

**DEPARTMENT OF JUSTICE****Notice of Lodging of Proposed Consent Decree Under the Clean Water Act**

Notice is hereby given that on August 3, 2007, a proposed Consent Decree in *United States of America, and City of Sterling, Colorado (Plaintiffs) v. Aristedes Zavaras, Executive Director, State of Colorado Department of Corrections, Sterling Correctional Facility, and State of Colorado (Defendants)*, Civil Action No. 07–CV–01643–MSK–MSW, was lodged with the United States District Court for the District of Colorado.

In this action, the United States and the City of Sterling, Co-Plaintiffs, seek civil penalties and Supplemental Environmental Projects (“SEPs”) for Defendants’ discharges of pollutants at the Sterling Correctional Facility in Logan County, Colorado, in violation of sections 301 and 307 of the Act, 33 U.S.C. 1311, 1317, and local ordinance, City of Sterling, Colo., Sewer System Pretreatment Program (“Sterling SSPP”), Chapter 21, Article V, sections 21–201 to 21–222. The Consent Decree addresses the Correctional Facility’s violations of its Industrial User Permit issued by the City of Sterling, which owns and operates a publicly owned treatment works (“POTW”) the which Correctional Facility is connected. Under the terms of the Consent Decree, Defendants will pay a civil penalty of \$50,000 and perform SEPs valued at \$225,000.

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 in the above-captioned case. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044–7611,<sup>1</sup> and should refer to Civil Action No. 07–CV–01643–MSK–MSW, D.J. Ref. 90–5–1–08122.

The Sterling CD may be examined at the Office of the United States Attorney, 11225 Seventeenth Street, Suite 700 Seventeenth Street Plaza, Denver, Colorado 80202. It also may be examined at the offices of U.S. EPA—Region 8, 1595 Wynkoop Street, Denver, Colorado 80202. During the public comment period, the Consent Decree may also be examined on the following

Department of Justice Web site, to [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html).

A copy of the Consent Decree also may 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](mailto: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 \$8.25 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if by e-mail or fax, forward a check in that amount to the Consent Decree Library at the stated address.

**Robert D. Brook,**

*Assistant Chief, Environmental 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 and the Resource Conservation and Recovery Act**

Notice is hereby given that on August 10, 2007, a proposed Consent Decree (the “Consent Decree” in *United States v. BFI Waste Systems of North America, Inc. et al.*, Civil Action No. 07 C 4499, was lodged with the United States District Court for the Northern District of Illinois.

In this action the United States sought, pursuant to sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”), 42 U.S.C. 9606 and 9607, injunctive relief and the recovery of cost incurred by the United States in responding to a release or threat of hazardous substances at or from the Wauconda Sand and Gravel Superfund Site (the “Site”) located in Lake County, Illinois, at or near to the Village of Wauconda. Under the proposed Consent Decree, the settling defendants will complete the connection of over 400 homes to the Village of Wauconda’s municipal water works, expand the Village’s municipal water works to accommodate the increased demand, perform operation and maintenance at the Site, and conduct groundwater monitoring activities. The proposed Consent Decree also requires the Settling Defendants to pay past and

future response costs incurred by the United States relating to the Site. In addition, the proposed Consent Decree also includes a covenant not to sue under sections 106 and 107 of CERCLA and under section 7003 of the Resource Conservation and Recovery Act (“RCRA”), 42 U.S.C. 6973.

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 Divisions, and either e-mailed to [pubcomment-ess.enrd@usdoj.gov](mailto:pubcomment-ess.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044–7611, and should refer to *United States v. BFI Waste Systems of North America, Inc. et al.*, D.J. Ref. No. 90–11–2–153/1. Commenters may request an opportunity for a public meeting in the affected area, in accordance with section 7003(d) of RCRA, 42 U.S.C. 973(d).

The Consent Decree may be examined at the Office of the United States Attorney, 219 South Dearborn Street, Chicago, Illinois 60604, and at U.S. EPA Region 5, 77 West Jackson Blvd., Chicago, Illinois 60604. During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site, to [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.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](mailto: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 \$37 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if by E-mail or fax, forward a check in that amount to the Consent Decree Library at the stated address. In requesting a copy exclusive of exhibits and defendant’s signatures, please enclose a check in the amount of \$18.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**William D. Brighton,**

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

[FR Doc. 07–4119 Filed 8–22–07; 8:45 am]

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<sup>1</sup> Comments should be addressed to the Assistant Attorney General even if the settlement was approved by some other officer of the Department (e.g., Section Chief or Associate Attorney General).