

**DEPARTMENT OF JUSTICE****Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act**

This Notice amends a Notice previously published at 63 FR 29751-29752 (Wed., Jun. 1, 1998), announcing that a proposed consent decree was lodged on April 21, 1998 with the United States District Court for the Eastern District of California. The Consent Decree embodies a settlement in *United States v. Chevron USA, Inc., et al.*, Civil Action No. F-98-5412 REC DLB. This Notice makes technical corrections to the description of the work to be performed under the Consent Decree.

In the complaint filed concurrently with the lodging of the consent decree, the United States sought injunctive relief for performance of response actions, and reimbursement for response costs incurred by the United States Environmental Protection Agency, in response to releases of hazardous substances at the Purity Oil Sales Superfund Site, located near Fresno, California, pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. § 9601 *et seq.* The settling defendants have agreed to contribute towards performance of future response actions at the Purity Site; defendant Chevron USA Inc. has agreed to perform that work. Future work includes operation and maintenance of the groundwater extraction and treatment system for the groundwater operable unit (estimated to cost \$10 million) and construction, operation, and maintenance of the components of the soils operable unit (estimated to cost between \$10 and 12 million). The soils operable unit may include treatment of soils at a depth of 14 to 40 feet with a soil vapor extraction system pending a two-year soil vapor monitoring program, construction of a cap, and enclosure of an on-site canal in a reinforced concrete pipe.

The consent decree includes a covenant not to sue under Sections 106 and 107 of CERCLA, 42 U.S.C. §§ 9606, 9607, and under Section 7003 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6973.

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 for the Environment and Natural Resources Division, U.S.

Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Chevron USA Inc.*, DOJ Ref. #90-11-2-355. Commenters may request a public hearing in the affected area, pursuant to Section 7003(d) of RCRA, 42 U.S.C. § 6973(d).

The proposed consent decree may be examined at the office of the United States Attorney, Eastern District of California, Room 3654 Federal Building, 1130 "O" Street, Fresno, California 93721; the Region IX Office of the Environmental Protection Agency, 75 Hawthorne Street, San Francisco, California 94105; 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 \$116.50 (25 cents per page reproduction costs), payable to the Consent Decree Library. A copy of the decree, exclusive of signature pages and attachments, may be obtained for \$21.50.

**Joel Gross,**

*Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*  
[FR Doc. 98-16215 Filed 6-17-98; 8:45 am]

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**DEPARTMENT OF JUSTICE****Notice of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act**

In accordance with Departmental Policy, 28 CFR 50.7, 38 FR 19029, and 42 U.S.C. 9622(i), notice is hereby given that a proposed Consent Decree in *United States v. William Davis, et al.*, Civ. Action No. 90-0484-T, was lodged in the United States District Court for the District of Rhode Island on May 18, 1998. The proposed Consent Decree resolves the United States' claims against Power Semiconductors, Inc. and Swan Engraving Company ("Settling Defendants"), under Sections 106 and 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), as amended, 42 U.S.C. 9607(a), concerning response action at the Davis Liquid Waste Superfund Site located in Smithfield, Providence County, Rhode Island (the "Davis Site").

Under the terms of the Consent Decree the Settling Defendants are required to pay \$74,375 to the United

States in partial reimbursement of the United States' past and future costs. Swan Engraving Company's share of this amount, \$63,750, will be paid in three equal payments over two years. In addition, the Settling Defendants are jointly and severally responsible along with United technologies Corp. ("UTC") and other previous settlers for the source control portion of the remedy at the Site.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, written comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General for the Environmental and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. William Davis, et al.*, Civ. Action No. 90-0484-T, DOJ #90-11-2-137B.

The proposed Consent Decree may be examined at the Office of the United States Attorney, District of Rhode Island, Westminster Square Building, 10 Dorrance Street, 10th Floor, Providence, Rhode Island 02903; at the Region I Office of the U.S. Environmental Protection Agency, 90 Canal Street, Boston, Massachusetts 02203; and at the Consent Decree Library, 1120 G Street, NW 4th Floor, Washington, DC 20005, (202) 624-0892. Copies of 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 enclose a check in the amount of \$11.00 (25 cents per page reproduction costs) payable to the Consent Decree Library.

**Joel M. Gross,**

*Chief, Environmental Enforcement Section, Environment and Natural Resource Division.*  
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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, and with Section 122 of CERCLA, 42 U.S.C. § 9622, notice is hereby given that a consent decree in *United States v. J.E.M., a Partnership*, Civil Action No. 3:CV-95-1882 (M.D. Pa.), was lodged on June 2, 1998, with the United States District Court for the Middle District of Pennsylvania. The consent decree resolves the claims of the United States under Section 107 of