

The Complaint in this Clean Water Act case was filed against Sunoco Pipeline L.P. (Sunoco) and Mid-Valley Pipeline Company (Mid-Valley) concurrently with the lodging of the proposed Consent Decree. The Complaint alleges federal and state claims relating to three crude oil spills: A 2013 spill of 550 barrels in Tyler County, Texas; a 2014 spill of approximately 4,500 barrels in Caddo Parish, near Mooringsport; and a 2015 spill of 40 barrels in Grant County, Oklahoma. The Texas spill affected Russell Creek, which flows to the Neches River. The Louisiana spill—the largest of the three—flowed to Tete Bayou, a tributary of Caddo Lake. The Oklahoma spill flowed into two creeks that flow to the Arkansas River, affecting an area of about a half a mile. All three spills resulted from pipeline corrosion. The Complaint alleges violations of Sections 311(b) and 309(b) of the Clean Water Act (CWA), 33 U.S.C. 1321(b) and 1319(b). In addition, the Louisiana Department of Environmental Quality (LDEQ) alleges violations of La. R.S. 30:2076(A)(1) and (A)(3), LAC 33:IX.501.A, LAC 33:IX.1701.B, Defendants' LPDES General Permit, and Louisiana Administrative Code section LAC 33:I.3925.A.3. The Complaint seeks civil penalties, state response costs, and injunctive relief for three discharges of oil into navigable waters of the United States.

Under the proposed Consent Decree, Sunoco will pay \$5 million in civil penalties to the United States and \$437,274.20 in civil penalties and response costs to LDEQ. Additionally, Sunoco is required to take actions to prevent future spills by identifying and remediating the types of problems that caused the prior spills. This includes performing pipeline inspections and repairing pipeline defects that could lead to future spills. Sunoco is also required to take steps to prevent and detect corrosion in pipeline segments that Sunoco is no longer using. Mid-Valley, the owner of the pipeline that spilled oil in Louisiana, is responsible, along with Sunoco, for payment of the civil penalties and state response costs relating to the Louisiana spill.

The publication of this notice opens a period for public comment on the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States of America and Louisiana Department of Environmental Quality v. Sunoco Pipeline L.P. and Mid-Valley Pipeline Company*, D.J. Ref. No. 90-5-1-1-11673. All comments must be submitted no later than thirty

(30) days after the publication date of this notice. Comments may be submitted by either email or by mail:

To submit comments:	Send them to:
By email .....	<a href="mailto:pubcomment-ees.enrd@usdoj.gov">pubcomment-ees.enrd@usdoj.gov</a> .
By mail .....	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

During the public comment period, the proposed Consent Decree may be examined and downloaded at this Justice Department website: <https://www.justice.gov/enrd/consent-decrees>. We will provide a paper copy of the proposed Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Please enclose a check or money order for \$63.50 (25 cents per page reproduction cost) payable to the United States Treasury. For a paper copy without the appendices and signature pages, the cost is \$9.75.

**Thomas Carroll,**

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

[FR Doc. 2019-01102 Filed 2-4-19; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Consent Decree Under The Clean Air Act

On January 30, 2019, the U. S. Department of Justice (DOJ) lodged a proposed Consent Decree with the United States District Court for the Northern District of Ohio in *United States v. Toledo Refining Company*, Civil Action No. 3:19-cv-00232. The lodging of the proposed Decree immediately followed DOJ's filing in the same court of a civil complaint (Complaint) against Toledo Refining Company (Toledo Refining).

The proposed Consent Decree resolves Clean Air Act claims in the Complaint by the United States on behalf of the U.S. Environmental Protection Agency (EPA). Under the proposed Decree, Toledo Refining agrees, among other things, to undertake measures to improve its flare gas recovery system at its oil refinery facility in Oregon, Ohio. Toledo Refining will adhere to detailed flare gas recovery requirements and provisions

addressing the Leak Detection and Repair Program, pay a civil penalty, perform a Supplemental Environmental Project, and conduct three mitigation projects.

The publication of this notice opens a period for public comment on the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Toledo Refining Company*, D.J. Ref. No. 90-5-2-1-10924. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	Send them to:
By email .....	<a href="mailto:pubcomment-ees.enrd@usdoj.gov">pubcomment-ees.enrd@usdoj.gov</a> .
By mail .....	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

During the public comment period, the proposed Consent Decree may be examined and downloaded at this Justice Department website: <http://www.justice.gov/enrd/consent-decrees>.

We will provide a paper copy of the proposed Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Please enclose a check or money order for \$37.75 (25 cents per page reproduction cost), payable to the United States Treasury.

