

should be addressed to Donald G. Frankel, Trial Attorney, Environmental Enforcement Section, Environment and Natural Resources Division, U.S. Department of Justice, One Gateway Center, Suite 616, Newton, Massachusetts 02458 and should refer to *In re Irving Tanning Co.*, D.J. Ref. #90-11-2-06887/3.

The proposed Settlement Agreement may be examined at EPA Region 2, 290 Broadway, New York, NY 10007-1866 (contact George Shanahan, 212-637-3171). A copy of the Settlement Agreement 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 a request to Tonia Fleetwood, fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy, please enclose a check in the amount of \$2.50 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Ronald G. Gluck,

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

[FR Doc. 02-33083 Filed 12-31-02; 8:45 am]

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DEPARTMENT OF JUSTICE

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

Under 28 CFR 50.7 and 42 U.S.C. 9622(d), notice is hereby given that on December 19, 2002, a proposed Consent Decree ("Consent Decree") in *United States v. NL Industries, Inc. et al.*, Civil Action No. 91-CV-578-JLF, was lodged with the United States District Court for the Southern District of Illinois.

The United States filed the above-referenced civil action under sections 106 and 107 of the Comprehensive Environmental Response, Compensation and Liability Act, as amended ("CERCLA"), against NL Industries, Inc. ("NL") and others in 1991. The complaint seeks injunctive relief to compel defendants to perform remedial actions at the NL Industries/Taracorp Superfund Site, as well as civil penalties and punitive damages for failure to comply with a 1990 administrative order issued pursuant to section 106 of CERCLA. In addition, the complaint seeks to recover response costs incurred by the United States in connection with the Site.

Under the proposed consent decree. In addition, NL will pay \$29.78 million to the Superfund within 30 days of

entry of the consent decree. In addition, NL will pay up to an additional \$710,000 to the Superfund, depending on the outcome of an audit of certain response costs relating to the Site. Finally, the proposed consent decree requires NL to pay a penalty of \$1 million for failure to comply with the 1990 administrative order. Because another group of potentially responsible parties committed to complete the implementation of remedial action at the Site, the proposed consent decree does not include any requirements for NL to perform remedial action.

The Department of Justice will receive comments relating to the proposed consent decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. NL Industries, Inc., et al.*, D.J. Ref. 90-11-3-608A.

The Consent Decree may be examined at the Office of the United States Attorney, Nine Executive Drive, Fairview Heights, Illinois 62208-1344, and at U.S. EPA Region 5, 77 West Jackson Boulevard, Chicago, IL 60604. A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing a request to Tonia Fleetwood, fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy, please enclose a check in the amount of \$8.00 (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. 02-33084 Filed 12-31-02; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Stipulation and Order of Judgment Under the Clean Air Act

Notice is hereby given that on December 12, 2002, a proposed Stipulation and Order for Judgment, (Stipulation) in *United States v. Sierra Rock, et al.*, Civil Action No. S-00-2117 GEB DAD was lodged with the United States District Court for the Eastern District of California.

In this action the United States sought civil penalties and injunctive relief for violation of the Clean Air Act against

Defendants Sierra Rock, and Loring and Thelma Brunius as owners and operators of the Weber Creek Quarry, located in El Dorado County, California. The complaint alleges that defendants are liable for violating section 114(a)(1), and (3), and 113 (b)(1) of the Clean Air Act and the California State Implementation Plan (California SIP) by failing to adequately respond to an Administrative Order requiring compliance with an Information Request, and for violating numerous provisions of the California SIP and defendants' operating permits, especially as they relate to the duty to control and suppress dust during quarry operations. Pursuant to the Stipulation between the parties, Defendants agree to pay a civil penalty of \$69,729. Because of defendants' limited ability to pay, the civil penalty will be made in three installments over a two-year period and interest will accrue on the delayed installment payments. In addition, defendants agree to implement specific and substantial injunctive provisions aimed at reducing dust at the quarry.

The Department of Justice will receive for a period of 30 days from the date of this publication comments relating to the Stipulation. 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 *U.S. v. Sierra Rock, et al.*, D.J. Ref. 90-5-2-1-07194.

The Stipulation may be examined at the Office of the United States Attorney, 501 "I" Street, 10th Floor, Sacramento, CA 95814, and at U.S. EPA Region 9, 75 Hawthorne Street, San Francisco, California, 94105. A copy of the Stipulation may also be obtained by mail from the Consent Decree Library, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing a request to Tonia Fleetwood, fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy, please enclose a check in the amount of \$3.00 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Ellen M. Mahan,

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

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