

Department of Justice gives notice that a proposed consent decree in *United States v. American Chemical Service, Inc., et al.*, No. 2:00CV438 (N.D. Indiana), and *State of Indiana v. American Chemical Service, Inc., et al.*, No. 2:00CV437 (N.D. Indiana), was lodged with the United States District Court for the Northern District of Indiana on July 14, 2000, pertaining to the implementation of the United States Environmental Protection Agency's selected remedial action for the American Chemical Service Superfund Site ("ACS Site"), Griffith, Lake County, Indiana. The proposed consent decree would resolve the United States' and the State of Indiana's civil claims against the 39 defendants named in this action, including the two owners/operators.

Under the proposed Consent Decree, the thirty-nine PRPs will undertake the remedial action for the ACS Site at an estimated cost of \$45 million. Approximately \$24.5 million of the funds in the ACS Special Account will be disbursed to the Settling Defendants under a specific schedule, as reimbursement for such construction and operation and maintenance costs as are approved by EPA. EPA will reserve \$3.8 million from the Special Account for EPA's discretionary use for unforeseen response actions at the Site until 5 years after the remedial construction is complete. At that point, any funds remaining from the \$3.8 million will be split equally with the PRP group, with the group's share being disbursed over time as reimbursement for EPA-approved operation and maintenance costs for the Site. EPA also will retain \$2.275 million in the ACS Special Account for its future oversight costs for the Site, and \$200,000 for the State of Indiana's future oversight costs for the Site. The Settling Defendants must pay any EPA or State oversight costs that exceed those amounts, until the entire remedy is certified as complete (*i.e.*, in approximately 30 years). If any amounts remain in the Special Account after the payments described above have been completed, the balance will be transferred to the Superfund.

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 Resource Division, United States Department of Justice, Washington, DC 20530, and should refer to *United States v. American Chemical Service, Inc.*, No.

2:00CV438 (N.D. Ind.), and DOJ Reference No. 90-11-3-1094/2.

The proposed consent decree may be examined at: (1) The Office of the United States Attorney for the Northern District of Indiana, 1001 Main Street, Ste. A, Dyer, Indiana 46311-1234, (219-322-8576); and (2) the United States Environmental Protection Agency (Region 5), 77 West Jackson Boulevard, Chicago, Illinois 60604-3590, (contact Michael McClary (312-886-7163)). A copy of the proposed consent decree may be obtained by mail from the Consent Decree Library, P.O. Box 7611, Washington, DC 20044. In requesting a copy, please refer to the referenced case and DOJ Reference Number and enclose a check in the amount of \$37.00 for the consent decree only (148 pages at 25 cents per page reproduction costs), or \$128.00 for the consent decree and all appendices (512 pages), made payable to the Consent Decree Library.

**Joel M. Gross,**

*Chief, Environmental Enforcement Section,  
Environment and Natural Resources Division.*  
[FR Doc. 00-20297 Filed 8-9-00; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA")

Notice is hereby given under Section 122(d)(2) of CERCLA, 42 U.S.C. 9622(d)(2), and 28 CFR part 507 that a proposed Consent Decree ("Decree") in *United States v. American Shizuki Corp., The Arnold Engineering Co. and TRW, Inc.*, Civil Action No. 8:00CV422, was lodged on July 28, 2000, with the United States District Court for the District of Nebraska.

The Complaint filed in the above-referenced matter alleges that Defendants American Shizuki Corp., The Arnold Engineering Co. and TRW, Inc. are liable under Sections 106 and 107 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9606, 9607, for response costs and the performance of response actions related to Operable Unit 1 ("OU1") at the Ogallala Ground Water Contamination Superfund Site ("Site") in Ogallala, Nebraska. The Complaint, which was filed simultaneously on July 28, 2000 with the Consent Decree, sought injunctive relief requiring Defendants to abate an imminent and substantial endangerment

to the public health and welfare and the environment from an actual and threatened release of hazardous substances by implementing the remedial action for OU1 set forth in EPA's April 23, 1999, Record of Decision ("ROD").

Under the proposed Decree, Defendants shall finance and perform the Work in accordance with the Decree, the ROD, the Statement Of Work and all work plans and other plans set forth therein or developed by Defendants and approved by EPA pursuant to the Decree. Defendants shall also reimburse the United States for Past Response Costs and Future Response Costs (defined as costs related to the OU1 remedial work) as provided in the Decree. In exchange, the United States is granting Defendants a covenant not to sue or take administrative action against Defendants pursuant to Sections 106 and 107(a) of CERCLA and Section 7003 of RCRA, 42 U.S.C. 6973, for performance of the OU1 Work and for recovery of Past Response Costs and Future Response Costs.

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, 950 Pennsylvania Avenue, NW., Washington, DC 20530, and should refer to *United States v. American Shizuki, Corp., The Arnold Engineering Co. and TRW, Inc.*, DOJ Ref. #90-11-3-06448. RCRA 7003(d). Commenters may request an opportunity for a public meeting in the affected area, in accordance with Section 7003(d) of RCRA, 42 U.S.C. 6973(d).

The proposed Decree may be examined at the office of the United States Attorney, District of Nebraska, 1620 Dodge Street, Suite 1400, Omaha, Nebraska 68102, (402) 221-4774; and the Region VII Office of the Environmental Protection Agency, 901 N. 5th Street, Kansas City, KS 66101, 931-551-7714. A copy of the proposed Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, Washington, DC 20044. In requesting a copy of the Consent Decree, please refer to the referenced case and enclose a check in the amount of \$19.25 for a copy without attachments or a check in the amount of \$69.75 for a copy with attachments (25 cents per

page reproduction costs), payable to the Consent Decree Library.

