

Issued: May 25, 2007.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

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## DEPARTMENT OF JUSTICE

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

In accordance with Departmental Policy, 28 U.S.C. 50.7, notice is hereby given that on May 18, 2007, a proposed Consent Decree in *United States v. Baldwinville Products, Inc. et al.*, Civil Action No. 4:07-cv-40146 was lodged with the United States District Court for the District of Massachusetts.

In this action the United States sought cost recovery with respect to the Birch Hill Dam and Reservoir Project Area Site, located on the Millers and Otter Rivers, in Worcester County, Massachusetts ("the Site"), under the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA") against Baldwinville Products, Inc. and Erving Industries, Inc. (collectively, the "Settling Defendants"). Under the terms of the proposed settlement, the Settling Defendants will pay \$215,000 to reimburse the United States for costs incurred at the Site. The Settling Defendants shall also undertake certain sampling work in the event flood waters exceed certain levels.

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, Environmental and Natural Resources Division, and either e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Baldwinville Products, Inc.*, (D. Mass.), D.J. Ref. 90-11-3-1728.

The Consent Decree may be examined at the Office of the United States Attorney, Donohue Federal Building, 595 Main Street, Room 206, Worcester, Massachusetts, and at the United States Army Corps of Engineers, New England District, 969 Virginia Road, Concord, Massachusetts. During the public comment period, the Consent Decree, may also be examined of the following Department of Justice Web-site, to [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). 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 or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@fleetwood.usdoj.gov](mailto:tonia.fleetwood@fleetwood.usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$5.50 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if by e-mail or fax, forward a check in that amount to the Consent Decree Library at the stated address.

**Ronald Gluck,**

*Assistant Chief, Environmental Enforcement and Natural Resources Division.*

[FR Doc. 07-2700 Filed 5-31-07; 8:45am]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Air Act

Notice is hereby given that on May 17, 2007, a proposed Consent Decree in *United States v. Kerr-McGee Corporation*, Civil Action No. 07-CV-01034-WDM-MJW as lodged with the United States District Court for the District of Colorado.

The Consent Decree resolves claims by the United States against Kerr-McGee Corporation ("Kerr-McGee") under section 113 of the Clean Air Act, 42 U.S.C. 7413 at Kerr-McGee's Cottonwood Wash, Ouray, and Bridge compressor stations located on tribal lands in the Uinta Basin and in the Denver-Julesburg Basin in Weld County, Colorado. The Consent Decree will require Kerr-McGee to install low emission dehydrators, enclose flares on certain condensate storage tanks and replace pneumatic controllers with "low bleed" components and also install either catalytic controls on large engines or replace old engines with newer, lower emitting units. The decree establishes federally enforceable limits on the compressor stations to restrict the sources' potential to emit, keeping it below the Clean Air Act's major source threshold until EPA finalizes a Synthetic Minor Source Permitting Program in Indian Country. The decree also requires Kerr-McGee to pay a civil penalty of \$150,000 to the United States and \$50,000 to the State of Colorado and perform supplemental environmental projects valued at \$250,000.

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, Environmental and Natural Resources Division, and either e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Kerr-McGee Corporation*, D.J. Ref 90-5-2-1-08656.

The Consent Decree may be examined at the Office of the United States Attorney, 1225 Seventeenth Street, Suite 700, Denver, Colorado 80202, and at U.S. EPA Region 8, 1595 Wynkoop Street, Denver, CO 80202. During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site, [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). 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 or by faxing or e-mailing a request to Tonia Fleetwood ([toniafleetwood@usdoj.gov](mailto:toniafleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy of the entire Consent Decree with exhibits from the Consent Decree Library, please enclose a check in the amount of \$44.75 (25 cents per page reproduction costs) payable to the U.S. Treasury or, if by e-mail or fax, forward a check in that amount to the Consent Decree Library at the stated address. In requesting a copy of the decree exclusive of exhibits, please enclose a check in the amount of \$20.50 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Robert D. Brook,**

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

[FR Doc. 07-2701 Filed 5-31-07; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under The Clean Water Act, Oil Pollution Act, and Endangered Species Act

Notice is hereby given that on May 21, 2007, a proposed Consent Decree in *United States v. Kinder Morgan Energy Partners, L.P., et al.* Civil Action No. 2:07-00952-GEB-EFB was lodged with the United States District Court for the Eastern District of California.

In this action the United States and the State of California sought civil penalties, injunctive relief, response costs, and natural resource damages as a result of three oil spills from