

decree may be obtained from the same source for an additional charge.

Bruce S. Gelber,

Deputy 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 Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a consent decree in *United States v. Chemclene, et al.*, No. 99-CV-3715 (E.D. Pa.), was lodged on September 8, 1999, with the United States District Court for the Eastern District of Pennsylvania.

The consent resolves the claims of the United States and the Commonwealth of Pennsylvania pursuant to sections 106 and 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9606, 9607(a), and pursuant to the Pennsylvania Hazardous Sites Cleanup Act ("HSCA"), 35 P.S. sections 6020.101 *et seq.*, arising from costs incurred by the United States and the Commonwealth for response actions at the Malvern TCE Superfund Site ("Site") in East Whiteland Township, Chester County, Pennsylvania.

The Settling Defendants are generators or transporters of hazardous substances that were sent to the Site. The consent decree provides that Settling Defendants will perform remedial action, in exchange for a covenant not to sue, contribution protection, and a share of funds collected from *de minimis* parties, to be applied to remedial costs. The consent decree also provides for settlement of claims against a Federal Agency in connection with the Site. The United States will pay the Settling Defendants \$571,372.50 for the Settling Federal Agency's allocable share of past and future remedial costs.

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 for the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to DJ # 90-11-3-1731. Comments

may also be addressed to the United States Attorney, Eastern District of Pennsylvania, 615 Chestnut Street, Philadelphia, PA 19106, c/o Assistant United States Attorney Nuriye C. Huygur.

The consent decree may be examined and copied at the Office of the Clerk, U.S. District Court for the Eastern District of Pennsylvania; or at the Region III Office of the Environmental Protection Agency, c/o Joan A. Johnson, Assistant Regional Counsel, 1650 Arch Street, Philadelphia, PA 19103-2029. A copy of the 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 refer to the referenced case and enclose a check in the amount of \$114.00 (25 cents per page reproduction cost), payable to the Consent Decree Library.

Joel Gross,

Section Chief, Environmental Enforcement Section.

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Clean Air Act and the Resource Conservation and Recovery Act

In accordance with Departmental policy and 28 CFR 50.7, notice is hereby given that on September 8, 1999, a consent decree was lodged in *United States v. Colorado Refining Company, Inc. and TPI Petroleum, Inc.*, Civil Action No. 99-N-1759, with the United States District Court for the District of Colorado.

This consent decree resolves claims against Colorado Refining Company, Inc. and TPI Petroleum, Inc., brought in connection with the CFC petroleum refinery in Commerce City, Colorado pursuant to section 113(b) of the Clean Air Act, as amended, ("CAA"), 42 U.S.C. 7413(b), and Sections 3008(a), (g) and (h) of the Resource Conservation and Recovery Act, as amended, ("RCRA"), 42 U.S.C. 6928(a), (g) and (h). The consent decree resolves alleged violations of monitoring, sampling, and reporting requirements of a 1989 RCRA Administrative Consent Order and alleged violations of emission control requirements and monitoring, testing and reporting requirements of the CAA. The consent decree requires CRC and TPI to pay a civil penalty of \$1.1 million and to perform comprehensive injunctive relief, including the installation of new emissions control

technology, additional emissions monitoring and reporting, and additional soil and sediment testing and reporting.

The Department of Justice will receive comments relating to the proposed consent decree for a period of thirty days from the date of publication of this notice. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. Colorado Refining Company, Inc. and TPI Petroleum, Inc.*, DOJ Ref. No. 90-7-1-894. The proposed Consent Decree may be examined at the office of the United States Attorney, District of Colorado, 1961 Stout Street, Suite 1200, Denver, Colorado or the offices of the Environmental Protection Agency, Region VIII, 999 Eighteen Street, Suite 500, Denver, Colorado. A copy of the Consent Decree may also be obtained by mail from the Department of Justice Consent Decree Library, PO Box 7611, Washington, DC. 20044. When requesting a copy by mail, please enclose a check in the amount of \$9.25 (twenty-five cents per page reproduction costs), payable to the "Consent Decree Library."

Joel M. Gross,

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 Comprehensive Environmental Response, Compensation, and Liability Act

In accordance with Departmental policy, the Department of Justice gives notice that a proposed consent decree in the case captioned *United States v. Commonwealth Edison Company*, Civil Action No. 99 C 5628 (N.D. Ill.), was lodged with the United States District Court for the Northern District of Illinois on September 15, 1999. The proposed consent decree relates to the Standard Scrap Metal/Chicago International Exporting Site located at 4004-4020 South Wentworth and 4000-4027 South Wells Streets in Chicago, Illinois. The proposed consent decree would resolve civil claims of the United States for recovery of past response costs under section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. 9607, against the Commonwealth Edison Company. The proposed consent decree would require