

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 at 28 CFR 50.7, notice is hereby given that on May 29, 1998, a proposed consent decree in *United States v. Commercial Metals Company, et al.*, Civil Action No. 3:98-CV-1265X, was lodged with the United States District Court for the Northern District of Texas, Dallas Division. The proposed Consent Decree resolves the liability of the Settling Defendants under Sections 106 and 107 of CERCLA at the RSR Superfund Site ("Site") located in Dallas, Texas. Under the terms of the Consent Decree, the Settling Defendants have agreed to conduct a remedial action at the Site in accordance with the Operable Unit Number 4 Record of Decision ("ROD") for the site, and to pay EPA oversight costs. The ROD estimate of performing the remedy is \$11.5 million.

For a period of thirty (30) days from the date of this publication, the Department of Justice will receive written comments relating to the proposed consent decree from persons who are not parties to the action. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, U.S. Department of Justice, Washington, DC 20530, and should refer to *United States v. Commercial Metals Company, et al.*, DOJ #90-11-3-1613.

The proposed consent decree may be examined at the offices of the United States Attorney for the Northern District of Texas, Dallas Division, 1100 Commerce St., 3rd Floor, Dallas, Texas, 75242-16996, and at the office of the United States Environmental Protection Agency, Region VI, 1445 Ross Avenue, Dallas, Texas 75202 (Attention: Mike Barra, Assistant Regional Counsel). A copy of the consent decree may also be examined at the Consent Decree Library, 1120 G Street, NW, 4th Floor, Washington, DC 20005, (202) 624-0892. Copies of the decree may be obtained in person or by mail from the Consent Decree Library. Such requests should be accompanied by a check in the amount of \$18.50 (25 cents per page reproduction charge for decree, without attachments) payable to "Consent Decree Library". When requesting copies, please refer to *United States v.*

Commercial Metals Company, et al., #90-11-3-1613.

Joel 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

Notice is hereby given that on June 5, 1998, a proposed Consent Decree in *United States v. Erie Coatings & Chemicals, Inc. et al.*, Civil No. 95-75842, was lodged with the United States District court for the Eastern District of Michigan. This Consent Decree resolves claims against two parties, Chem-Met Services, Inc ("Chem-Met") and Cousins Waste Control Corporation ("Cousins"), under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. 9601 *et seq.* ("CERCLA") relating to the Erie Coatings & Chemicals, Inc. Superfund Site ("Site") in Erie, Michigan.

The Consent Decree requires Chem-Met to reimburse the Superfund in the amount of \$25,000 and it requires Cousins to reimburse the Superfund in the amount of \$40,000 for the United States' past costs incurred in conducting a removal action at the Site.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Consent Decree. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer in *United States v. Erie Coatings & Chemicals, Inc. et al.*, D. J. Ref. 90-11-2-1070.

The Consent Decree may be examined at the Office of the United States Attorney, Eastern District of Michigan, 817 Federal Building, 231 West Lafayette, Detroit, Michigan 48226, and at the Consent Decree Library, 120 G Street, NW, 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, NW, 4th Floor, Washington, DC 20005. In requesting a copy, please enclose a check in the amount of \$5.50 (25 cents

per page reproduction cost) payable to the Consent Decree Library.

Joel Gross,

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

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DEPARTMENT OF JUSTICE

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

In accordance with Departmental policy, 28 CFR § 50.7 and 42 U.S.C. § 9622(d)(2), notice is hereby given that a proposed consent decree in *United States v. Lewis Frame and Ruth Frame*, Civil Action No. 98-CV-2844, was lodged on June 3, 1998, with the United States District Court for the Eastern District of Pennsylvania. A complaint was filed simultaneously with the lodging of the consent decree.

The consent decree pertains to the A.I.W. Frank Superfund Site ("Site"), located in Exton, Chester County, Pennsylvania. It resolves the claims of the plaintiff, the United States of America, filed against defendants, Lewis Frame and Ruth Frame, pursuant to Sections 106 and 107 of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. § 9601 *et seq.* arising out of the defendants' past ownership of a portion of the Site. The consent decree requires the defendants to pay \$1.1 million in past response costs, complete remedial work estimated to cost \$1 million and provide EPA with access to the Site. The consent decree also includes covenants not to sue by the United States under Sections 106 and 107 of CERCLA, 42 U.S.C. § 9601 *et seq.*, and Section 7003 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6973, and provides the defendants with contribution protection.

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, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Lewis Frame and Ruth Frame*, Civil Action No. 98-CV-2844, DOJ Ref. #90-11-3-1604. Commentors may request an opportunity for a public meeting in the affected area, in accordance with Section 7003(d) of RCRA.