

DEPARTMENT OF JUSTICE

Notice Relating to Public Comment Period on Environmental Settlement in *In Re Fruit of the Loom, Inc.*

Notice is hereby given of an extension of the period for public comment with respect to the St. Louis Facility, Breckenridge Facility, and Hollywood Dump Facility under the proposed settlement entered into by the United States on behalf of U.S. EPA, Department of Interior, National Oceanic and Atmospheric Administration of the Department of Commerce, and the Nuclear Regulatory Commission, the States of Illinois, Michigan, New Jersey, and Tennessee, Debtors Fruit of the Loom, Inc. and NWI Land Management Corp., and Velsicol Chemical Corporation and True Specialty Corporation, which was filed on April 17, 2002 in *In re Fruit of the loom, Inc.*, No. 99-4497 (PJW) with the United States Bankruptcy Court for the District of Delaware. The public comment period has been extended until July 9, 2002 but only with respect to comments relating to the St. Louis Facility in St. Louis, Michigan; the Breckenridge Facility in St. Louis/Breckenridge, Michigan; and the Hollywood Dump Facility in Memphis, Tennessee. The proposed settlement would, *inter alia*, resolve certain claims of the Governmental Parties against the settling parties under the Comprehensive Environmental Response Compensation and Liability Act, 42 U.S.C. 9601 *et seq.*, Section 7003 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. 6973, and the Atomic Energy Act, 42 U.S.C. §§ 2011 *et seq.*, relating to those Facilities. Under the settlement, *inter alia*, the following will be dedicated to fund response action or costs and natural resource damage assessment or restoration at certain Facilities: (1) \$4,292,808 to be paid in full as an Allowed Administrative Expense; (2) certain proceeds from general liability insurance claims; (3) certain future recoveries from preferred shares of stock in True Specialty Corporation; and (4) certain proceeds from Fruit of the Loom's and Velsicol's "cost cap" and pollution legal liability insurance policies.

The United States published notice of the lodging of the Settlement Agreement in the **Federal Register** on May 2, 2002. 67 Fed. Reg. 22108 (2002). In response to requests for an extension of the public comment period, the United States has elected to extend the comment period with respect to these three Facilities and to accept public

comments *received* no later than July 9, 2002. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, DC 20044, and should refer to *In re Fruit of the Loom, Inc.*, D.J. Ref. No. 90-11-2-07096. Copies of the proposed settlements may be examined at the Office of the United States Attorney for the District of Delaware, 1201 Market Street, Suite 1100, Wilmington, DE, the United States Environmental Protection Agency, Region 2, 290 Broadway, 17th Floor, New York, New York, the United States Environmental Protection Agency, Region 4, 61 Forsyth Street, SW., Atlanta, Georgia, and the United States Environmental Protection Agency, Region 5, 77 West Jackson Blvd., 14th Floor, Chicago, Illinois. Copies of the proposed settlements may also be obtained by request addressed to the Department of Justice Consent Decree Library, P.O. Box 7611, Ben Franklin Station, Washington, DC 20044. In requesting a copy of the proposed settlements, please enclose a check in the amount of \$24.75 for (25 cents per page for reproduction costs), payable to the United States Treasurer.

Bruce S. Gelber,

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

[FR Doc. 02-16214 Filed 6-26-02; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Lodging Proposed Consent Decree

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States v. Henry J. Magnan*, Civil Action No. 1:01-CV-333 (D.VT), was lodged with the United States District Court for the District of Vermont on June 14, 2002. This proposed Consent Decree concerns a complaint filed by the United States against Henry J. Magnan, pursuant to Sections 301(a) and 404 of the Clean Water Act, 33 U.S.C. 1311(a) and 1344, and imposes civil penalties against Defendant Henry J. Magnan, for the unauthorized discharge of dredged or fill material into waters of the United States located in wetlands on property in Fairfield, Vermont.

The proposed Consent Decree requires the payment of civil penalties in the amount of \$5,000 and requires Henry J. Magnan to restore the wetland

and implement certain mitigation measures restricting livestock use of the riparian area.

The Department of Justice will accept written comments relating to this proposed Consent Decree for thirty (30) days from the date of publication of this notice. Please address comments to Joseph R. Perella, Assistant United States Attorney, United States Attorney's Office, P.O. Box 570, Burlington, Vermont 05402, and refer to *United States v. Magnan*, Civ. No. 1:01-CV-333 (D.VT).

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the District of Vermont, 204 Main St., Brattleboro, Vermont. In addition, the proposed consent decree may be viewed on the World Wide Web at <http://www.usdoj.gov/enrd/enrd-home.html>.

Scott A. Schachter,

Assistant Chief Environmental Defense Section.

[FR Doc. 02-16215 Filed 6-26-02; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Membership of the 2002 Senior Executive Service Performance Review Boards

AGENCY: Department of Justice

ACTION: Notice of Department of Justice's 2002 Senior Executive Service Performance Review Boards.

SUMMARY: Pursuant to the requirements of 5 U.S.C. 4314(c)(4), the Department of Justice announces the membership of its Senior Executive Service (SES) Performance Review Boards (PRBs). The purpose of the PRBs is to provide fair and impartial review of SES performance appraisals and bonus recommendations. The PRBs will make recommendations regarding the final performance ratings to be assigned and SES bonuses to be awarded.

FOR FURTHER INFORMATION CONTACT: Debra M. Tomchek, Director, Personnel Staff, Justice Management Division, Department of Justice, Washington, DC 20530; (202) 514-6788.

Department of Justice, 2002 Senior Executive Service Performance Review Board Members

Office of the Solicitor General

Lawrence G. Wallace, Deputy Solicitor General

Office of Legal Counsel

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