

Washington, DC 20530, and should refer to *United States v. Compaction Systems Corporation, et al.*, Civil Action No. 99-5349, D.J. Ref. 90-11-2-1134.

The proposed consent decree may be examined at the Office of the United States Attorney, District of New Jersey, 970 Broad Street, Newark, New Jersey 07102, at U.S. Environmental Protection Agency Region II, 290 Broadway, New York, New York 10007-1866, and at the Consent Decree Library, 1120 G Street, NW, 3rd Floor, Washington, DC 20005. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW, 4th Floor, Washington, DC 20005. In requesting a copy, please enclose a check in the amount of \$17.25 (25 cent per page reproduction cost).

**Joel M. Gross,**

Chief, Environmental Enforcement Section,  
Environment and Natural Resources Division.  
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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Joint Motion for Modification of Amended Consent Decree, Which Resolved Action Under the Clean Air Act

In accordance with Departmental policy, 28 CFR 50.7, please be advised that a proposed Joint Motion for Modification of Amended Consent Decree was lodged on November 9, 1998, in *United States v. Ohio Power Company*, C.A. No. 5:94-CV-100 (N.D.WVa), with the United States District Court for the Northern District of West Virginia ("District Court"). The Joint Motion extends a deadline of November 1, 1998, contained in the Amended Consent Decree. That deadline sets forth the date by which defendant must come into compliance at its Kammer power plant in Marshall County, West Virginia, with the sulfur dioxide limitation presently contained in the West Virginia State Implementation Plan ("SIP"), in the event that the State does not submit a revised SIP by October 1, 1999. Should the State fail to submit the SIP by that date, defendant must comply with the current sulfur dioxide limitation by December 31, 1999. The Amended Consent Decree resolved an action which the United States brought in 1994 against Ohio Power under section 113 of the Clean Air Act, 42 U.S.C. 7413.

Any comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer

to *United States v. Ohio Power Company*, DOJ Ref. #90-5-2-1-1958. The proposed Joint Motion may be examined at the Office of the United States Attorney, 1100 Main Street, Room 200, Wheeling, West Virginia 26003, and the Region III Office of the Environmental Protection Agency, 1650 Arch Street, Philadelphia, Pennsylvania 19103. A copy of the proposed Joint Motion may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW, 4th Floor, Washington, DC 20005, (202) 624-0892. The proposed Joint Motion contains 74 pages, including attachments. To obtain the Joint Motion, with attachments, please enclose a check for \$18.50. Please make the check payable to the Consent Decree Library, and refer to the case by its title and DOJ Ref. #90-5-2-1-1958.

**Joel M. Gross,**

Chief, Environmental Enforcement Section,  
Environment and Natural Resources Division.  
[FR Doc. 98-30998 Filed 11-19-98; 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, ("CERCLA"), 42 U.S.C. 9601 et seq.

Under 28 CFR 50.7, notice is hereby given that on September 25, 1998, a proposed Consent Decree in *United States v. United Technologies Automotive Systems, Inc., et al.*, Civil Action No. 8-98-CV-90150, was lodged with the United States District Court for the Southern District of Iowa.

In this action against United Technologies Automotive Systems, Inc. ("UTAS"), F/K/A Sheller-Globe Corporation ("Sheller-Globe") and David B. and Miriam Grimes (the "Grimes"), pursuant to sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, on behalf of the United States Environmental Protection Agency ("EPA"), the United States sought: (1) Reimbursement of costs incurred in performing response activities at the Sheller-Globe Superfund Site in Keokuk, Iowa ("Site") and (2) performance of response work by the defendants at the Site pursuant to the Record of Decision, dated September 20, 1995 ("ROD"). Under the Consent Decree, the defendants will reimburse the EPA Hazardous Substance Superfund approximately \$35,000 for all response costs incurred between the date of the ROD and the effective date of the Consent Decree, and all future costs incurred by the Department of

Justice ("DOJ") and EPA. The defendants also will provide access and institutional controls and perform the remedial work in accordance with the Consent Decree, ROD, and Statement of Work ("SOW"), valued at approximately \$121,000. This settlement, together with a prior Administrative Order on Consent, ("AOC") entered into by EPA and UTAS predecessor Sheller-Globe on October 23, 1990, in which Sheller-Globe agreed to pay EPA's past costs at or in connection with the Site as well as the costs incurred by EPA associated with the oversight of the AOC, will result in a recovery of 100% of the United States' expected response costs. In exchange, UTAS and the Grimes will receive a covenant not to sue pursuant to sections 106 and 107(a) of CERCLA, 42 U.S.C. 9606 and 9607(a), relating to the Site, subject to all standard reservations and reopeners. In addition, UTAS and the Grimes will receive contribution protection under section 113(f)(2) of CERCLA, 42 U.S.C. 9613(f)(2).

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 of the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. United Technologies Automotive Systems, Inc. et al.*, D.J. Ref. 90-11-2-1266.

The Consent Decree may be examined at the Office of the United States Attorney, Southern District of Iowa, 110 East Court Street, Des Moines, Iowa 50309, at U.S. EPA—Region VII, 726 Minnesota Avenue, Kansas City, Kansas 66101, and at the Consent Decree Library, 1120 G Street, NW, 3rd Floor, Washington, DC 20005, (202) 624-0892. A copy of the Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW., 3rd Floor, Washington, D.C. 20005. In requesting a complete copy with all Attachments, please enclose a check in the amount of \$69.75 (25 cents per page reproduction cost) payable to the Consent Decree Library. In requesting a copy of the Consent Decree without Attachments, please enclose a check in the amount of \$23.25 (25 cents per page reproduction cost) payable to the Consent Decree Library.

**Joel M. Gross,**

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