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Bruce Gelber,

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

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DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Clean Air Act

Notice is hereby given that, on July 24, 2000, a Consent Decree in *United States v. Lloyd Manufacturing Corporation*, Civil Action No. CA-00-363-ML, was lodged in the United States District Court for the District of Rhode Island.

In this action the United States sought injunctive relief and civil penalties under section 113(b) of the Clean Air Act ("CAA"), 42 U.S.C. 7413(b) against Lloyd Manufacturing Corporation ("Lloyd"). The alleged violations include failure to obtain a permit required by the CAA, failure to install pollution control devices required by the CAA, and the failure to use low emissions coatings as required by the CAA at the fabric coating facility owned and operated by Lloyd in Warren, Rhode Island. The Consent Decree resolves all of these claims. The Consent Decree requires Lloyd to comply with the Clean Air Act, to pay a civil penalty to the United States of \$240,000, and to purchase approximately 247 tons of air emission reduction credits costing a total of between \$148,200 and \$172,900 as restitution for its past excess emissions.

The Department of Justice will accept written comments relating to the proposed Consent Decree for thirty (30) days from the date of publication of this notice. Please address comments to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044 and refer to—*United States v. Lloyd Manufacturing Corporation*, Civil Action No. CA-00-363-ML (D. R.I.), DJ # 90-5-2-1-06624.

Copies of the proposed Consent Decree may be examined at the Office of the United States Attorney for the District of Rhode Island, Assistant United States Attorney, Fleet Center, 8th Floor, 50 Kennedy Plaza, Providence, Rhode Island 02903; at the U.S. Environmental Protection Agency, Region I, 1 Congress Street, Suite 1100, Boston, Massachusetts 02114. A copy of

the proposed Consent Decree may also be obtained by mail at the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044. When requesting a copy of the proposed Consent Decree by mail, please enclose a check in the amount of \$5.00 (twenty-five cents per page reproduction costs) payable to the "Consent Decree Library."

Bruce S. Gelber,

Deputy Chief, Environmental Enforcement Section, Environment and Natural Resources Division, Department of Justice.

[FR Doc. 00-20293 Filed 8-9-00; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of a Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act

Notice is hereby given that a proposed consent decree in *United States v. Motorola, Inc., Honeywell International, Inc., and City of Phoenix, Arizona*, Civil No. 98-2049 PHX-RCB, was lodged on July 25, 2000, with the United States District Court for the District of Arizona ("Motorola Decree"). The proposed consent Decree would resolve certain claims under Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9607, as amended, brought against defendants Motorola, Incorporated, Honeywell International, Inc., and the city of Phoenix, Arizona (collectively "Settling Defendants"), to recover response costs incurred by the Environmental Protection Agency in connection with the release of hazardous substances at Operable Units 1 and 2 of the Motorola 52nd Street Superfund Site in Phoenix, Arizona. The settlers are owners and/or operators of Operable Units 1 and 2 of the Site. Under the proposed Consent Decree, the Settling Defendants will pay \$682,500 to the Hazardous Substances Superfund to reimburse the United States for Past Response Costs, 80% of Interim Response Costs, and all Future Oversight Costs. In addition to the proposed Consent Decree, Motorola and Honeywell are completing construction of the interim groundwater remedy for Operable Unit 2 of the site and will perform the first two years of operation and maintenance of the interim remedy.

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, Department of Justice, P.O. Box 7611, Washington, D.C. 20530, and should refer to *United States v. Motorola, Inc., et al.*, D. AZ, Civil No. 98-2049 PHX-RCB, DOJ Ref. #90-11-3-06000.

The Consent Decree may be examined at the Region 9 Office of the Environmental Protection Agency, 75 Hawthorne Street, San Francisco, CA 94105 and the United States Attorney's Office for the District of Arizona, 230 N. First Avenue, Room 4000, Phoenix, AZ 85025 c/o Assistant U.S. Attorney Ronald Gallegos. A copy of the proposed consent decree may be obtained by mail from the Consent Decree Library, Post Office Box 7611, Washington, DC 20044. In requesting copies please refer to the referenced case and enclose a check in the amount of \$11.25 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel M. Gross,

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 Department of Justice policy codified at 28 CFR 50.7 and Section 122 of CERCLA, 42 U.S.C. 9622, notice is hereby given that on July 25, 2000, three proposed Consent Decrees in *United States v. Raymond C. Wolf, et al.*, Civ. Action No. 1:99-CV-01032, were lodged with the United States District Court for the Northern District of Ohio. The three proposed Consent Decrees resolve the claims of the United States for recovery of response costs incurred by the United States in connection with the Lincoln Fields Superfund Removal Site ("Site") in Madison Township, Ohio under section 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA"), as amended, 42 U.S.C. 9607(a), against Raymond C. Wolf and Joanne R. Wolf ("the Wolfs"), Charles R. Sell and Wanda J. Sell ("the Sells"), and Dale M. Eberts ("Eberts") (collectively, "Settling Defendants"). Each of the Settling Defendants are owners and operators of the Site, a portion of which was operated for twenty years as a dry cleaning business. EPA incurred approximately \$12.3 million in

