

copy of the decree (25 cents per page, reproduction cost).

**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**

In accordance with Departmental policy and 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States v. Honeywell International Inc.* (E.D. Va.), Civil Action No. 3:01CV789 was lodged on November 23, 2001 with the United States District Court for the Eastern District of Virginia. The Consent Decree resolves the United States' claims against defendant, Honeywell International Inc., with respect to violations of the Clean Air Act, the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), the Emergency Planning and Community Right-to-Know Act ("EPCRA"), and the Resource Conservation and Recovery Act ("RCRA") at its chemical manufacturing facility in Hopewell, Virginia.

Under the Consent Decree, defendant will pay the United States \$110,000 in penalties. In addition, the defendant will implement five Supplemental Environmental Projects, or "SEPs," at an estimated cost of \$772,000. These SEPs include (1) within ten months of entry of the Consent Decree and at a cost of no less than \$375,000, the conversion of a refrigeration unit from use of chlorofluorocarbon-based refrigerant to hydrofluorocarbon-based refrigerant; (2) within seventeen months of entry of the Consent Decree and at a cost of no less than \$300,000, the installation of an air emissions control system to reduce the release of ammonia; (3) within forty-five (45) days of entry of the Consent Decree and at a cost of no less than \$35,000, the purchase of a "reverse 911" interactive notification system for the Hopewell Local Emergency Planning Committee; (4) within forty-five (45) days of entry of the Consent Decree and at a cost of no less than \$20,000, the purchase of a skirted boom and trailer and associated training services for the Henrico Regional Hazardous Incident Team; and (5) within forty-five (45) days of entry of the Consent Decree and at a cost of no less than \$42,000, the purchase of mass decontamination equipment and associated training for emergency response teams at two local medical

centers, the John Randolph Medical Center in Hopewell, VA and the Southside Regional Medical Center in Petersburg, VA.

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 Acting Assistant Attorney General for the Environmental and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. Honeywell International, Inc.*, DOJ reference number 90-7-1-06900.

The proposed Consent Honeywell may be examined at the Office of the United States Attorney, 600 East Main Street, Suite 1800, Richmond, Virginia; and the Region III Office of the Environmental Protection Agency, 1650 Arch Street, Philadelphia, Pennsylvania. A copy of the proposed decree may be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$13.00 (\$.25 per page for production costs), payable to the Consent Decree Library.

**Robert D. 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 Clean Air Act**

Notice is hereby given that a consent decree in *United States v. Kenneth McDonald and Nicholas Menegatos*, C.A. No. 3:CV-01-0510, was lodged on September 11, 2001, with the United States District Court for the Middle District of Pennsylvania. This notice was previously published in the **Federal Register** on October 4, 2001 and the public was given 30 days to comment. No comments were received. However, because of severe disruption in the mail service, the United States is unable to conclude with certainty that any comments mailed in response to that notice would have been received. As a result, the United States is providing this opportunity for any prior persons who previously submitted comments to resubmit their comments as directed below.

The consent decree resolves the United States' claims against Defendant Nicholas Menegatos for violations of the

Clean Air Act, 42 U.S.C. 7401-7671q, and the National Emission Standards for Hazardous Air Pollutants for asbestos ("asbestos NESHAP"), 40 CFR part 61, with respect to the partial demolition of a facility, located in Tannersville, Pennsylvania.

Under the consent decree, Defendant Menegatos, based upon his ability-to-pay, has agreed to pay a civil penalty in the amount of \$2700 and has agreed to take a training course that will familiarize him with the Clean Air Act and the asbestos NESHAP regulations.

The Department of Justice will receive, for a period of twenty (20) days from the date of this publication, comments relating to the proposed consent decree. Comments previously submitted by mail should be resubmitted to the Acting Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. Kenneth McDonald and Nicholas Menegatos*, C.A. No. 3:CV-01-0510, DOJ Reference No. 90-5-2-1-2217. The comments should be faxed to the Acting Assistant Attorney General at 202/616-6583.

The proposed consent decree may be examined at the Office of the United States Attorney, 228 Walnut Street, Harrisburg, Pennsylvania 17108; and the Region III Office of the Environmental Protection Agency, 1650 Arch Street, Philadelphia, Pennsylvania 19103. A copy of the proposed consent decree may be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$5.75 (.25 cents per page production costs), payable to the Consent Decree Library.

**Robert D. Brook,**

*Assistant 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 Resource Conservation and Recovery Act**

In accordance with 28 CFR 50.7, the Department of Justice gives notice that a proposed consent decree in *United States v. Mobil Oil Corporation*, No. CV-96-1432 (E.D.N.Y.), was lodged with the United States District Court for the Eastern District of New York on December 13, 2001, pertaining to the