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**Joel M. Gross,**

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

[FR Doc. 97-10014 Filed 4-17-97; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Amendment to Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)

In accordance with Departmental policy, 28 CFR 50.7, and with Section 122 of CERCLA, 42 U.S.C. 9622, notice is hereby given that a proposed amendment to a consent decree in *United States v. American Cyanamid, et al.*, Civil Action No. 2:93-0654 (S.D.W.V.), was lodged on March 31, 1997, with the United States District Court for the Southern District of West Virginia. The original consent decree, entered on February 19, 1997, resolved claims that we filed under Section 107 of the CERCLA, 42 U.S.C. 9607, for past response costs incurred at the Fike/Artel Chemical Company Superfund Site, located near Nitro, West Virginia. The proposed amendment incorporates limited provisions reflecting two settlements with the final two parties in this matter. The first settlement is with Shell Chemical Company and Shell Oil Company ("Shell"), the last company to settle in this matter. The United States will receive \$360,000 and the State of West Virginia \$360,000. These amounts are in addition to those to be paid in a private settlement with the Settling Work Defendants in this matter.

The second settlement involves the United States Department of Energy ("DOE") and Westinghouse Electric Corporation ("Westinghouse") with respect to sodium tanks sent from a Westinghouse facility to the Fike/Artel Site. The settlement obligates Westinghouse to contribute \$110,000 to the Trust cleaning up the Site, to pay EPA \$25,000, and to pay the State \$5,000. The United States, on behalf of DOE, will pay the Fike/Artel Site Trust \$100,000.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed

amendment to the consent decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. American Cyanamid, et al.*, DOJ Ref. #90-11-3-706.

The proposed amendment to the consent decree may be examined at the office of the United States Attorney, 500 Quarrier Street, Charleston, West Virginia; the Region III Office of the Environmental Protection Agency, 841 Chestnut Street, Philadelphia, PA; and at the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed amendment to the consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$2.00, payable to the Consent Decree Library.

**Joel M. Gross,**

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

[FR Doc. 97-10019 Filed 4-17-97; 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 ("CERCLA")

In accordance with Departmental Policy, 28 CFR 50.7, 38 FR 19029, and 42 U.S.C. 9622(d), notice is hereby given that a proposed consent decree in *United States v. Jane Doe, as Executrix of the Estate of Edmund Barbera, et al.*, 96 Civ. 8563 (BSJ), was lodged on March 31, 1997, with the United States District Court for the Southern District of New York. The Consent Decree addresses the hazardous waste contamination at the Port Refinery Superfund Site (the "Site"), located in the Village of Rye Brook, Westchester County, New York. The Consent Decree requires twenty-two *de minimis* generators of hazardous substances transported to the Site to pay to the United States a total of \$286,168.00.

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. Comment should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department

of Justice, Washington, D.C. 20530, and should refer to *United States v. Jane Doe, as Executrix of the Estate of Edmund Barbera, et al.*, DOJ Ref. #90-11-3-1142A.

The proposed consent decree may be examined at the office of the United States Attorney for the Southern District of New York, 100 Church Street, New York, 10007 (contact Assistant United States Attorney Kathy S. Marks); the Region II Office of the Environmental Protection Agency, 290 Broadway, New York, New York, 10007-1866 (contact Assistant Regional Counsel Michael Mintzer); 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 refer to the referenced case and enclose a check in the amount of \$11.25 (25 cents per page reproduction costs) for the Consent Decree, payable to the Consent Decree Library.

**Joel M. Gross,**

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

[FR Doc. 97-10013 Filed 4-17-97; 8:45 am]

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## DEPARTMENT OF JUSTICE

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

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States v. Point Corp., et al.*, Civil Action No. 3:97-0294, was lodged on March 27, 1997 with the United States District Court for the Southern District of West Virginia. The consent decree settles claims against Point Corp. ("Point") and Marshall T. Reynolds ("Reynolds") pursuant to the Clean Air Act, 42 U.S.C. 7401, *et seq.*, for violations of the asbestos NESHAP, 40 CFR part 61, subpart M, with respect to the demolition of two buildings owned by Point. The decree requires that Point and Reynolds pay a civil penalty of \$350,000. The buildings were demolished several years ago, and the defendants do not engage in asbestos related operations. Accordingly, the decree does not provide for any injunctive relief. The decree does not resolve claims against Rayburn Darst, doing business as Environmental Protection Abatement, the asbestos removal contractor involved in the demolition.