conducting a removal action to address releases of tetrachloroethylene (or "PCE") from the dry cleaning operation in the soil and groundwater at the site. Under the terms of the Wolf Consent Decree, the Wolfs agree to pay the United States \$10,000 in response costs within 90 days of entry of the Consent Decree. In addition, the Wolfs agree to pledge to the United States 75% of the value of a piece of property (currently valued at approximately \$800,000), which is a portion of the Site, upon its transfer. In consideration for these payments, the Wolfs will receive a covenant not to sue for Site response costs (which, based on certain conditions, extends to future Successors in Interest or Assigns of the Wolfs' property) and contribution protection. Under the terms of the Sells Consent Decree, the Sells agree to pay the United States \$2,000 in response costs within 30 days of entry of the Consent Decree. In consideration for this payment, the Sells will receive a covenant not to sue for Site response costs and contribution protection. Under the terms of the Eberts Consent Decree, Dale Eberts agrees to pay the United States \$5,000 in response costs within 30 days of entry of the Consent Decree. In consideration for this payment, Eberts will receive a covenant not to sue for Site response costs and contribution protection. Each of these settlements is based on the Settling Defendants' limited ability to pay.

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 Decrees. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, 950 Pennsylvania Avenue, NW, Washington, D.C. 20530, and should refer to *United States v. Raymond C. Wolf, et al.* Civ. Action No. 1:99-CV-01032; D.J. Ref. No. 90-11-3-06281.

The Consent Decrees may be examined at the Office of the United States Attorney, 1800 Bank One Center, 600 Superior Avenue East, Cleveland, Ohio 44114-2600, and at the United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590. A copy of the Consent Decrees may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, D.C. 20044-7611. In requesting a copy of the Consent Decrees, please enclose a check payable to the Consent Decree Library in amount of \$16.75 (67 pages at 25 cents per page reproduction cost) for all three Consent Decrees; or \$8.75

(35 pages at 25 cents per page reproduction cost) for the Wolf Consent Decree; \$4.00 each (16 pages at 25 cents per page reproduction cost) for the Sells Consent Decree and the Eberts Consent Decree.

Joel M. Gross,

*Chief, Environmental Enforcement Section,
Environment & Natural Resources Division.*

[FR Doc. 00-20292 Filed 8-9-00; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under Section 107 of the Comprehensive Environmental Response, Compensation and Liabilities Act

Notice is hereby given that on July 26, 2000 a proposed Consent Decree ("Decree") in *United States v. Spokane Metals Co., et al.*, Civil Action No. CS-00-0255-FZS (E.D. Wash.), was lodged with the United States District Court for the Eastern District of Washington. The United States filed this action pursuant to sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9606 and 9607, for recovery of response costs incurred by the United States as a result of releases of various hazardous substances at the Spokane Junkyard and Associated Sites in Spokane, Washington. During its years of operation, the Spokane Metals Company purchased scrap items from many sources in eastern Washington and northern Idaho, including many used electrical transformers, large industrial batteries and large mercury switches. Releases of hazardous substances from these items over several decades contaminated the 12.5 acre site.

This Decree will require the named defendants to reimburse the United States \$680,000 for costs incurred in responding to the releases of hazardous substances, implement institutional controls, provide for the operation and maintenance at the Site, and pay EPA's future oversight costs. The Consent Decree also includes three federal PRPs as Settling Federal Agencies: the Department of Energy's Bonneville Power Administration; the Department of the Interior's Bureau of Reclamation; and the Department of the Navy.

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 of the Environment and Natural Resources Division, Department of

Justice, Washington, D.C. 20530, and should refer to, *United States v. Spokane Metals Co., et al.*, Civil Action No. CS-00-0255-FZS (E.D. Wash.) and D.J. Ref. #90-11-3-1020.

The Decree may be examined at the office United States Department of Justice, Environment and Natural Resources Division, Denver Field Office, 999 18th Street, North Tower Suite 945, Denver, Colorado, 80202. A copy of the Decree may also be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, D.C. 20044-7611. In requesting a copy, please enclose a check in the amount of \$15.25 for the Decree (25 cents per page reproduction cost) payable to the Consent Decree Library.

Bruce Gelber,

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

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DEPARTMENT OF JUSTICE

Lodging of Consent Decree Under the Clean Air Act

Under 28 CFR 50.7, notice is hereby given that on July 25, 2000, a proposed consent decree in the case *United States v. USX Corporation*, Civil Action No. 99CV536JM, was lodged with the United States District Court for the Northern District of Indiana.

In this action the United States sought penalties for violations of Section 112(c) of the Clean Air Act, 42 U.S.C. 7412(c), and the National Emission Standard for benzene waste, 40 CFR Part 61, at its integrated steel plant located in Gary, Indiana. The proposed consent decree requires USX Corporation to pay \$587,000 in civil penalties and to remove transformers containing 45,000 pounds of poly-chlorinated biphenyls (PCBs) as a supplemental environmental project.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, 950 Pennsylvania Avenue, NW., Washington, DC 20530, and should refer to *United States v. USX Corporation*, No. 99CV536JM, D.J. Ref. 90-5-2-1-06476.

The consent decree may be examined at the Office of the United States Attorney, 1001 Main St., Suite A, Dyer, Indiana 46311, and at U.S. EPA Region