

Inc.), General Motors Corporation, National Fuel Gas Distribution Corporation, New York State Electric and Gas Corporation, Niagara Frontier Transportation Authority, and Niagara Frontier Transit Metro System, Inc. relating to the Sites. The settling defendants are alleged to be liable as generators, or successors to generators, who arranged for the disposal of hazardous substances at the Sites, pursuant to section 107(a)(3) of CERCLA, 42 U.S.C. 9607(a)(3). The Decree provides that the settling defendants will collectively pay \$2,745,585 to the United States in reimbursement of EPA's past response costs incurred at the Sites (\$2,002,904.62 for EPA's past response costs at the Bern Metals Site and \$742,680 for EPA's past response costs at the Universal Iron and Metals Site).

The Department of Justice will receive, for a period of thirty (30) days from the date of this application, comments relating to the Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. AlliedSignal Inc., et al.*, D.J. Ref. No. 90-11-2-1147, and *United States v. Niagara Frontier Transportation Authority, Inc., et al.*, D.J. Ref. No. 90-11-3-1571.

The Decree may be examined at the Office of the United States Attorney, Western District of New York, 138 Delaware Avenue, Buffalo, New York 14202, and at the U.S. Environmental Protection Agency, Region II, 290 Broadway, New York, New York 10007-1866. A copy of the 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 a request to Tonia Fleetwood, fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy, please enclose a check in the amount of \$7.00 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Ronald Gluck,

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

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DEPARTMENT OF JUSTICE

Notice of Lodging of Partial Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as Amended

Consistent with Departmental policy, 28 CFR 50.7, 38 FR 19029, and 42 U.S.C. 9622(d), notice is hereby given that on February 7, 2002, a proposed Partial Consent Decree ("Decree") in *United States of America v. AlliedSignal Inc., et al.*, Civil Action No. 95-CV-0950-C(Sc), and *United States of America v. Niagara Frontier Transportation Authority, Inc., et al.*, Civil Action No. 96-CV-0219C(Sc), was lodged with the United States District Court for the Western District of New York.

In these consolidated actions, the United States sought reimbursement of response costs incurred by the United States in connection with clean up activities at the Bern Metals and Universal Iron and Metals Superfund Sites located in the City of Buffalo, Erie County, New York, pursuant to Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9607. The Decree provides that the settling defendant, Consolidated Rail Corporation ("Conrail"), alleged to be liable under section 107(a)(2) of CERCLA as an owner of a portion of the Bern Metals Site, will deposit into an interest-bearing escrow account, within 30 days of receiving notice of lodging of the Decree, \$300,000 in reimbursement of EPA's past response costs incurred at the Bern Metals Site. Within 20 days after receiving notice of entry of the Decree, Conrail shall withdraw and pay to the United States all principal and accrued interest from the designated escrow account.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the 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. Allied Signal Inc., et al.*, D.J. Ref. No. 90-11-2-1147, and *United States v. Niagara Frontier Transportation Authority, Inc., et al.*, D.J. Ref. No. 90-11-3-1571.

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Ronald Gluck,

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 Comprehensive Environmental Response, Compensation, and Liability Act

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States v. Angus Macdonald, et al.*, Civil Action No. 3:01CV00101, was lodged with the United States Court for the Western District of Virginia on March 1, 2002.

The consent decree resolves claims pursuant to section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9607(a), for past response costs of more than \$3,493,000 incurred for response activities to address the release at the Everdure, Inc. Superfund Site, located in Orange County near Rapidan, Va. The United States filed a complaint in this matter in October, 2001, against four current and former owner/operators at the Site: Amy B. Macdonald, deceased, a former owner of the Site; her son, Angus Macdonald; Majorie T. Macdonald; and Glengary Development Corporation ("GDC"), a corporate entity that currently owns all but 9 acres of the Site. The proposed decree settles that case, and requires the Defendants to sell the GDC property and to pay sixty percent (60%) of the net proceeds from any sale of all or part of that property into a Site Special Account for future work at the Site or reimbursement of the Superfund.

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. As a result of the discovery of anthrax contamination at