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Dated: January 15, 1998.

**Judith D. Johnson,**

*Division Chief, M/OP/ENI*

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as Amended

Consistent with Departmental policy, 28 CFR 50.7, 38 FR 19029, and 42 U.S.C. 9622(d), notice is hereby given that on January 8, 1998, a proposed Consent Decree in *United States v. Abbott Laboratories, et al.*, Civil Action No. 98-1013-JAF, was lodged with the United States District Court for the District of Puerto Rico. The proposed Consent Decree will resolve the United States' claims under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9601 *et seq.*, on behalf of the U.S. Environmental Protection Agency ("EPA") against defendants Abbott Laboratories, American Cyanamid Company, Browning-Ferris Industries of Puerto Rico, Inc., E.I. DuPont de Nemours & Company, Merck & Company, Inc., the Municipality of Barceloneta, Pharmacia & Upjohn Caribe Inc., Roche Products, Inc., Schering-Plough Products, Inc., and Union Carbide Corporation relating to the Barceloneta Landfill Superfund Site ("Site") located near the Municipality of Barceloneta, Puerto Rico. The Complaint alleges that each of the defendants is liable under Sections 106 and 107(a) of CERCLA, 42 U.S.C. 9606 and 9607.

Pursuant to the Consent Decree, the settling defendants will implement the remedy selected in the July 5, 1996 Record of Decision (the "ROD") for the Site, now estimated to cost approximately \$10.5 million, reimburse the United States for \$425,000 of past costs, and make payment of EPA's future response costs, as defined in the Consent Decree, and up to \$400,000 of EPA's oversight costs.

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. Any 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. Abbott Laboratories, et al.*, Civil Action No. 98-1013-JAF, D.J. Ref. 90-11-3-1574.

The proposed consent decree may be examined at the Office of the United States Attorney, District of Puerto Rico, Federal Building, Chardon Avenue, Hato Rey, Puerto Rico, 00918 and at Region II, Office of the Environmental Protection Agency, 290 Broadway, New York, NY 10007-1866 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 (there is a 25 cent per page reproduction cost) in the amount of \$69.25 payable to the Consent Decree Library. If a copy of the Consent Decree without the attachments is sufficient, please specify that fact and enclose a check in the amount of \$26.00.

**Bruce S. Gelber,**

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

[FR Doc. 98-1920 Filed 1-26-98; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Air Act

Pursuant to Department policy, 18 CFR 50.7, notice is hereby given that on December 18, 1997, a proposed Consent Decree in *Chester Residents Concerned for Quality Living, et al., and Commonwealth of Pennsylvania and United States of America v. Delaware County Regional Water Control Authority* ("DELCORA"), Civil Action No. 94-CV-5639 was lodged with the United States District Court for the Eastern District of Pennsylvania.

In this action the United States, as a plaintiff-intervenor, sought civil penalties and injunctive relief pursuant to Section 113 of the Clean Air Act, 42 U.S.C. 7413, against DELCORA for violations of the Clean Air Act in connection with the operation of sludge incinerators at DELCORA's sewage treatment plant located in Chester, Pennsylvania. Under the proposed Consent Decree DELCORA agrees to pay a civil penalty of \$120,000, implement

injunctive relief to prevent future violations at the plant, and perform a Supplemental Environmental Project to reduce exposure to lead among newborn infants in Chester, Pennsylvania.

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 *Chester Residents Concerned for Quality Living, et al., and Commonwealth of Pennsylvania and United States of America v. Delaware County Regional Water Control Authority* ("DELCORA"), D.J. Ref. 90-5-2-1-2071.

The Consent Decree may be examined at the Office of the United States Attorney, 5615 Chestnut Street, Suite 1250, Philadelphia, PA 19106, at U.S. EPA Region 3, 841 Chestnut Building, Philadelphia, PA 19107, and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the 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 exclusive of exhibits, please enclose a check in the amount of \$9.75 (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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## 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. Young Refining Company*, Civil Action No. 1-96-CV-1002-JEC, was lodged on December 31, 1997, with the United States District Court for the Northern District of Georgia. The consent decree settles a claim brought under Section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9607(a), for response costs incurred by the United States at the Basket Creek Drum Disposal site (the "Basket Creek site") in