

corporate compliance program to ensure compliance with the Clean Water Act at all of its drilling sites in the future.

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 Assistance 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. GHK Company, L.L.C. and GHK/Potato Hills Limited Partnership*, D.J. Ref. No. 90-5-1-1-07654.

The Consent Decree may be examined at the Office of the United States Attorney, Eastern District of Oklahoma, 1200 West Okmulgee Street, Muskogee, OK 74401, and at U.S. EPA Region VI, 1445 Ross Avenue, Dallas, TX 75202-2733. 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 \$19.75 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Thomas A. Mariani, Jr.,

Assistant Section Chief, Environment Section, Environment and Natural Resources Division.
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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Amendment Under the Clean Air Act

Under 28 C.F.R. § 50.7, notice is hereby given that on March 11, 2005, a First Amendment to the August 2001 Consent Decree in the matter of *United States, et al. v. Marathon Ashland Petroleum LLC*, Civil Action No. 4:01-CV-40119-PVG, was lodged with the United States District Court for the Eastern District of Michigan.

The First Amendment to the August 2001 Consent Decree ("First Amendment") amends a consent decree entered among the United States, as Plaintiff, the County of Wayne, the State of Louisiana, and the State of Minnesota, as Plaintiff-Intervenors, and Marathon Ashland Petroleum LLC

("MAP"), as Defendant. In the August 2001 Consent Decree, MAP agreed, to undertake, *inter alia*, numerous projects to reduce emissions of air pollutants at seven refineries that MAP owns and operates. The proposed First Amendment exclusively involves MAP's refinery in Texas city, Texas. Under the First Amendment, MAP will: (1) Receive an exemption from compliance with the sulfur dioxide emissions limits of the New Source Performance Standards, 40 CFR 60.104(a)(1), at two of MAP's heaters at the Texas City Refinery during limited periods between March 1, 2005, and February 28, 2006, provided that MAP meets certain requirements during those limited periods; (2) accept a permanent reduction of the emissions limitation at the Refinery's fluidized catalytic cracking unit ("FCCU") from 25 ppm to 20 ppm on 365-day rolling average basis, at 0% oxygen; (3) advance by six months the NSPS compliance date of a new sulfur recovery plant that MAP will be installing at the Refinery; (4) advance by five months the NSPS compliance date of six heaters and boilers at the Refinery that currently are not subject to NSPS; (5) limit total sulfur dioxide emissions from the Texas City Refinery to those set forth in MAP's current Texas state permit; and (6) spend no less than \$100,000 to install diesel retrofit technologies on no less than seven sanitation trucks owned and operated by Texas City, Texas.

The Department of Justice will receive for a period of fifteen (15) 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, et al. v. Marathon Ashland Petroleum LLC*, D.J. Ref. No. 90-5-2-1-07247.

The First Amendment may be examined at the Office of the United States Attorney, 211 W. Fort St., Suite 2300, Detroit, Michigan 48226, and at U.S. EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733. During the public comment period, the First Amendment 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 number (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 \$2.75 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Robert D. Brook,

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

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DEPARTMENT OF JUSTICE

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

Under 42 U.S.C. section 9622(d)(2) and 28 CFR 50.7, notice is hereby given that on March 2, 2005, a proposed Consent Decree in *United States v. Waste Management of Wisconsin, Inc.*, Civil Action Number 3:05cv00128, was lodged with the United States District Court for the Western District of Wisconsin.

The consent decree resolves claims against Waste Management of Wisconsin, Inc. ("WMWI") on behalf of the Environmental Protection Agency ("EPA") under sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9606 and 9607, for response action to be taken and response costs to be incurred in responding to the release and threatened release of hazardous substances at the City Disposal Corporation Landfill Superfund Site ("Site") in the Town of Dunn, Dane County, Wisconsin.

WMWI has been performing the remedial action for the site under a unilateral administrative order issued by EPA. Under the consent decree, WMWI will complete performance of the Site remedy and will reimburse the United States for response costs the United States will incur at the site. The consent decree also provides for disbursement to WMWI, if specified conditions are met, of approximately \$1.97 million credited to the site from the proceeds of a prior, separate settlement in *In re U.E. Systems, Inc.*, et al., No. 91-32791 (Bankr. N.D. Ind.). The *U.E. Systems* settlement required that amounts recovered therein "shall reduce the liability of the non-settling potentially responsible parties * * * by the amount of the credit." The proposed consent decree with WMWI will implement that provision of the *U.E. Systems* settlement while also providing the United States with full recovery of