

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act

Notice is hereby given that on October 13, 2006, a proposed Consent Decree with Martin Marietta Materials, Inc. Jane C. Sullivan and Hilda C. Dill in *United States v. Martin Marietta Materials, Inc. et al.*, No. 7:06-cv-00154-FL, was lodged with the United States District Court for the Eastern District of North Carolina. In this action, brought pursuant to Sections 106(a) and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9606(a) and 9607, the United States seeks injunctive relief to remedy conditions in connection with the release or threatened release of hazardous substances into the environment at the Reasor Chemical Company Site ("Site") in Castle Hayne, New Hanover County, North Carolina. The United States also seeks to recover unreimbursed costs incurred, and to be incurred, for response activities at the Site. Under the proposed Consent Decree, defendants agree to undertake remedial work at the Site, to reimburse \$650,000 of the United States' past response costs, and to pay future costs.

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, Environmental and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Martin Marietta Materials, Inc., et al.*, (E.D.N.C.) DJ Ref #90-11-3-08268.

The Consent Decree may be examined at the office of the United States Attorney, Eastern District of North Carolina, 310 New Bern Avenue, Suite 800, Raleigh, North Carolina. During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site, http://www.usdoj.gov/enrd/Consent_Decrees.html. A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, U.S. Department of Justice, P.O. Box 7611, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood (tonia.fleetwood@usdoj.gov), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please refer to *United*

States v. Martin Marietta Materials, Inc., et al., (E.D.N.C.), DJ Ref #90-11-3-08268, and enclose a check in the amount of \$12 (excluding exhibits) or \$66 (including exhibits) (25 cents per page reproduction cost) payable to the U.S. Treasury or, if by e-mail or fax, forward a check in that amount to the Consent Decree Library at the stated address.

Henry S. Friedman,

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

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DEPARTMENT OF JUSTICE

Office of Justice Programs

[OJP (OJP) Docket No. 1461]

Hearing of the Review Panel on Prison Rape

AGENCY: Office of Justice Programs, Justice.

ACTION: Notice of hearing.

SUMMARY: The Office of Justice Programs (OJP) is announcing the first hearing of the Review Panel on Prison Rape (Panel), which will be held in Represa, California, on November 14-15, 2006. The hearing times and location are noted below. The purpose of the hearing is to identify common characteristics, not only of victims and perpetrators of prison rape, but also of prisons and prison systems with a high incidence of prison rape and those that have been successful in deterring prison rape.

DATES: The hearing schedule is as follows:

1. Tuesday, November 14, 2006, 9 a.m. to 4 p.m.
2. Wednesday, November 15, 2006, 9 a.m. to 4 p.m.

ADDRESSES: The hearing will take place at the California State Prison, Sacramento on Prison Road in Represa, California 95671.

FOR FURTHER INFORMATION CONTACT:

Kathleen M. Severens, Designated Federal Official, OJP, Kathleen.Severens@usdoj.gov, or 202-514-8827. [Note: This is not a toll-free number.]

SUPPLEMENTARY INFORMATION: The Review Panel on Prison Rape, which was established pursuant to the Prison Rape Elimination Act of 2003, Public Law 108-79, 117 Stat. 972 (codified as amended at 42 U.S.C. 15601-15609 (2006)), will hold its initial hearing on November 14-15, 2006, to carry out the review functions specified at 42 U.S.C.

15603(b)(3)(A). Results from this hearing will assist the Panel in formulating the questions that it will ask various facilities (including prisons, jails, and lockups at locations throughout the United States) at future hearings of the Review Panel to discern the best practices for deterring prison rape.

The Panel chose to hold its initial hearing at the California State Prison in Sacramento because the California Department of Corrections and Rehabilitation (CDCR) is a large system. The Panel seeks to learn the following information from large prison systems similar to the CDCR:

- The factors in a prison environment conducive to deterring sexual assaults;
- The prison system protocols and policies requiring examination by the Panel;
- The staff persons in large systems that could be potential key witnesses at future Panel hearings;
- Useful methods for evaluating prison rape training of correctional officers and medical staff;
- Likely barriers to reporting, investigation, and deterrence of prison rape; and
- Useful methods for assessing the role of correctional officers' unions in deterring prison rape.

The Panel's decision to hold its initial hearing at the California State Prison in Sacramento is not based upon any ranking or finding by the Bureau of Justice Statistics (BJS) concerning the incidence of prison rape in any facility of the CDCR. The BJS rankings of all State and federal facilities (both adult and juvenile) by incidence of prison rape are expected to be completed by June 30, 2007.

Members of the public who wish to attend the hearing must present photo identification upon entrance to the facility. Pursuant to CDCR rules and regulations, additional identification documentation may be required. Space is limited. Special needs requests should be made to Kathleen M. Severens, Designated Federal Official, OJP, Kathleen.Severens@usdoj.gov or 202-514-8827, at least one week prior to the hearing.

Dated: October 18, 2006.

Michael Alston,

Office of Justice Programs.

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