company, Inc., d/b/a Pilgrim Foods*, (U.S.D.C., D.N.H.), D.O.J. Ref. #90-5-1-1-07145.

The Consent Decree may be examined at the Office of the United States Attorney, Federal Building, 55 Pleasant Street, Concord, New Hampshire, 03301 and at the Region I Office of the Environmental Protection Agency, One Congress Street, Suite 110-SEL, Boston, MA 02114-2023. During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. 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 or by faxing or e-mailing a request to Tonia Fleetwood tonia.fleetwood@usdoj.gov, fax no (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$15.75 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Ronald G. Gluck,

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

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Between the United States of America and Sigma-Aldrich Co. Under the Clean Air Act

Under 28 CFR 50.7, notice is hereby given that on September 1, 2004, a proposed Consent Decree ("Consent Decree") in the case of *United States of America v. Sigma-Aldrich Co.*, Civil Action No. 04-CV-01186-RWS was lodged with the United States District Court for the Eastern District of Missouri, Eastern Division.

The Consent Decree settles the United States' claims for civil penalties for Defendant's violations of the industrial refrigerant, repair, testing, record-keeping, and reporting regulations at 40 CFR part 82, subpart F, §§ 82.156-82.166 ("Recycling and Emissions Reduction"), promulgated pursuant to Subchapter VI of the Clean Air Act ("Stratospheric Ozone Protection"), 42 U.S.C. § 7671-7671q. Under the Consent Decree, Sigma must pay the United States a civil penalty of \$180,000 within twenty-one days of the entry of the Decree. Sigma also must retrofit or retire six particular appliances, four within two months of entry, a fifth appliance within six months, and the final one within twelve months. Finally, Sigma must implement a Refrigerant Management Plan.

The Department of Justice will receive comments relating to the Consent Decree for a period of thirty days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Sigma-Aldrich Co.*, D.J. Reference No. 90-5-2-1-06469.

The Consent Decree may be examined at the office of the United States Attorney, 111 South 10th Street, Room 20.333, St. Louis, MO 63102 and at U.S. EPA region 7, 901 N. 5th Street, Kansas City, KS 66101. During the comment period, the Consent Decree may be examined on the following Department of Justice Web site: <http://www.usdoj.gov/enrd/open.html>. 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, or by faxing or e-mailing a request to Tonia Fleetwood (tonia.fleetwood@usdoj.gov), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the consent Decree Library,

please enclose a check in the amount of \$7.00 (25 cents per page reproduction cost) payable to the United States Treasury for payment.

Robert Maher,

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

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Air Act

Pursuant to 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States and Robert G. Burnley, Director, Commonwealth of Virginia Department of Environmental Quality v. Stone Container Corporation*, Civil Action No. 3:04 CV 647 was lodged with the United States District Court for the Eastern District of Virginia on September 9, 2004. The Commonwealth of Virginia has filed a Complaint in Intervention and is a signatory to the proposed Consent Decree.

In its Complaint, the United States alleges Stone Container Corporation ("Stone Container") and its predecessors violated the Clean Air Act, 42 U.S.C. § 7601 *et seq.*, the regulations promulgated thereunder, and the requirements of the Virginia State Implementation Plan, at Stone Container's West Point, Virginia pulp and paper manufacturing facility ("West Point Facility"). The Commonwealth of Virginia Department of Environmental Quality ("Commonwealth") filed a Motion for Leave to Intervene and a Complaint in Intervention, alleging the same violations. The proposed Consent Decree resolves Stone Container's liability to the United States and the Commonwealth for the violations alleged in the Complaints. The Consent Decree requires Stone Container to install air pollution control devices to control emissions of sulfur dioxide and nitrogen oxides from the West Point Facility. The Consent Decree also requires Stone Container to pay a civil penalty of \$475,000 to the United States and \$457,000 to the Commonwealth, and to comply with monitoring, recordkeeping, and reporting requirements.

The Department of Justice will receive comments relating to the Consent Decree for a period of thirty (30) days following the date of public of this Notice. Please address comments to the Assistant Attorney General, Environment and Natural Resources