

and 9613, against the City of Newburgh ("Newburgh"), Connell Limited Partnership ("Connell"), International Business Machines Corporation ("IBM"), Northrop Grumman Ship Systems, Inc. ("Northrop"), and the City of Poughkeepsie ("Poughkeepsie") (collectively, the "Defendants"), relating to the Consolidated Iron and Metal Company Superfund Site (the "Site"), located in the City of Newburgh, Orange County, New York. The Site is a former junkyard and scrap metal processing facility that was operated by Consolidated Iron and Metal Company, Inc. ("Consolidated") from the 1950s until 1999.

In a complaint filed simultaneously with the Decree, the United States alleged that Consolidated, in the course of processing scrap metal materials, contaminated the Site with hazardous substances, including lead, polychlorinated biphenyls and volatile organic compounds. Consolidated is now a defunct company. Newburgh acquired ownership of the Site in 2004. According to the complaint, Newburgh, Poughkeepsie and IBM each arranged for transport of various types of waste containing hazardous substances to the Site. The complaint further charged that wastes were transported to the Site by Luria Brothers and Company, of which Connell and Northrop are alleged successors in interest.

Pursuant to the Decree, the Defendants will pay EPA a total of \$12,000,000 over a two-year period to resolve their respective liabilities at the Site. Four other potentially responsible parties who are not named defendants in the case—Consolidated Rail Corporation, Eisner Brothers, Inc., Ford Motor Company, and Kraft Foods Global, Inc.—will pay EPA an additional \$62,000 pursuant to the Decree and resolve their potential liability at the Site. 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, and either e-mailed to pubcomment-ees.enrd@usdoj.gov or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. City of Newburgh, et al.*, D.J. Ref. 90-11-3-07979/2.

The Decree may be examined at the Office of the United States Attorney, 86 Chambers Street, 3rd Floor, New York, New York 10007, and at U.S. EPA Region 2, Office of Regional Counsel, 290 Broadway, New York, New York 10007-1866. During the public

comment period, the 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 Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, 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 enclose a check in the amount of \$4.75 (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.

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 Clean Air Act

Notice is hereby given that on August 21, 2008, a proposed consent decree in *United States and the State of Illinois v. Crane Composites, Inc.*, No. 08cv4735, was lodged with the United States District Court for the Northern District of Illinois.

In this civil action brought pursuant to the Clean Air Act, 42 U.S.C. 7613, the United States sought to prevent the emission of volatile organic material ("VOM") in excess of limits imposed by the Illinois State Implementation Plan and the facility's air emission permit issued under Title V of the Act from the Crane Composites, Inc. fiberglass reinforced plastics manufacturing facility in Channahon, Will County, Illinois. The State of Illinois joined this action as co-plaintiff asserting the same claims under the equivalent state laws and regulations. Under the proposed consent decree, Crane Composites will install a permanent total enclosure to capture 100% of its off-gases from its production lines and route those gases to a regenerative thermal oxidizer that will destroy 95% of the VOM and hazardous air pollutants before release to the atmosphere. Under the proposed consent decree, defendant will pay a total of \$1,000,000 in civil penalties, divided between the United States (which will receive \$800,000) and the State of Illinois. In addition, the

proposed consent decree will resolve Crane Composites' past obligations under the Illinois Emission Reduction Market System with a payment to the State of no more than \$150,000.

The Department of Justice will accept comments relating to the four proposed consent decrees for a period of thirty (30) days from the date of publication of this notice. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and mailed either electronically to pubcomment-ees.enrd@usdoj.gov or in hard copy to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611. Comments should refer to *United States and the State of Illinois v. Crane Composites, Inc.*, Case No. 08cv4735 (N.D. Ill.) and D.J. Reference No. 90-5-2-1-08836.

The proposed consent decree may be examined at: (1) The Office of the United States Attorney for the Northern District of Illinois, 219 South Dearborn Street, Suite 500, Chicago, Illinois 60604, (312) 353-5300; and (2) the United States Environmental Protection Agency (Region 5), 77 West Jackson Boulevard, Chicago, Illinois 60604-3590 (contact Gaylene Vasaturo (312-886-1811)). During the comment period, the proposed consent decrees may also be examined on the following Department of Justice Web site: http://www.usdoj.gov/enrd/Consent_Decree.html. Copies of the proposed consent decrees may also be obtained by mail from the Department of Justice Consent Decree Library, 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 the referenced case and D.J. Reference No. 90-5-2-1-08836, and enclose a check in the amount of \$11.50 for the consent decrees (46 pages at 25 cents per page reproduction costs), made payable to the U.S. Treasury.

William D. Brighton,

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

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DEPARTMENT OF JUSTICE

Notice of Lodging Proposed Consent Decree

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby