

\$2,552,976.96 of these amounts will be paid to United States and the balance will be paid to the State of Maine.

The monies paid by the settling defendants under the consent decree is to reimburse past costs incurred at the Site. The consent decree provides the settling defendants with releases for civil liability for EPA's and the State's past response costs at the Site.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, U.S. Department of Justice, P.O. Box 7611, Washington, D.C. 20044-7611, and should refer to *United States v. and State of Maine v. Allen's Transfer & Storage, et al.*, DOJ Ref. No. 90-11-3-1733/1.

The proposed consent decree may be examined at the Office of the United States Attorney, 99 Franklin Street, 2nd Floor, Bangor, ME 04401, and at the Region I Office of the Environmental Protection Agency, Region I Records Center, 1 Congress Street, Suite 1100, Boston, MA 02114-2023. A copy of the proposed consent decree may be obtained by mail from the Consent Decree Library, P.O. Box 8611, Washington, DC 20044-7611. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$38.50 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Ronald G. Gluck,

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

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DEPARTMENT OF JUSTICE

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

In accordance with 28 CFR 50.7, 38 Fed. Reg. 19029, notice is hereby given that on March 9, 2001, the Second Modified Consent Decree in *United States and Commonwealth of Massachusetts v. Lynn Water and Sewer Commission, Civil Action No. 76-2184-RGS*, was lodged with the United States District Court for the District of Massachusetts. In this action, the United States and the Commonwealth of Massachusetts seek compliance by the Lynn Water and Sewer Commission ("LWSC") with the Clean Water Act ("CWA"), 33 U.S.C. 1251, et seq., in

regard to combined sewer overflows from several of its outfalls.

The Second Modified Consent Decree provides that LWSC will implement sewer separation for the areas tributary to its outfalls 004, 005, and 006, instead of constructing the consolidation conduit and storage facility contemplated under the existing consent decree. Sewer separation is to be completed for the areas tributary to outfall 006 by the end of 2003, for the areas tributary to outfall 005 by the end of 2006, and for the areas tributary to outfall 004 by the end of 2009. The combined sewer overflow control strategy for LWSC's other CSO outfall, outfall 003, continues to be sewer separation as in the existing consent decree and is to be completed by the end of 2003.

The Department of Justice will receive comments relating to the proposed Second Modified Consent Decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Washington, D.C. 20044, and should refer to *United States and Commonwealth of Massachusetts v. Lynn Water and Sewer Commission, D.J. Ref. 90-5-1-1-545B*.

The proposed consent decree may be examined at the office of the United States Attorney, Suite 9200, 1 Courthouse Way, Boston, Massachusetts 02110, and at the Region I office of the Environmental Protection Agency, One Congress Street, Suite 1100, Boston, Massachusetts 02114. A copy of the proposed consent decree may also be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, D.C. 20044. In requesting a copy, please enclose a check (there is a 25 cent per page reproduction cost) in the amount of \$7.75 payable to the "Consent Decree Library."

Ronald G. Gluck,

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

[FR Doc. 01-7674 Filed 3-28-01; 8:45 am]

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DEPARTMENT OF JUSTICE

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

In accordance with Department of Justice policy codified at 28 CFR 50.7, notice is hereby given that on March 20,

2001, a proposed Consent Decree in *United States v. Viktron, L.P., et al.*, Civ. Action No. 00-C-1632, was lodged with the United States District Court for the Northern District of Illinois. The Consent Decree represents a settlement of the United States' claims under the Clean Water Act, 33 U.S.C. 1251 et seq., for injunctive relief and civil penalties against Viktron, L.P. and its general partner Electronic Support Systems Corporation ("Settling Defendants") for alleged violations of Sections 301 and 307 of the Act, 33 U.S.C. 1311 and 1317, the General Pretreatment Standards codified at 40 CFR 403, the Pretreatment Standards for New Sources ("PSNS"), Metal Finishing Point Source Category, codified at 40 C.F.C. 433, Subpart A, and the terms and conditions of Viktron's Industrial User Permit and an Administrative Order issued by EPA pursuant to Sections 308(a) and 309(a)(3) of Act, 33 U.S.C. 1318(a) and 1319(a)(3). The alleged violations occurred at Viktron's metal finishing facility in West Chicago, Illinois, which discharged pollutants into the West Chicago publicly owned treatment works, owned and operated by the City of West Chicago. Under the terms of the proposed ability-to-pay Consent Decree, Settling Defendants agree to pay a civil penalty of \$150,000 in installments over three years, plus interest, and commit to pay up to an additional \$50,000 in civil penalties depending on Viktron's sales over the next three years. Full payment of these amounts will discharge all claims alleged in the complaint. No injunctive relief is necessary because the Settling Defendants are no longer in operation and no longer own the West Chicago facility.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, U.S. Department of Justice, P.O. Box 7611, Washington, DC 20044, and should refer to *United States v. Viktron, L.P., et al.* Civ. Action No. 00-C-1632; D.J. Ref. No. 90-5-1-1-06834.

The Consent Decree may be examined at the Office of the United States Attorney, 219 South Dearborn Street, Chicago, Illinois, 60604, and the United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590. 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. In requesting a copy of the Consent Decree, please enclose a