

99513; or, upon request to Mark A. Nitzczynski, (202) 514-3785. In requesting a copy, please enclose a check in the amount of \$ \_\_\_\_\_ for a copy of the Consent Decree with attachments.

Anna Wolgast,

*Acting Chief, Environmental Defense Section, Environment and Natural Resources Division, United States Department of Justice.*

[FR Doc. 96-599 Filed 1-18-96; 8:45 am]

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### Notice of Lodging of Consent Decree

In accordance with Departmental policy, 28 C.F.R. § 50.7, notice is hereby given that on December 15, 1995, a proposed Consent Decree in *United States versus Niagara Transformer Corporation*, Civil No. 89-CV-1358, was lodged with the United States District Court for the Western District of New York. The proposed Consent Decree will settle the United States' claims against Niagara Transformer under Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9607, for response costs and natural resource damages incurred at the Wide Beach Development Superfund Site in Brant, New York.

Under the terms of the Consent Decree, Niagara Transformer will pay to the United States as reimbursement of response costs incurred a total of \$869,569, plus interest, in three installments by March 1, 1997. Niagara Transformer will also pay to the United States for natural resource damages a total of \$57,974, plus interest, on the same schedule.

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 of the Environment and Natural Resources Division, U.S. Department of Justice, Washington, D.C. 20530, and should refer to *United States versus Niagara Transformer Corporation*, D.O.J. Ref. 90-11-3-417.

The proposed Consent Decree may be examined at the Region II Office of the United States Environmental Protection Agency, 290 Broadway, New York, NY 10007, and at the Environmental Enforcement Section Document Center, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005 (202 624-0892). A copy of the proposed Consent Decree may be obtained in person or by mail from the Environmental Enforcement Section Document Center, 1120 G Street, N.W., 4th Floor, Washington,

D.C. 20005. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$8.75 (25 cents per page reproduction cost) made payable to Consent Decree Library.

Bruce S. Gelber,

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

[FR Doc. 96-604 Filed 1-18-96; 8:45 am]

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

In accordance with Departmental policy, 28 C.F.R. § 50.7, notice is hereby given that on December 21, 1995, a proposed Consent Decree in *United States v. Occidental Chemical Corporation, et al. (Love Canal)*, Civil Action No. 79-990 (JTC), was lodged with the United States District Court for the Western District of New York. The decree represents a settlement of claims by the United States against Occidental Chemical Corporation (Occidental) for recovery, pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Section 7003 of the Resource Conservation and Recovery Act (RCRA) and other authorities, of costs and interest incurred in response to the release of hazardous substances at the Love Canal Landfill Site near Niagara Falls, New York.

Under the settlement, Occidental will reimburse response costs incurred by the Environmental Protection Agency Superfund and the Federal Emergency Management Agency in connection with the relocation of Love Canal area residents, Site studies and remediation, oversight, litigation and other expenses. Occidental will pay \$129 million dollars in four equal annual installments of \$32,250,000 commencing 90 days after entry of the Decree, plus additional interest on each \$32,250,000 installment calculated from August 1, 1995 at the rate established by CERCLA. Occidental will also pay certain additional expenses of the United States incurred since August 1, 1995. Further, Occidental will pay \$375,000 for natural resource damages restoration and assessment, with preferential review accorded a creek restoration project in Niagara County. In addition to the payments by Occidental, the United States will contribute an additional \$8 million to the Superfund and on behalf of FEMA to resolve counterclaims by Occidental against the United States.

Under the partial consent decree between the United States and Occidental, which was entered by the Court on September 20, 1989, Occidental agreed to complete remediation of Love Canal Site sewers and creeks and to dispose of hazardous wastes. The instant decree in no way alters those obligations. Similarly, the instance decree will not affect the New York State Consent Judgment, which was approved by the Court on July 1, 1994, under which Occidental agreed to perform operation and maintenance (O & M) of the remedy. Finally, Occidental agrees in the proposed decree that the United States may independently enforce against Occidental the O & M obligations it accepted under the State Consent Judgment.

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 of the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Occidental Chemical Corporation*, D.J. Ref. 90-5-1-1-1229. Commentors may request an opportunity for a public meeting in the affected area, in accordance with Section 7003(d) of RCRA.

The proposed Consent Decree may be examined at the Office of the United States Attorney, Western District of New York, Federal Centre, 138 Delaware Avenue, Buffalo, New York 14202 and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the proposed Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C.

20005. In requesting a copy, please enclose a check in the amount of \$8.00 (25 cents per page reproduction cost) payable to the Consent Decree Library.

Joel M. Gross,

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

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

In accordance with Departmental policy, as provided in 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States of America, Plaintiff v. Tri-State Mint, Inc. et al., Defendants/Counterclaimants v.*