

Act ("CERCLA"), 42 U.S.C. § 9607 for costs incurred and to be incurred by the United States in response to the release of hazardous substances at the Site.

The proposed Consent Decree requires ARCO and ACC to perform nearly all of the remedial action for the Site, at a cost of approximately \$20 million. The remedial action includes in-situ aquifer bioremediation, bioventing, aqueous phase soil bioremediation, soil excavation and off-site treatment and/or disposal, soil excavation and biotreatment, thermal desorption, soil washing, containment, monitored natural attenuation, institutional controls, soil vapor extraction, installation of storm water management controls, monitoring ground water, and restoration of the Site surface upon completion of the remedial action.

The proposed Consent Decree also provides that the United States covenants not to sue or take administrative action against ARCO and ACC under Sections 106, 107(a) of CERCLA, 42 U.S.C. §§ 9606, 9607(a) and Section 7003 of the Resource Conservation and Recovery Act ("RCRA") except as specifically provided in the consent decree.

The Department of Justice will provide a RCRA public meeting in the affected area if requested and will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed consent decree. Comments and/or a request for a RCRA public meeting 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. Sadeane Lang, Independent Executrix of the Estate of Donald R. Lang*, DOJ Ref. #90-11-3-709.

The proposed consent decree may be examined at the Office of the United States Attorney, 350 Magnolia Avenue, Suite 150, Beaumont, Texas 77701; the Region VI Office of the Environmental Protection Agency, 1445 Ross Avenue, Dallas, Texas 75202; and at the Consent Decree Library, 1120 G Street, NW, 3rd 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, NW, 3rd Floor, Washington, DC. 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$99.75 (25 cents per page

reproduction costs), payable to the Consent Decree Library.

Joel Gross,

Chief, Environmental Enforcement Section.
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DEPARTMENT OF JUSTICE

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

In accordance with Departmental policy and 28 CFR 50.7, the Department of Justice gives notice that two proposed consent decrees in *United States v. Midwest Metallics, L.P., et al.*, Civil Action No. 2:98CV203JM (N.D. Ind.), were lodged with the United States District Court for the Northern District of Indiana, Hammond Division, on October 21, 1998, pertaining to the H&H Enterprises Superfund Site (the "Site"), located in Gary, Lake County, Indiana. The proposed consent decrees would resolve certain civil claims of the United States under Sections 106(b) and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 U.S.C. §§ 9606(b) and 9707, against three defendants named in the action.

The first proposed consent decree, captioned "Partial Consent Decree with Settling Defendant Midwest Metallics, L.P.," would require that settling defendant Midwest Metallics, L.P. (1) continue and complete an ongoing CERCLA removal action involving the treatment and off-site disposal of accumulated waste material at the Site, and reimburse the United States' future response costs relating to the Site, including future oversight costs, (2) pay \$335,000 as reimbursement of past response costs incurred by the United States, and (3) pay an additional \$255,000 in penalties for alleged violations of two prior Administrative Orders on Consent relating to the Site. The second proposed consent decree, captioned "Partial Consent Decree with Settling Defendants Cozzi Iron & Metal, Inc. and General Iron Industries, Inc.," would require that (1) Cozzi Iron & Metal, Inc. and General Iron Industries, Inc. pay the United States \$744,000, and (2) Cozzi Iron & Metal, Inc. pay the United States an additional \$12,000 in penalties for alleged violations of a prior Administrative Order on Consent relating to 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 proposed

consent decrees. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resource Division, United States Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Midwest Metallics, L.P., et al.*, Civil Action No. 2:98CV203JM (N.D. Ind.), and DOJ Reference No. 90-11-2-1092A, and the proposed consent decree(s) which the comments address.

The proposed consent decrees may be examined at: (1) the Office of the United States Attorney for the Northern District of Indiana, 1001 Main Street, Suite A, Dyer, Indiana 46311-1234 (contact Carol Davilo (219-322-8576)); (2) the United States Environmental Protection Agency (Region 5), 77 West Jackson Boulevard, Chicago, Illinois 60604-3590 (contact Thomas Krueger (312-886-0562)); and (3) the U.S. Department of Justice, Environment and Natural Resources Division Consent Decree Library, 1120 G Street, NW, 3rd Floor, Washington, D.C. 20005 (202-624-0892). Copies of the proposed consent decrees may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW, 3rd Floor, Washington, D.C. 20005. In requesting copies, please refer to the referenced case and DOJ Reference Number, the proposed consent decree(s) requested, and enclose a check for the amount(s) described below, made payable to the Consent Decree Library. The cost for a copy of the "Partial Consent Decree with Settling Defendant Midwest Metallics, L.P." only is \$15.00 (60 pages at 25 cents per page reproduction costs), or \$39.25 for that consent decree and all appendices (157 pages). The cost for a copy of the "Partial Consent Decree with Settling Defendants Cozzi Iron & Metal, Inc. and General Iron Industries, Inc." only is \$6.50 (26 pages at 25 cents per page reproduction costs), or \$28.50 for that consent decree and all appendices (114 pages).

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 Under the Clean Air Act

Under 28 CFR 50.7, notice is hereby given that an October 9, 1998 a proposed Consent Decree in *United States v. Pacific Mechanical Insulators Inc., et al.*, Civil Action No. CV-94-0043-N-EJL, was lodged with the United