

also be obtained by mail from the Consent Decree Library, Department of Justice, P.O. Box 7611, Washington, DC 20044-7611. In requesting a copy from the Consent Decree Library, please refer to the referenced case and enclose a check in the amount of \$5.50 (25 cents per page reproduction cost), payable to the U.S. Treasury.

Robert Brook,

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

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Oil Pollution Act of 1990

In accordance with Departmental policy, notice is hereby given that a proposed Consent Decree in *United States v. Dimitrios N. Manetas*, Civil Action No. G-00-758, was lodged on March 6, 2002, with the United States District Court for the Southern District of Texas.

In this action the United States, pursuant to Sections 301(a) and 404 of the Oil Pollution Act of 1990, ("OPA"), 33 U.S.C. §§ 1311(a) and 1344, seeks civil penalties and injunctive relief, alleging that Dimitrios N. Manetas on January 22, 1999, and April 4, 1997, discharged dredged or fill material and/or controlled and directed the discharge of dredged or fill material into waters of the United States at a site located in LaMarque, Galveston County, Texas, without a permit issued by the United States Army Corps of Engineers.

The proposed Consent Decree provides that Dimitrios N. Manetas will pay the United States \$18,721.00 in civil penalties and will perform mitigation projects as set out in appendix I attached to the Consent Decree, that he will comply with the terms and conditions of preservation of the project, and, except as in accordance with the Consent Decree, Manetas and his agents, successors and assigns are enjoined from discharging any pollutant into waters of the United States unless such discharge complies with the provisions of the CWA and its implementing regulations.

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, P.O. Box

7611, United States Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Dimitrios N. Manetas*, Civil Action No. G-00-758, DOJ Ref. USAO #1999V00427.

The proposed Consent Decree may be examined at the office of the United States Attorney, Southern District of Texas, 911 Travis Street, Suite 1500, Houston, Texas 77208. A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, United States Department of Justice, Washington, DC 20044-7611. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$4.00 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Dated: April 9, 2002.

Gordon M. Speights Young,

Assistant United States Attorney, United States Attorney's Office, P.O. Box 61129, Houston, Texas 77208, Telephone: (713) 567-9501, Facsimile: (713) 718-3303.

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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 CFR 50.7, notice is hereby given that on March 25, 2002 a proposed Partial Consent Decree in *United States v. Pharmacia Corporation (p/k/a Monsanto Company) and Solutia, Inc.*, Civil Action No. CV-02-PT-0749-E was lodged with the United States District Court for the Northern District of Alabama.

In this action the United States alleges that Pharmacia Corporation and Solutia, Inc. ("Defendants") are liable under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), for injunctive relief in connection with the release of hazardous substances from the Defendants' manufacturing facility located in Anniston, Alabama into the environment. The United States further alleges that the Defendants are liable for reimbursing the United States for all future response costs incurred in connection with the Anniston PCB Site.

This Partial Consent Decree (hereinafter "Decree") requires the Defendants to provide, in accordance with federal regulations, standards and guidelines, for a thorough assessment of contamination in and around Anniston, Alabama and to determine the risks that

such contamination may pose to public health and the environment. This process is called the Remedial Investigation. In addition, the proposed Decree requires the Defendants to identify methodologies for cleanup of the contamination so as to provide the necessary protection of public health and the environment. This process is called the Feasibility Study. Ultimately, from this process, the U.S. Environmental Protection Agency ("EPA") will select the appropriate cleanup to ensure protection of public health and the environment. The costs for the Remedial Investigation and Feasibility Study ("RI/FS") will be borne by the Defendants.

Under the proposed Decree, the Defendants will undertake implementation of the RI/FS. The RI/FS includes the Defendants' manufacturing facility and all areas where contamination has migrated from the facility.

In addition, the Decree requires the Defendants to provide over \$3.2 million in funding to an education trust fund. The trust fund is created under the proposed Decree for the purpose of providing special education, tutoring, or other supplemental educational services for children of west Anniston that have learning disabilities or otherwise need additional educational services.

Under the Decree, the Defendants will be required to reimburse the United States for all future oversight costs.

Additionally, the Decree requires the Defendants to provide funding for a Technical Assistance Plan ("TAP"). The purpose of the TAP is to provide technical assistance to the community so that the community can play a meaningful role in the RI/FS process.

Notice of the Decree was published on April 5, 2002 at 67 **Federal Register** at page 16124. However, the publication contained an error in that it stated that the settlement was under the Clean Air Act. The Department of Justice will receive for a period of sixty (60) days from the April 5, 2002 publication comments relating to the proposed Decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, U.S. Department of Justice, P.O. Box 7611, Washington, DC 20044, and should refer to *United States v. Pharmacia Corporation (p/k/a Monsanto Company and Solutia, Inc., D.J. Ref. 90-11-2-07135/1*.

The proposed Partial Consent Decree may be examined at the Office of the United States Attorney, Northern District of Alabama, 1801 4th Avenue, North, Birmingham, Alabama 35203; and at Region 4, Office of the Environmental Protection Agency,