

RohmTech is the successor to a former owner and operator of the Site. The consent decree will also resolve the claims of the Commonwealth of Massachusetts ("Commonwealth") in connection with the Site under CERCLA and the Massachusetts Oil and Hazardous Material Release Prevention and Response Act, M.G.L. c. 21E.

Under the proposed consent decree, RohmTech will make an immediate payment to the United States and the Commonwealth in the amount of \$4,000,000, plus interest. In addition, the United States and the Commonwealth will receive a percentage of gross proceeds from related insurance litigation and litigation against another potentially responsible party. Of the total payments, \$2,100,000 will be paid to the United States and the Commonwealth in connection with claims for natural resource damages at the Site. The remaining money will be paid to the United States and the Commonwealth as reimbursement for response costs incurred and to be incurred at the Site. The amount of the payments to be made by RohmTech reflect the company's financial condition.

The Department of Justice will receive, for a period of up to thirty days from the date of this publication, comments relating to the proposed consent decree. Any comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, DC 20044, and should refer to *United States v. RohmTech, Inc.*, DOJ Ref. Number 90-11-2-340. Commenters may request an opportunity for a public meeting in the affected area, in accordance with Section 7003(d) of RCRA, 42 U.S.C. § 6973.

The proposed consent decree may be examined at the Environmental Protection Agency, One Congress Street, Boston, Massachusetts (contact Joanna Jerison at 617-565-3350) and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, DC 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, DC 20005. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$12.50 (50 pages at 25

cents per page reproduction costs), payable to the Consent Decree Library.

**Bruce S. Gelber,**

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

[FR Doc. 97-27206 Filed 10-14-97; 8:45 am]

BILLING CODE 4410-15-M

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant To The Comprehensive Environmental Response Compensation and Liability Act of 1980, As Amended

Notice is hereby given that a proposed consent decree in the action entitled *United States v. Taylor, et al.*, Civil Action No. 97CV12201EFH, was lodged on September 30, 1997, with the United States District Court for the District of Massachusetts. The proposed consent decree resolves the United States's claims against several potentially responsible parties ("Settling Defendants") at the Nyanza Chemical Waste Dump Superfund Site, located in Ashland, Massachusetts ("Site"), under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. § 9601 *et seq.* The consent decree will also resolve the claims of the Commonwealth of Massachusetts ("Commonwealth") in connection with the Site under CERCLA and the Massachusetts Oil and Hazardous material Release Prevention and Response Act, M.G.L. c. 21E. The Settling Defendants include Scott D. Taylor, individually; the Estate of Roland E. Derby, Jr.; Scott D. Taylor in his capacity as Administrator of the Estate of Roland E. Derby, Jr.; the Estate of Roland E. Derby, Sr., and Edward M. Lynch, Jr. in his capacity as Executor of the Estate of Roland E. Derby, Sr. The consent decree includes a covenant not to sue by the United States under, *inter alia*, Sections 106 and 107 of CERCLA, 42 U.S.C. §§ 9606 and 9607 (including claims for natural resource damages), and under Section 7003 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6973.

Under the proposed consent decree, Scott D. Taylor will make a payment to the United States and the Commonwealth in the amount of \$565,000 over a three-year period, plus interest. Of the \$565,000 total, \$424,000 will be paid the United States (EPA) as reimbursement for response costs incurred in connection with the Site, \$106,000 will be paid to the Commonwealth as reimbursement for

response costs incurred in connection with the Site, and \$35,000 will be paid to the United States and the Commonwealth in connection with claims for natural resource damages. In addition, if the gross insurance proceeds recovered by the Settling Defendants in connection with the Site exceed \$425,000, Settling Defendants shall pay to the United States and the Commonwealth 80% of the amount in excess of \$425,000.

The Department of Justice will receive, for a period of up to thirty days from the date of this publication, comments relating to the proposed consent decree. Any comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044, and should refer to *United States v. Taylor, et al.*, DOJ Ref. Number 90-11-2-340B. Commenters may request an opportunity for a public meeting in the affected area, in accordance with Section 7003(d) of RCRA, 42 U.S.C. § 6973.

The proposed consent decree may be examined at the Environmental Protection Agency, One Congress Street, Boston, Massachusetts (contact Joanna Jerison at 617-565-3350) 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 \$13.25 (25 cents per page reproduction costs), payable to the Consent Decree Library.

**Bruce S. Gelber,**

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

[FR Doc. 97-27207 Filed 10-14-97; 8:45 am]

BILLING CODE 4410-15-M

## DEPARTMENT OF JUSTICE

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

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States v. Washington Central Railroad Company, Inc., et al.*, No. CV97-1400-ST (D. Oregon), was lodged on September 30, 1997, with the United States District Court for the District of Oregon. With regard to the Defendants,