

DEPARTMENT OF JUSTICE

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

Consistent with Departmental policy, 28 CFR 50.7 and 38 FR 19029, notice is hereby given that on November 13, 2001, a proposed Consent Decree in *United States v. Frederick Gendron, et al.*, Civil Action No. 01-422-JD, was lodged with the United States District Court for the District of New Hampshire. The proposed Consent Decree will resolve the United States' claim under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9607, as amended ("CERCLA"), on behalf of the U.S. Environmental Protection Agency ("EPA") against the defendant relating to the Gendron Junkyard Site located at 11-13 Hobbs Road in Pelham, New Hampshire (the "Site"). The Complaint alleges that the defendants are liable under Section 107 of CERCLA, 42 U.S.C. 9607, for recovery of response costs incurred at or in connection with the release or threatened release of hazardous substances at the Site.

The Consent Decree requires the Settling Defendants to pay to the U.S. EPA Hazardous Substance Superfund \$650,000 in reimbursement of past response costs, and includes a covenant not to use by the United States.

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. Any comments should be addressed to the Assistant Attorney General of the Environmental and Natural Resource Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, DC 20044-7611, and should refer to *United States v. Frederick Gendron, et al.*, Civil Action No. 01-422-JD, Ref. 90-11-3-07116.

The proposed Consent Decree may be examined at the Office of the United States Attorney, District of New Hampshire, U.S. Department of Justice, 55 Pleasant Street, Room 352, Concord, New Hampshire, 03301-3904, and at U.S. EPA New England (Region 1), One Congress Street, Suite 1100, Boston, Massachusetts, 02114-2023. A copy of the proposed consent decree may be obtained by mail from the Consent Decree Library, P.O. Box 7611, Washington, DC 20044-7611. In requesting a copy, please enclose a check (there is a 25 cent per page reproduction cost) in the amount of

\$6.00 payable to the Consent Decree Library.

Ronald Gluck,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division, U.S. Department of Justice.

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DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Agreed Amendments to Consent Decree Pursuant to The Comprehensive Environmental Response, Compensation and Liability Act

In accordance with the policy of the Department of Justice, notice is hereby given that proposed Agreed Amendments to Consent Decree in *United State of America v. City of Grand Rapids, Michigan*, Civil Action No. 1:99 CV 388, were lodged with the United States District Court for the Western District of Michigan, Southern Division, on December 10, 2001. The original consent decree, entered by the Court on August 10, 2000, involved the settlement of claims brought by the United States, pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601 *et seq.*, against 53 Settling Defendants for reimbursement of response costs and injunctive relief in connection with the Butterworth No. 2 Landfill Superfund Site ("Site") located in Grand Rapids, Kent County, Michigan. The proposed amendments represent a settlement of claims by the United States against 18 additional Settling Defendants and seeks to add them to the consent decree.

Under this settlement with the United States, the 18 additional Settling Defendants will collectively pay \$1,250,000 to the Settling Work Defendants who will then implement the entire remedy for the Site as set forth in the Record of Decision issued by the United States Environmental Protection Agency in March 1992 and as modified by an Explanation of Significant Differences dated October 23, 1998. The 18 additional Settling Defendants will also pay \$131,500 to the United States for past response costs incurred in connection with the Site.

The Department of Justice will receive comments relating to the proposed amendments for a period of 30 days from the date of this publication. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice,

Washington, D.C. 20530, and should refer to *United States v. City of Grand Rapids, Michigan, et al.*, D.J. Ref. 90-11-2-145A.

The proposed Agreed Amendments to Consent Decree may be examined at the office of the United States Attorney for the Western District of Michigan, 330 Ionia Avenue, N.W., Grand Rapids, Michigan 49503; and at the Region 5 office of the Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590. A copy of the proposed Agreed Amendments to Consent Decree may be obtained by mail from the Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044-7611. In requesting a copy of the proposed amendments, please enclose a check in the amount of \$3.00 (25 cents per page reproduction cost) payable to the Consent Decree Library and refer to *United States v. City of Grand Rapids, Michigan, et al.*, D.J. Ref. 90-11-2-145A. To obtain a copy of the original Consent Decree, please enclose a check in the amount of \$33.75 (25 cents per page reproduction cost) payable to the Consent Decree Library and refer to *United States v. City of Grand Rapids, Michigan, et al.*, D.J. Ref. 90-11-2-145A.

William D. Brighton,

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

In accordance with 28 CFR 50.7 and section 122 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9622, the Department of Justice hereby gives notice that on December 13, 2001, a proposed consent decree in the consolidated actions *United States v. International Paper Co., et al.*, Civil Action No. 01-C-693-C and *International Paper Co. v. City of Tomah, WI, et al.*, Civil Action No. 00-C-539-C was lodged with the United States District Court for the Western District of Wisconsin.

In this action, the United States, under CERCLA Section 107, seeks reimbursement from International Paper and the City of Tomah, Wisconsin of response costs incurred and to be incurred for response actions taken at or