**Bruce Gelber,**

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

[FR Doc. 00-20294 Filed 8-9-00; 8:45 am]

**BILLING CODE 4410-15-M**

**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Proposed Consent Decree Under the Clean Air Act**

Notice is hereby given that, on July 24, 2000, a Consent Decree in *United States v. Lloyd Manufacturing Corporation*, Civil Action No. CA-00-363-ML, was lodged in the United States District Court for the District of Rhode Island.

In this action the United States sought injunctive relief and civil penalties under section 113(b) of the Clean Air Act ("CAA"), 42 U.S.C. 74139(b) against Lloyd Manufacturing Corporation ("Lloyd"). The alleged violations include failure to obtain a permit required by the CAA, failure to install pollution control devices required by the CAA, and the failure to use low emissions coatings as required by the CAA at the fabric coating facility owned and operated by Lloyd in Warren, Rhode Island. The Consent Decree resolves all of these claims. The Consent Decree requires Lloyd to comply with the Clean Air Act, to pay a civil penalty to the United States of \$240,000, and to purchase approximately 247 tons of air emission reduction credits costing a total of between \$148,200 and \$172,900 as restitution for its past excess emissions.

The Department of Justice will accept written comments relating to the proposed Consent Decree for thirty (30) days from the date of publication of this notice. Please address comments to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044 and refer to—*United States v. Lloyd Manufacturing Corporation*, Civil Action No. CA-00-363-ML (D. R.I.), DJ # 90-5-2-1-06624.

Copies of the proposed Consent Decree may be examined at the Office of the United States Attorney for the District of Rhode Island, Assistant United States Attorney, Fleet Center, 8th Floor, 50 Kennedy Plaza, Providence, Rhode Island 02903; at the U.S. Environmental Protection Agency, Region I, 1 Congress Street, Suite 1100, Boston, Massachusetts 02114. A copy of

the proposed Consent Decree may also be obtained by mail at the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044. When requesting a copy of the proposed Consent Decree by mail, please enclose a check in the amount of \$5.00 (twenty-five cents per page reproduction costs) payable to the "Consent Decree Library."

**Bruce S. Gelber,**

*Deputy Chief, Environmental Enforcement Section, Environment and Natural Resources Division, Department of Justice.*

[FR Doc. 00-20293 Filed 8-9-00; 8:45 am]

**BILLING CODE 4410-15-M**

**DEPARTMENT OF JUSTICE**

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

Notice is hereby given that a proposed consent decree in *United States v. Motorola, Inc., Honeywell International, Inc., and City of Phoenix, Arizona*, Civil No. 98-2049 PHX-RCB, was lodged on July 25, 2000, with the United States District Court for the District of Arizona ("Motorola Decree"). The proposed consent Decree would resolve certain claims under Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9607, as amended, brought against defendants Motorola, Incorporated, Honeywell International, Inc., and the city of Phoenix, Arizona (collectively "Settling Defendants"), to recover response costs incurred by the Environmental Protection Agency in connection with the release of hazardous substances at Operable Units 1 and 2 of the Motorola 52nd Street Superfund Site in Phoenix, Arizona. The settlers are owners and/or operators of Operable Units 1 and 2 of the Site. Under the proposed Consent Decree, the Settling Defendants will pay \$682,500 to the Hazardous Substances Superfund to reimburse the United States for Past Response Costs, 80% of Interim Response Costs, and all Future Oversight Costs. In addition to the proposed Consent Decree, Motorola and Honeywell are completing construction of the interim groundwater remedy for Operable Unit 2 of the site and will perform the first two years of operation and maintenance of the interim remedy.

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, P.O. Box 7611, Washington, D.C. 20530, and should refer to *United States v. Motorola, Inc., et al.*, D. AZ, Civil No. 98-2049 PHX-RCB, DOJ Ref. #90-11-3-06000.

The Consent Decree may be examined at the Region 9 Office of the Environmental Protection Agency, 75 Hawthorne Street, San Francisco, CA 94105 and the United States Attorney's Office for the District of Arizona, 230 N. First Avenue, Room 4000, Phoenix, AZ 85025 c/o Assistant U.S. Attorney Ronald Gallegos. A copy of the proposed consent decree may be obtained by mail from the Consent Decree Library, Post Office Box 7611, Washington, DC 20044. In requesting copies please refer to the referenced case and enclose a check in the amount of \$11.25 (25 cents per page reproduction costs), payable to the Consent Decree Library.

**Joel M. Gross,**

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

[FR Doc. 00-20291 Filed 8-9-00; 8:45 am]

**BILLING CODE 4410-15-M**

**DEPARTMENT OF JUSTICE**

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

In accordance with Department of Justice policy codified at 28 CFR 50.7 and Section 122 of CERCLA, 42 U.S.C. 9622, notice is hereby given that on July 25, 2000, three proposed Consent Decrees in *United States v. Raymond C. Wolf, et al.*, Civ. Action No. 1:99-CV-01032, were lodged with the United States District Court for the Northern District of Ohio. The three proposed Consent Decrees resolve the claims of the United States for recovery of response costs incurred by the United States in connection with the Lincoln Fields Superfund Removal Site ("Site") in Madison Township, Ohio under section 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA"), as amended, 42 U.S.C. 9607(a), against Raymond C. Wolf and Joanne R. Wolf ("the Wolfs"), Charles R. Sell and Wanda J. Sell ("the Sells"), and Dale M. Eberts ("Eberts") (collectively, "Settling Defendants"). Each of the Settling Defendants are owners and operators of the Site, a portion of which was operated for twenty years as a dry cleaning business. EPA incurred approximately \$12.3 million in