**Randall M. Stone,**

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

[FR Doc. 2019-01109 Filed 2-4-19; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Resource Conservation and Recovery Act

On January 29, 2019, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Northern District of Ohio in *United States v. Bedford Environmental Services, LLC and Krick Road Holdings, LLC*, Civil Action No. 1:19-cv-224.

The Consent Decree settles claims brought by the United States for violations of the Resource Conservation

and Recovery Act (RCRA), 42 U.S.C. 6901 *et seq.*, in connection with a hazardous waste disposal, treatment, and storage facility owned and operated by Defendants in Bedford, Ohio. The Consent Decree requires the Defendants to undertake measures to address the RCRA violations and prevent future RCRA violations and pay a civil penalty of \$90,000.

The publication of this notice opens a period for public comment on the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Bedford Environmental Services, LLC, et al.*, D.J. Ref. No. 90–7–1–11845. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	Send them to:
By email .....	<a href="mailto:pubcomment-ees.enrd@usdoj.gov">pubcomment-ees.enrd@usdoj.gov</a> .
By mail .....	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department website: <https://www.justice.gov/enrd/consent-decrees>.

We will provide a paper copy of the Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for \$13.50 (25 cents per page reproduction cost) payable to the United States Treasury.

**Randall M. Stone,**  
*Acting Assistant Section Chief,  
Environmental Enforcement Section,  
Environment and Natural Resources Division.*  
[FR Doc. 2019–00940 Filed 2–4–19; 8:45 am]  
**BILLING CODE 4410–15–P**

**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Proposed Consent Decree Under the Clean Air Act**

On January 29, 2019, the Department of Justice lodged a proposed consent decree with the United States District Court for the District of Massachusetts in the lawsuit entitled *United States v. wTe Recycling, Inc.*, Civil Action

Number 3:19-cv-30016. The proposed consent decree resolves the claims set forth in the Complaint filed in this matter asserted by the United States against Defendant wTe Recycling, Inc. (“wTe”), pursuant to the Clean Air Act, 42 U.S.C. 7401–7671q, with respect to wTe’s metals recycling facility located at 75 Southern Avenue in Greenfield, Massachusetts (“Facility”). The claims alleged in the complaint pertain to a change in operations at the Facility in 1991 that caused continuing excess emissions of volatile organic compounds above applicable emissions thresholds and wTe’s failure to implement appropriate control technology and obtain required regulatory approvals, as well as violations relating to the operation of the recycling engines at the Facility. The proposed consent decree would require wTe to pay a civil penalty of \$277,000 as well as to begin a scheduled phase-out of its acceptance of the materials causing the excess emissions culminating in total cessation by mid-2021 and to mitigate the excess emissions by purchasing and retiring discrete emission reduction credits.

The publication of this notice opens a period for public comment on the proposed consent decree and proposed settlement agreement. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. wTe Recycling, Inc.*, Civil Action Number 3:19–cv–30016, D.J. Ref. No. 90–5–2–1–11810. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	Send them to:
By email .....	<a href="mailto:pubcomment-ees.enrd@usdoj.gov">pubcomment-ees.enrd@usdoj.gov</a> .
By mail .....	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the proposed consent decree and proposed settlement agreement may be examined and downloaded at this Justice Department website: <https://www.justice.gov/enrd/consent-decrees>. We will provide a paper copy of these documents upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for \$7.75 (25 cents per page reproduction cost) payable to the United States Treasury.

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

[FR Doc. 2019–01021 Filed 2–4–19; 8:45 am]

**BILLING CODE 4410–15–P**

**DEPARTMENT OF JUSTICE**

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

On January 30, 2019, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the District of New Jersey in the lawsuit entitled *United States v. The Sherwin-Williams Company*, Civil Action No. 1:19-cv-01907.

The complaint in this case, brought under the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601, *et seq.*, seeks the recovery of costs incurred by the U.S. Environmental Protection Agency (“EPA”) in response to the release of hazardous substances at the Sherwin-Williams/Hilliards Creek Site, Route 561 Dump Site, and United States Avenue Burn Site (the “Sites”), located in Gibbsboro and Voorhees, New Jersey, and the performance of the soils and sediments operable unit remedy selected by EPA for the United States Avenue Burn Site. Under the proposed consent decree, The Sherwin-Williams Company will reimburse the United States \$1,460,758.94 for EPA past costs relating to the Sites and will perform the United States Avenue Burn Site soils and sediments operable unit remedy. The proposed decree also includes a mechanism that provides for the potential incorporation into the decree of performance by Sherwin-Williams of additional operable unit remedies that will be selected by EPA for the Sites.

The publication of this notice opens a period for public comment on the proposed consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. The Sherwin-Williams Company*, D.J. Ref. No. 90–11–3–09023/2. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail: