

*State of Indiana v. City of New Albany*, Civil Cause No. NA-90-46-C-B/G, D.J. Ref. 90-5-1-1-3448/A.

The Amended Consent Decree may be examined at the Office of the United States Attorney, 10 West Market Street, Suite 2100, Indianapolis, Indiana 46204-3048 (contact Assistant United States Attorney Thomas Kieper at (317) 226-6333), and at U.S. EPA Region 5, 14th Floor, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590 (contact Asst. Regional Counsel Deborah A. Carlson at (312) 353-6121). A copy of the Amended 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, please enclose a check in the amount of \$15.00 (\$.25 cents per page reproduction cost) payable to the Consent Decree Library.

**William D. Brighton,**

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

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**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

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

In accordance with 42 U.S.C. 9622, notice is hereby given that on January 3, 2002 a proposed consent decree in *United States v. Pemaco, Inc. and Lawrence Sze*, Civil No. 00-6199DDDP(CTx), was lodged with the United States District Court for the Central District of California.

This consent decree represents a settlement of claims brought against Lawrence Sze, under section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act, ("CERCLA") ("the Act"), 42 U.S.C. 9607(a), for recovery of past and future response costs incurred by the United States in connection with the release or threat of release of hazardous substances at the Pemaco Superfund Site located in the City of Maywood, Los Angeles County, California ("the Site"). The Site is located at 5050 Slauson Avenue, in the City of Maywood, Los Angeles County, California, and consists of approximately 4 acres of land adjacent to the Los Angeles River. Lawrence Sze operated the facility from 1986 through 1991. Pemaco, Inc.'s operation included the purchase of chlorinated solvents, aromatic solvents, flammable liquids, and industrial oils. These chemicals

were brought to the facility by rail and tanker truck, where they were repackaged for resale to industrial companies.

The Department of Justice has determined that Mr. Sze has a limited ability to pay and therefore entered into this proposed settlement, whereby Lawrence Sze will pay \$50,000 in settlement of the government's claims.

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, Environment and Natural Resources Division, care of Angels O'Connell, U.S. Department of Justice, Environment and Natural Resources Division, Environmental Enforcement Section, 301 Howard Street, Suite 1050, San Francisco, CA 94105 and should refer to *United States v. Pemaco, Inc. and Lawrence Sze*, DOJ Ref. 90-11-3-06958.

The Consent Decree may be examined at the Office of the United States Attorney for the Central District of California, 312 North Spring Street, G-8 U.S. Courthouse, Los Angeles, California 90012, and at the Region 9 office of the U.S. EPA, 75 Hawthorne Street, San Francisco, California. A copy of the Consent Decree may also be obtained by faxing a request to Tonia Fleetwood, Department of Justice Consent Decree Library, fax number (202) 616-6584; phone confirmation number (202) 514-1547. There is a charge for the copy (25 cent per page reproduction cost). Upon requesting a copy, please mail a check payable to the "U.S. Treasury", in the amount of \$4.25, to: Consent Decree Library, U.S. Department of Justice, PO Box 7611, Washington, DC 20044-7611. The check should refer to *United States v. Pemaco, Inc., and Lawrence Sze*, Civil No. 00-6199-DDDP(CTx), DOJ Ref. 90-11-3-06958.

**Ellen M. Mahan,**

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

[FR Doc. 02-1117 Filed 1-15-02; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on December 12, 2001 a proposed Consent Decree ("Decree") in *United States et al. v. The S.W. Chemical Company, Inc.*

Civil Action No. 01-2404, was lodged with the United States District Court for the District of Colorado. The action was filed pursuant to section 107(a)(1) and (4) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9607(a)(1) and (4). The action concerns EPA's costs of responding to the release or threatened release of hazardous substances at or from the Denver Radium Superfund Site, Operable Unit VIII, in the City and County of Denver, Colorado, also known as the Shattuck Superfund Site (the "Site"), and possible damages for injury to or destruction of, or loss of natural resources resulting from the release of hazardous substances from the Site.

Under the terms of the Decree The S.W. Shattuck Chemical Company, Inc. (the "Defendant"), will: (a) Pay the United States \$5.45 million to be deposited into an EPA special account to offset EPA's response costs at the Site; (b) pay \$250,000 to the United States Department of the Interior to settle a potential natural resource damages claim; and (c) establish a trust and convey the 5.9 acre parcel which is the subject of the environmental clean-up to the trust for sale and distribution of net sale proceeds to EPA's special account for the Site. The decree also includes proposed settlement terms between the State of Colorado and the Defendant.

The Department of Justice will receive comments relating to the proposed Consent Decree for a period of forty-five (45) days from the date of this publication. As a result of the discovery of anthrax contamination at the District of Columbia mail processing center in mid-October, 2001, the delivery of regular first-class mail sent through the U.S. Postal Service has been disrupted. Consequently, public comments which are addressed to the Department of Justice in Washington, DC and sent by regular, first-class mail through the U.S. Postal Service are not expected to be received in a timely manner. Therefore, comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, and sent to (1) Denver Field Office, 999 18th Street, Suite 945NT, Denver, CO 80202; and/or (2) by facsimile to (202) 353-0296; and/or (3) by overnight delivery, other than through the U.S. Postal Service, to Chief, Environmental Enforcement Section, 1425 New York Avenue NW., 13th Floor, Washington, DC 20005. Each communication should refer to *United States et al. v. The S.W. Shattuck Chemical Company, Inc.*, D.J. Ref. 90-11-2-741/1.