

DEPARTMENT OF JUSTICE**Notice of Lodging of Consent Decree Pursuant to the Clean Air Act (CAA)**

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a Consent Decree in *United States v. Beshara Management, et al.*, No. 5:97CV123 (N.D. W. Va.), was lodged on July 27, 1998, with the United States District Court for the Northern District of West Virginia.

The Consent Decree resolves the claims of the United States against the Defendants Beshara Management Inc., Riverside Plaza Partnership, Edward C. Beshara, Fred M. Beshara, and James Beshara, in connection with their operation of a renovation project carried out at the Riverside Plaza Shopping Center, a strip mall owned by the Defendants, located on Route 2 in New Martinsville, West Virginia. The Riverside Plaza project allegedly resulted in the unlawful removal and handling of asbestos-containing materials. The United States sought injunctive relief and the assessment of civil penalties against the Defendants for violations of the National Emission Standard for Hazardous Air Pollutants ("NESHAP") for asbestos, promulgated pursuant to Sections 101, 112, 114, 116 and 301 of the Clean Air Act, 42 U.S.C. 7401, 7412, 7414, 7416 and 7601. Under the proposed Consent Decree, Defendants will be permanently enjoined from any future violations of the asbestos NESHAP at Riverside Plaza Shopping Center, and will pay to the United States the sum of \$105,000.00 in civil penalties.

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 for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. Beshara Management, et al.* DJ # 90-5-2-1-2114 (N.D. W. Va.) Comments may also be addressed to Douglas J. Snyder, U.S. Environmental Protection Agency, Office of Regional Counsel, 1650 Arch Street, Philadelphia, PA 19103.

The Consent Decree may be examined and copied at the Office of the Clerk, U.S. District Court for the Northern District of West Virginia; or at the Region III Office of the Environmental Protection Agency, c/o, Douglas J. Snyder, 1650 Arch Street, Philadelphia, PA 19103. A copy of the Consent Decree may also be obtained in person or by mail from the Consent Decree Library,

1120 G Street, NW, 3rd Floor, Washington, D.C. 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$2.75 (25 cents per page reproduction cost), payable to the Consent Decree Library.

Walker Smith,

Deputy Chief, Environmental Enforcement Section.

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

Pursuant to 28 CFR 50.7 and 42 U.S.C. 9622(d), notice is hereby given that on August 12, 1998, a proposed Consent Decree in *United States v. Coltec Industries, Inc., et al.*, Civil Action No. 98-10034 was lodged with the United States District Court for the Eastern District of Michigan.

The United States has asserted, in a civil complaint under the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601 *et seq.*, that the Defendants, Coltec Industries, Inc., Illinois Tool Works, Inc., Mitchell Manufacturing Group, Inc., StageRight Corporation, Textron, Inc., and United Technologies Automotive, Inc., are potentially responsible parties (PRPs) at the Clare Water Supply Superfund Site in the City of Clare, Clare County, Michigan.

Under the proposed Consent Decree, the Defendants have agreed to pay \$510,756.00 to the Hazardous Waste Superfund for past costs incurred through October 31, 1997, to pay future response costs, and to perform Work for Operable Unit Two of 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 to *United States v. Coltec Industries, Inc., et al.*, Civil Action No. 98-10034, D.J. Ref. 90-11-2-1212.

The Consent Decree may be examined at the Office of the United States Attorney for the Eastern District of Michigan, 211 West Fort Street, Suite 2001, Detroit, MI 48226-3211; at the Region 5 Environmental Protection Agency Library, Reference Desk, 77 W.

Jackson Boulevard, Chicago, Illinois 60604; and at the Consent Decree Library, 1120 G Street, NW., 3rd Floor, Washington, DC 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, NW., 3rd Floor, Washington, DC 20005. In requesting a copy, please enclose a check in the amount of \$110.25 (inclusive of Appendices) (25 cents per page reproduction cost) payable to the Consent Decree Library.

Walker B. Smith,

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

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DEPARTMENT OF LABOR**Pension and Welfare Benefits Administration****Working Group Studying; Retirement Plan Leakage—Cashing In Your Future from ERISA Employer-Sponsored Pension Plans Advisory Council on Employee Welfare and Pension Benefits Plans; Notice of Meeting**

Pursuant to the authority contained in Section 512 of the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. 1142, a public meeting will be held on Tuesday, October 6, 1998, of the Retirement Plan Leakage—Cashing in Your Future—Working Group of the Advisory Council on Employee Welfare and Pension Benefit Plans. The group is studying pre-retirement distributions, including in-service distributions, hardship loans and participant loans from ERISA employer-sponsored pension plans.

The purpose of the open meeting, which will run from 9:30 a.m. to approximately noon in Room N-4437 C&D, U.S. Department of Labor Building, Second and Constitution Avenue NW, Washington, DC 20210, is for Working Group members to draft their report and/or recommendations on the import of these "pension preservation" issues for the Secretary of Labor.

Members of the public are encouraged to file a written statement pertaining to the topic by submitting 20 copies on or before October 1, 1998, to Sharon Morrissey, Executive Secretary, ERISA Advisory Council, U.S. Department of Labor, Room N-5677, 200 Constitution Avenue, NW, Washington, DC 20210. Individuals or representatives of organizations wishing to address the Working Group should forward their