

Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Calaveras Cement Company*, DOJ Ref. #90-5-2-1920.

The proposed consent decree may be examined at the office of the United States Attorney, for the Eastern District of California, 1130 "O" Street, Room 3654, Fresno, CA 93721 (209) 498-7272; the Region IX Office of the Environmental Protection Agency, 75 Hawthorne Street, San Francisco, CA; and at the Consent Decree Library, 1120 G Street, N.W., 3rd Floor, Washington, D.C. 20005, (202) 624-0892. 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., 3rd Floor, Washington, D.C. 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$5.75 (25 cents per page reproduction costs), payable to the Consent Decree Library.

**Joel Gross,**

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

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Clean Water Act; ConAgra, Inc.

In accordance with Departmental policy, 28 C.F.R. 50.7, notice is hereby given that a proposed consent decree in *United States v. ConAgra, Inc.*, Civil Action No. CIV96-0134-S-LMB, was lodged on October 1, 1998 with United States District Court for the District of Idaho. The United States of America ("United States"), on behalf of the United States Environmental Protection Agency, has filed a civil Amended Complaint pursuant to Section 309 (b) and (d) of the Federal Water Pollution Control Act, as amended (the "CWA" or the "Act"), 33 U.S.C. 1319 (b) and (d), and a January 26, 1998 Notice of Corrections to the Amended Complaint. In the Amended Complaint modified by a January 26, 1998 Notice of Corrections, the United States alleges that the Defendant, ConAgra, Inc., violated the Clean Water Act and the terms and conditions of National Pollutant Discharge Elimination System permits at the Armour Fresh Meats Company of Nampa, Idaho, beef slaughterhouse and concentrated animal feeding operation located at Railroad Road and Amity, Nampa, Idaho ("Facility").

The proposed consent decree provides that the Defendant shall pay to the United States \$1,000,000 in civil penalties. In addition, the proposed consent decree requires ConAgra to cease all land application of wastes at the Facility for so long as a CAFO and/or slaughterhouse is operated at the Facility, close its existing wastewater treatment ponds and construct a new wastewater treatment pond(s), and implement a Supplemental Environmental Project, which requires ConAgra to remove cattle from its CAFO and cease all use of its CAFO to reduce the potential sources of pollutants to the surface waters.

The proposed consent decree settles all civil claims against ConAgra for violations of the CWA at ConAgra's Facility alleged in the Amended Complaint, as modified by the January 26, 1998 Notice of Corrections, that occurred prior to the date of lodging of this Consent Decree, including alleged violations of effluent limitations in ConAgra's NPDES permits, violations of monitoring, reporting and records requirements in ConAgra's NPDES permits, and unauthorized discharges of pollutants to surface waters via french drains, soils and hydrologically-connected groundwater.

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, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. ConAgra, Inc.*, DOJ Ref. 90-5-1-1-4284.

The proposed consent decree can be examined at the Office of the United States Attorney, District of Idaho, 877 West Main, Suite 201, Boise, Idaho 83707; the Region 10, Idaho Office of the Environmental Protection Agency, 1435 N. Orchard Street, Boise, Idaho 83706; and at the Consent Decree Library, 1120 G Street, N.W., 3rd Floor, Washington, D.C. 20005, (202) 624-0892. 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., 3rd Floor, Washington, D.C. 20005. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$10.50 (25 cents per page reproduction

costs) payable to the Consent Decree Library.

**Joel Gross,**

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

[FR Doc. 98-27695 Filed 10-13-98; 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 and Resource Conservation and Recovery Act; Lake Geneva Associates, et al.

In accordance with Departmental policy, 28 C.F.R. § 50.7, notice is hereby given that on September 30, 1998 a proposed Consent Decree in *United States v. Lake Geneva Associates, et al.*, Civil Action No. 98-C-0972, was lodged with the United States District Court for the Eastern District of Wisconsin.

The Consent Decree resolves certain claims of the United States against Lake Geneva Associates, Playboy Enterprises, and Marcus Geneva, Inc., under Sections 107(a) and 113(g)(2) of CERCLA, 42 U.S.C. 9607(a) and 9613(g)(2), at the former Southern Lakes Trap Skeet Club site ("the Site") near Lake Geneva in Walworth County, Wisconsin. The defendants have been named as either a former owner during the disposal of hazardous substances at, or the current owner of, the Site.

The settlement requires the settling defendants to make payment of \$925,000 for past response costs incurred by the U.S. Environmental Protection Agency in connection with the Site and of \$75,000 on behalf of the Department of the Interior and the U.S. Fish and Wildlife Service for natural resource damages. The Consent Decree includes a covenant not to sue by the United States under Sections 106 and 107(a) of CERCLA and Section 7003 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. 6973, for: (1) Response costs and actions associated with the EPA removal action at the Site; (2) natural resource damages resulting from shooting activities at or from the Site; and, (3) any and all claims by the United States for violations of the requirements of an EPA administrative order, Docket No. V-W-94-C.

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, United