

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to The Clean Air Act

In accordance with 28 CFR 50.7, 38 FR 19029, notice is hereby given that on January 25, 2000, a proposed consent decree with respect to defendants Harry Grant and Sandalwood Construction Company in *United States v. Anthony Dell'Aquila Enterprises and Subsidiaries, Harry Grant, and Sandalwood Construction Company*, Civil Action No. 88-3232 (JCL), was lodged with the United States District Court for the District of New Jersey. The United States' complaint sought injunctive relief and civil penalties under the Clean Air Act ("CAA") against Anthony Dell'Aquila Enterprises and Subsidiaries ("Dell'Aquila"), Harry Grant, and Sandalwood Construction Company in regard to violations of the National Emission Standards for Hazardous Air Pollutants for asbestos ("asbestos NESHAP") at a facility that was owned by Dell'Aquila in Hoboken, New Jersey ("Dell'Aquila site"). The consent decree is signed on behalf of Harry Grant and Sandalwood Construction Company. The claim against Dell'Aquila was settled through a previous consent decree entered in the United States District Court for the District of New Jersey.

The consent decree provides that the defendants Harry Grant and Sandalwood Construction Company shall pay a civil penalty of \$60,000. The consent decree also provides, *inter alia*, that each of the defendants shall conduct all demolition or renovation operations that either of them may become involved with in the future in compliance with the asbestos NESHAP. In connection with any such demolition or renovation operations, the defendants are required to engage an accredited building inspector and obtain a thorough asbestos identification survey prior to demolition or renovation to determine the presence of asbestos containing materials and to provide EPA with a copy of each survey at least twenty days prior to the commencement of any demolition or renovation.

The Department of Justice will receive comments relating to the proposed consent decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. Anthony Dell'Aquila Enterprises and Subsidiaries, Harry*

*Grant, and Sandalwood Construction Co.*, D.J. Ref. 90-5-2-1-1288.

The proposed consent decree may be examined at the office of the United States Attorney, 970 Broad St., Room 502, Newark, NJ 07102 and at the Region II office of the Environmental Protection Agency, 290 Broadway, New York, New York 10007. A copy of the proposed consent decree may also be obtained by mail from the Department of Justice Consent Decree Library, PO Box 7611, Washington, DC 20044. In requesting a copy, please enclose a check (there is a 25 cent per page reproduction cost) in the amount of \$4.25 payable to the "Consent Decree Library."

**Joel M. Gross,**

*Chief, Environmental Enforcement Section, Environment & Natural Resources Division.*  
[FR Doc. 00-3113 Filed 2-9-00; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Consent Judgments 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(d), notice is hereby given that a proposed Consent Decree in *United States v. Cornell University*, Civ. No. 00-CV-0121 (NAM), DOJ # 90-11-2-2/3, was lodged in the United States District Court for the Northern District of New York on January 21, 2000. The Consent Decree resolves the liability of defendant under section 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9607(a), relating to the Pollution Abatement Services Superfund Site in Oswego, New York (the "Site").

Under the proposed consent decree, Cornell will cash out its liability for the Site, subjects to reopeners, by paying to the United States the sum of \$30,000 in partial reimbursement of EPA's past response costs and paying \$335,500 toward future operable unit 3 ("OU3") Site costs to the responsible parties who are performing OU3 under an earlier consent decree. In exchange for the work and payment of response costs, Defendants will receive a covenant not to sue for response actions at the Site subject to certain reservations of rights.

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 Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Cornell University*, Civ. No. 00-CV-0121 (NAM), DOJ # 90-11-2-2/3.

The proposed Consent Decree may be examined at the Office of the United States Attorney, Northern District of New York, James Foley U.S. Courthouse, 445 Broadway, Room 231, Albany, New York 12207; and at the Region II Office of the U.S. Environmental Protection Agency, 290 Broadway, New York, New York 10278. Copies of the Consent Decree may be obtained by mail from the consent Decree Library, United States Department of Justice, PO Box 7611 Ben Franklin Station, Washington, DC 20044, (202) 514-1547. In requesting a copy, please enclose a check in the amount of \$5.25 (25 cents per page reproduction costs) payable to the Consent Decree Library.

**Joel M. Gross,**

*Environmental Enforcement Section, Environment and Natural Resources Division.*  
[FR Doc. 00-3114 Filed 2-9-00; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice Of Lodging of Settlement Agreement

Notice is hereby given that on January 18, 2000, a proposed settlement agreement ("Settlement Agreement") in *In re Raymark Industries, Inc.*, Case No. 98-51540, was lodged with the United States Bankruptcy Court for the District of Connecticut. This proposed Settlement Agreement resolves certain claims among the United States, the Trustee of Raymark Industries, Inc., and Leach Family Holdings, Inc. ("Leach") with respect to a Site known as the Raymark Industries, Inc. Superfund Site located in Stratford, Connecticut.

The Settlement Agreement provides for a payment, under the conditions specified in the Agreement, to Leach in the amount of up to \$ 1.5 million from the proceeds of the sale of the portion of the Raymark Site owned by Raymark Industries, Inc.

The proposed Settlement Agreement may be examined at the office of the United States Attorney for the District of Connecticut, 915 Lafayette Blvd., Room 309, Bridgeport, Ct. 06604; and at the Region I office of the Environmental Protection Agency, 1 Congress St., Boston, Mass. 02114-2023. A copy of the proposed Settlement Agreement may also be obtained by mail from the Consent Decree Library, PO Box 7611,