

of an annuity to cover the living expenses of the owner.

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, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, D.C. 20044-7611, and should refer to *United States v. Jane Doe, as Executrix of the Estate of Edmund Barbera, et al.*, DOJ Ref. #90-11-3-1142A.

The proposed consent decree may be examined at the office of the United States Attorney for the Southern District of New York, 100 Church Street, New York, New York, 10007 (contact Assistant United States Attorney Kathy S. Marks); and the Region II Office of the Environmental Protection Agency, 290 Broadway, New York, New York, 10007-1866 (contact Assistant Regional Counsel Cynthia Psoras). A copy of the proposed consent decree may be obtained by mail from the Consent Decree Library, P.O. Box 7611, Washington, D.C. 20044-7611. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$7.00 (25 cents per page reproduction costs) for the Consent Decree, payable to the Consent Decree Library.

Bruce S. Gelber,

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

[FR Doc. 00-6744 Filed 3-17-00; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Proposed Consent Decree

In accordance with 28 CFR 50.7(b), notice is hereby given that a proposed Consent Decree in *United States v. Fisher Sand & Gravel Co.*, Civil Action No. 98-CV-0276-D (D. Wyo.), was lodged with the United States District Court for the District of Wyoming on March 8, 2000. Final approval of the proposed Consent Decree is subject to the requirements of 28 CFR 50.7.

In this case, the United States filed suit against Fisher Sand & Gravel Co., Emulsified Asphalt, Inc. of Wyoming, and others for alleged violations of Clean Water Act sections 301 and 404. The Complaint alleges that the defendants discharged dredged or fill material into waters of the United States within Deer Creek near Glenrock, Wyoming, without a permit issued by

the United States Army Corps of Engineers.

The United States and the defendants have reached agreement on the terms of a proposed Consent Decree. Under the proposed settlement, the defendants will complete restoration, perform three to five years of monitoring, be enjoined against future unauthorized discharges, and pay a civil penalty.

The Department of Justice will receive written comments on the proposed Consent Decree for a period of 30 days from the date of publication of this notice. Comments should be addressed to Joshua E. Swift, Trial Attorney, U.S. Department of Justice, Environment & Natural Resources Division, Environmental Defense Section, P.O. Box 23986, Washington, DC 20026, and refer to *United States v. Fisher Sand & Gravel Co.*, Civil Action No. 98-CV-0276-D (D. Wyo.), DJ# 90-5-1-1-05204.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the District of Wyoming, 2120 Capitol Avenue, Room 2131, Cheyenne, Wyoming 82001. The telephone number of the Clerk's Office is (307) 772-2145.

Letitia J. Grishaw,

Chief, Environmental Defense Section Environment & Natural Resources Division.

[FR Doc. 00-6745 Filed 3-17-00; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decrees Under the Comprehensive, Environmental Response, Compensation and Liability Act ("CERCLA")

Notice is hereby given that four proposed consent decrees in *United States v. Mountain Metal Company, et al.*, Civil Action No. CV-98-2562-S, and one proposed consent decree in *United States v. Mountain Metal Company, et al.*, Civil Action No. CV-98-C-2562-S and consolidated action *Exide Corporation and Johnson Controls, Inc., v. Aaron Scrap Metals, et al.*, Civil Action No. CV-98-J-2886-S, were lodged on March 7, 2000, with the United States District Court for the Northern District of Alabama, Southern Division.

In these actions, the United States and Exide Corporation and Johnson Control, Inc. have sought injunctive relief and recovery of response costs under Sections 106(a) and 107 of CERCLA, 42 U.S.C. 9606(a) and 9607, against over forty generator defendants with respect to the Interstate Lead Company ("ILCO") Superfund Site, located in

Leeds, Jefferson County, Alabama ("the Site").

The United States has now agreed to settlement of its claims under Sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, for existing contamination at the Site with respect to five defendants: Battery Post, Inc. ("Battery Post"), Goldsboro Iron & Metal Company, Inc. ("Goldsboro"), Micon Metals, Inc. ("Micon") Omega Tire & Sales ("Omega") and V.H. Holmes & Sons, Inc. ("V.H. Holmes"). Battery Post will pay \$6,000 plus interest over a twelve month period to the United States to resolve its claims. Micon will pay \$500 with 30 days of Decree entry, to the United States to resolve its claims. Omega will pay \$1,000 within 30 days of Decree entry, to the United States to resolve its claims. V.H. Holmes will pay \$20,000 plus interest within one year of Decree entry, to the United States to resolve its claims. Goldsboro will pay the United States \$195,750, plus interest, within 30 days of proposed consent decree entry to resolve its claims. Goldsboro will also pay Exide Corporation and Johnson Control, Inc., a total of \$479,250 in principal plus interest, with \$104,250 paid with 30 days of proposed consent decree entry, and 30 monthly payments of \$12,500 plus interest to resolve the claims in the consolidated action.

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 of the Environment and Natural Resources Division, P.O. Box 7611, Department of Justice, Washington, DC 20044, and should refer to *United States v. Mountain Metal Company, et al.*, Civil Action No. CV-98-C-2562-S and consolidated action *Exide Corporation and Johnson Controls, Inc., v. Aaron Scrap Metals, et al.*, Civil Action No. CV-98-J-2886-S and DOJ #90-11-2-108/2.

Any of the proposed consent decrees may be examined at the Office of the United States Attorney, Northern District of Alabama, 200 Robert S. Vance Federal Building & Courthouse, 1800 5th Ave. N., Room 200, Birmingham, AL 35203-2198, and at U.S. EPA Region 4, Atlanta Federal Center, 61 Forsyth Street, S.W. Atlanta, Georgia 30303. A copy of the Consent Decree also may be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044. In requesting a copy, please enclose a check in the amount of \$8.00 (25 cents per page reproduction costs) per