

Office of the United States Attorney,
District of Idaho, 877 W. Main Street,
Suite 201, Boise, Idaho 83702
Office of District Counsel, Corps of
Engineers, Walla Walla District, 201
N. 3rd Avenue, Walla Walla, WA
99362-1876.

A copy may be requested by calling
Deborah A. Hill, Assistant United States
Attorney, at (208) 334-1211. In
requesting a copy, please enclose a
check payable to the Treasury of the
United States in the amount of \$6.00 for
a copy of the Consent Decree with
attachments and postage.

Deborah A. Hill,

Assistant U.S. Attorney, District of Idaho.
[FR Doc. 98-12627 Filed 5-12-98; 8:45 am]
BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA")

Notice is hereby given that on April
21, 1998, a proposed Consent Decree
was lodged with the United States
District Court for the Northern District
of Iowa in *United States v. Foxley Cattle
Co., et al.*, Civil Action No. C98-4032
DEO, (N.D. Iowa). The proposed
Consent Decree settles claims asserted
by the United States at the request of the
United States Environmental Protection
Agency ("EPA") under Section 107(a) of
the Comprehensive Environmental
Response, Compensation, and Liability
Act of 1980 ("CERCLA"), 42 U.S.C.
9607(a), in a complaint filed
concurrently with the lodging of the
proposed Consent Decree. The
complaint seeks reimbursement of
response costs incurred and to be
incurred by the United States in
response to the release or threatened
release of hazardous substances at the
Mid-America Tanning Company
Superfund Site, located in Woodbury
County, Iowa.

Under the proposed Consent Decree,
defendant Foxley Cattle Company shall,
inter alia, reimburse the EPA Hazardous
Substance Superfund \$642,000, plus
interest, shall pay \$100,000 for payment
of Natural Resource Damages to the
United States, and shall conduct and
perform groundwater sampling and
analysis at the Site in accordance with
an EPA approved plan. Defendant
Andrew M. Hain shall, *inter alia*,
reimburse the EPA Hazardous
Substance Superfund \$100,000. In

exchange, and conditioned upon the
complete and satisfactory performance
of their obligations under the proposed
Consent Decree, the settling defendants
shall receive a covenant not to sue
pursuant to Sections 106 and 107(a) of
CERCLA, 42 U.S.C. 9606 and 9607(a),
and Section 7003 of RCRA, 42 U.S.C.
6973, to undertake response actions or
to recover response costs at or in
connection with the Site. Foxley also
shall receive a covenant not to sue
pursuant to Section 107(a) of CERCLA,
42 U.S.C. 9607(a), for Natural Resource
Damages related to the Site. In addition,
the settling defendants receive
contribution protection under Section
113(f)(2), 42 U.S.C. 9613(f)(2), for
matters addressed in the proposed
Consent Decree. The United States
reserves the right to pursue the settling
defendants in certain circumstances if
previously unknown conditions or
information indicates that response
action performed at the Site is not
protective of human health or the
environment.

The Department of Justice will receive
written comments relating to the
proposed Consent Decree for thirty (30)
days from the date of publication of this
notice. Comments should be addressed
to the Assistant Attorney General of the
Environment and Natural Resources
Division, U.S. Department of Justice,
Washington, D.C. 20503, and should
refer to *United States v. Foxley Cattle
Co., et al.*, DOJ #90-11-2-1185A. The
proposed Consent Decree may be
examined at the EPA Region 7 Office at
726 Minnesota Ave., Kansas City, KS
66101. 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 (202) 624-0892.
In requesting a copy, please enclose a
check in the amount of \$10.50 (25 cents
per page) payable to the "Consent
Decree Library".

Joel Gross,

*Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.*
[FR Doc. 98-12628 Filed 5-12-98; 8:45 am]
BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

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

Notice is hereby given that on April
17, 1998, a proposed Consent Decree
was lodged with the United States
District Court for the District of Kansas
in *United States v. Texaco Pipeline,
Inc., et al.*, Civ. No. 96-2152-GTV (D.

Kan.). The proposed Consent Decree
settles claims asserted by the United
States at the request of the United States
Environmental Protection Agency
("EPA") in an action originally filed on
April 1, 1996. The United States filed
this action pursuant to the Federal
Water Pollution Control Act, commonly
referred to as the Clean Water Act
("CWA" or "Act"), 33 U.S.C. §§ 1251 *et
seq.* The complaint requested the
assessment of civil penalties and
injunctive relief against defendants
Texaco Pipeline, Inc. ("Texaco
Pipeline") and Texaco Trading and
Transportation, Inc. ("Texaco Trading")
for discharges of oil into navigable
waters of the United States or adjoining
shorelines in violation of Sections 301
and 311 of the CWA, 33 U.S.C. 1311 and
1321. These discharges took place from
the defendants' pipeline systems in the
State of Kansas.

Under the proposed Consent Decree,
the defendants' collectively will pay to
the United States a \$925,000 civil
penalty. In addition, Texaco Trading
shall purge and permanently remove
from service specified portions of its
pipeline system. The defendants also
shall undertake additional injunctive
relief which includes the lowering of
pipeline, improved maintenance of
pipeline, and inspection of pipeline
within the State of Kansas.

The Department of Justice will receive
written comments relating to the
proposed Consent Decree for thirty (30)
days from the date of publication of this
notice. Comments should be addressed
to the Assistant Attorney General of the
Environment and Natural Resources
Division, U.S. Department of Justice,
Washington, D.C. 20530, and should
refer to *United States v. Texaco Pipeline
Inc., et al.*, DOJ #90-5-1-1-4272. The
proposed Consent Decree may be
examined at the EPA Region 7 Office at
726 Minnesota Ave., Kansas City, KS
66101. 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 (202) 624-0892.
In requesting a copy, please enclose a
check in the amount of \$8.00 (25 cents
per page) payable to the "Consent
Decree Library".

Joel Gross,

*Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.*
[FR Doc. 98-12630 Filed 5-12-98; 8:45 am]
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