

Justice, Washington, DC 20044-7611, and should refer to *United States v. Sunoco, Inc (R&M) and Sun Pipeline Company*, D.J. Ref. 90-5-1-1-07212.

The decree may be examined at the Office of the United States Attorney, 615 Chestnut Street, Suite 1250, Philadelphia, PA 19106, and at the U.S. Environmental Protection Agency-Region 3, 1650 Arch Street, Philadelphia, PA 19103. During the public comment period, the decree may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the decree may also be obtained by mail from the Consent Decree Library, PO Box 7611, Ben Franklin Station, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.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 \$4.75 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Robert Brook,**

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

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## DEPARTMENT OF JUSTICE

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

Pursuant to section 122(d)(2) of CERCLA, 42 U.S.C. 9622(d)(2), notice is hereby given that on July 29, 2005, a proposed Consent Decree in *United States v. U.S. Sugar, et al.*, 05-61271-CV-Huck/Simonton (S.D. Fl.) was lodged with the United States District Court for the Southern District of Florida.

In this action the United States sought to require the Defendants to conduct remedial design and remedial action to address releases and threatened releases of hazardous substances at the Florida Petroleum Reprocessors Superfund Site ("Site") in the town of Davie in Broward County, Florida. The United States also sought to recover certain past and future costs incurred and to be incurred by the Environmental Protection Agency (EPA) during the performance of response actions at the Site.

Under the Decree, a group of 52 parties who sent waste oil to the Site will perform the remedial design and

remedial action at the Site, pursuant to the March 1, 2001 Record of Decision (ROD). These parties will also pay \$96,892.11 to the Hazardous Substances Superfund in reimbursement of EPA's previously unreimbursed response costs at or in connection with the Site. In addition, they will pay EPA's future costs associated with overseeing the remedial design and remedial action and implementing the Consent Decree.

A group of federal agencies who sent waste oil to the Site will pay \$1,289,064 to the Hazardous Substances Superfund in reimbursement of EPA's previously unreimbursed response costs at or in connection with the Site.

A former owner and operator of the Site, Barry Paul, and a current owner of the Site, the Florida Department of Transportation, will pay \$700,000 and \$500,000 respectively to the Hazardous Substances Superfund in reimbursement of EPA's previously unreimbursed response costs at or in connection with the Site.

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, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. U.S. Sugar, et al.*, 05-61271-CV-Huck/Simonton (S.D. Fl.), DOJ Ref. 90-11-2-1069.

The Consent Decree may be examined at the Office of the United States Attorney, 500 East Broward Blvd., 7th Floor, Fort Lauderdale, FL 33394 and at EPA Region 4, Atlanta Federal Center, 61 Forsyth Street, SW., Atlanta, GA 30303. During the public comment period, the consent decree may be examined on the Department of Justice Web site at <http://www.usdoj.gov/enrd/open.html>. A copy of the consent decree may also be obtained by mail from the Consent Decree Library, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy, please refer to *United States v. U.S. Sugar, et al.*, 05-61271-CV-Huck/Simonton (S.D. Fl.), DOJ Ref. 90-11-2-1069, and enclose a check in the amount of \$78.25 (25 cents per page reproduction cost) payable to the U.S. Treasury. To receive the Consent Decree

without Appendix A (Record of Decision), pay \$40.75.

**Maureen Katz,**

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

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of a Consent Decree Pursuant to the Clean Water Act

Notice is hereby given that a proposed Consent Decree in *United States of America, State of Maryland, Anacostia Watershed Society, Audubon Naturalist Society of the Central Atlantic States, Inc., Friends of Sligo Creek and Natural Resources Defense Council v. Washington Suburban Sanitation Commission*, was lodged on July 26, 2005, with the United States District Court for the District of Maryland, Northern Division.

In the United States' complaint filed in this matter, the United States alleges violations of Sections 301 and 504 of the Clean Water Act, 33 U.S.C. 1311, 1364, and in its complaint in intervention, Maryland alleges violations of Sections 9-322 and 9-323 of the Maryland Environment Article, and other State law, arising from unpermitted discharges of wastewater from WSSC's sanitary sewer collection system to various waters of the United States and the State. Four citizens groups—the Anacostia Watershed Society, the Audubon Naturalist Society of the Central Atlantic States, the Friends of Sligo Creek and the Natural Resources Defense Council also intervened as co-plaintiff, filing a complaint in intervention under the Clean Water Act's citizens suit provision. The proposed Consent Decree would resolve all of the claims alleged in the United States', Maryland's and the Citizens Groups' complaints, and would result in the performance of injunctive measures, the payment of a civil penalty of \$1,100,000 (shared equally by the United States and Maryland), and the performance of three Supplemental Environmental Projects ("SEPs") valued at no less than \$4,400,000. WSSC has estimated that the injunctive measures, which include comprehensive inspection, rehabilitation, and repair requirements for sewer lines, pump stations, and other system components, and comprehensive changes in the operation and maintenance of its collection system will add an additional \$200,000,000 to the funds already budgeted by WSSC for collection system