

Diversified Energy Co.  
Ethanol 2000, L.L.P., *et al.*  
Exol, Broin & Associates, Inc., *et al.*  
Gopher State Ethanol, Inc.  
Heartland Corn Products  
Minnesota Energy  
Pro-Corn, L.L.C., *et al.*

The October 24, 2002, notice invited the public to submit comments on the proposed Consent Decrees through November 25, 2002, to the Assistant Attorney General for the Environment and Natural Resource Division.

In these actions the United States sought to resolve claims against the owners and operators of ethanol dry mills in Minnesota, pursuant to section 113(b) of the Clean Air Act ("Act"), 42 U.S.C. 7413(b)(1983), amended by, 42 U.S.C. 7413(b) (Supp. 1991).

By today's notice, the Department of Justice is extending the deadline for submission of public comments on any or all of these proposed Consent Decrees through January 24, 2003. 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 reference the company name, and DJ. Ref. 90-5-2-1-07784/1-10.

The Consent Decrees may be examined at the Office of the Attorney General, NCL Towers Suite 900, 445 Minnesota Street, St. Paul, MN 55101-2127, and at U.S. EPA Region 5, 77 West Jackson Blvd., Chicago, IL 60604. A copy of any 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, 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, the requester will be required to provide a check in the amount of 25 cents per page reproduction cost payable to the U.S. Treasury.

**William D. Brighton,**

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

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**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Clean Air Act

In accordance with 28 CFR 50.7, 38 FR 19029, notice is hereby given that on October 29, 2002, a consent decree was lodged with the United States District Court for the District of Massachusetts in *United States v. Allied Waste*

*Systems, Inc.*, Civil Action No. 02-CV-12108-REK. A complaint in the action was also filed simultaneously with the lodging of the consent decree. In the complaint the United States, on behalf of the U.S. Environmental Protection Agency (EPA), alleges that the defendant Allied Waste Systems, Inc. ("Allied") failed to comply with section 601-618 of the Clean Air Act and regulations at 40 CFR part 82, subpart F, in connection with its collection and handling of refuse and recyclables pursuant to a contract with the City of Boston, Massachusetts. The consent decree requires Allied to pay a cash penalty of \$782,550, and implement a Supplemental Environmental Project at a cost of \$2,300,000. The consent decree also requires Allied to comply with section 601 through 618 of the CAA and subpart F with regard to the handling and disposal of appliances collected pursuant to its contract with the City of Boston. Allied must also provide training to employees who are involved in tasks with respect to the handling of appliances that may contain refrigerant.

The Department of Justice will receive comments relating to the proposed consent decree for a period of 30 days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environmental and Natural Resources Division, Department of Justice, P.O. Box 7611, Washington, DC 20044, and should refer to *United States v. Allied Waste Systems, Inc.*, D.J. Ref.# 90-5-2-1-07046.

The proposed consent decree may be examined at the office of the United States Attorney, Suite 9200, 1 Courthouse Way, Boston, Massachusetts 02110, and at the Region I office of the Environmental Protection Agency, One Congress Street, Suite 1100, Boston, Massachusetts 02114. A copy of the proposed consent decree may also be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044. In requesting a copy, please enclose a check (there is a 25 cent per page reproduction cost) in the amount of \$7.75 payable to the "U.S. Treasury."

**Ronald G. Gluck,**

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

[FR Doc. 02-30796 Filed 12-4-02; 8:45 am]

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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 28 CFR 50.7 and section 122 of the Comprehensive Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9622, the Department of Justice gives notice that on October 30, 2002, a proposed consent decree in *United States v. DeMert & Dougherty, Inc.*, No. 2:02CV434 (N.D. Ind.), was lodged with the United States District Court for the Northern District of Indiana.

The United States' complaint seeks the recovery, pursuant to CERCLA section 107, 42 U.S.C. 9607, of unreimbursed costs that have been incurred by the United States at the American Chemical Service, Inc. Superfund Site in Griffith, Lake County, Indiana ("ACS Site"), as well as the implementation, pursuant to CERCLA section 106, 42 U.S.C. 9606, of the United States Environmental Protection Agency's selected remedy for the ACS site.

On January 11, 1996, DeMert & Dougherty, Inc. filed for bankruptcy under chapter 11 of the Bankruptcy Code in the U.S. District Court for the Northern District of Illinois. (*In re: DeMert & Dougherty, Inc.* (Bankr. N.D. Ill. (Eastern Div. No. 96 B 0851)).) The case was converted to a chapter 7 bankruptcy on June 27, 1996. In that case, the United States filed a proof of claim pertaining to the costs that it incurred at the ACS site.

Under the proposed consent decree, the United States would receive an allowed general unsecured claim of \$2,225,000 in the chapter 7 bankruptcy, which would resolve both the United States' proof of claim and DeMert & Dougherty, Inc.'s liability at the ACS site. Any portion of the \$2,225,000 that is received by the United States will be deposited in an ACS special account within the Superfund.

The Department of Justice will receive for a period of 30 days from the date of this publication comments relating to the proposed consent 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. DeMert & Dougherty, Inc.*, No. 2:02CV434 (N.D. Ind.), D.J. Ref. 90-11-3-1094/5.

The consent decree may be examined at the Office of the United States Attorney, Northern District of Indiana,