

payment of a civil penalty, compliance and other injunctive relief, and implementation of a supplemental environmental project in connection with the Mobil Oil Corporation's ("Mobil") violations of the Resource Conservation and Recovery Act, 42 U.S.C. 6901 *et seq.*, at the Port Mobil facility in Staten Island, New York City, New York.

Under the proposed consent decree, Mobil will pay a civil penalty of \$8.2 million, will agree to comply with RCRA at the Port Mobil facility and implement corrective action as directed by the U.S. Environmental Protection Agency, will agree to refrain from making certain legal arguments under specified circumstances, and will agree to implement a supplemental environmental project—purchasing land for preservation in the Staten Island or New York city harbor area—at a cost of at least \$3 million. The Consent Decree includes a release of claims alleged in the complaint.

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. Comment 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. Mobil Oil Corporation*, No. CV-96-1432 (E.D.N.Y.), and DOJ Reference No. 90-7-1-794. Commenters may request an opportunity for a public meeting in the affected area, in accordance with RCRA Section 7003(d), 42 U.S.C. 6973(d).

The proposed consent decree may be examined at: (1) the Office of the United States Attorney for the Eastern District of New York, One Pierpoint Plaza, Brooklyn, New York 11201, (718) 254-7000; and (2) the United States Environmental Protection Agency (Region 2), 290 Broadway, New York 10007 (contact Stuart Keith in the office of Regional Counsel). 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 \$6.00 (24 pages at 25 cents per page reproduction costs),

may payable to the Consent Decree Library.

**Ronald G. Gluck,**

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

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act and the Resource Conservation and Recovery Act

Notice is hereby given that a proposed Consent Decree *United States, et al. v. Montrose Chemical Corporation of California, et al.*, No. CV 90-3122-R (C.D. Cal), was lodged on December 21, 2001 with the United States District Court for the Central District of California.

The consent decree resolves 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 Montrose Chemical Corporation of California ("Montrose"), Aventis CropScience USA, Inc., Chris-Craft Industries, Inc. (now News Publishing Australia Ltd., by merger), and Atkemix Thirty-Seven, Inc. (now Stauffer Management Company, LLC, by merger) (collectively, the "DDT Defendants"), for response costs incurred and to be incurred by the United States Environmental Protection Agency in connection with responding to the release and threatened release of hazardous substances at the "Current Storm Water Pathway." The Current Storm Water Pathway consists of the following system of man-made storm water conveyances: the Kenwood Drain, the Torrance Lateral, the Dominguez Channel (from Laguna Dominguez, the most northern point of tidal influence in the Dominguez Channel, to the Consolidated Slip), and the portion of the Los Angeles Harbor known as the Consolidated Slip from the mouth of the Dominguez Channel south to but not extending beyond Pier 200B and 200Y.

The proposed consent decree requires the DDT Defendants to pay \$1.4 million to the United States Environmental Protection Agency, \$50,000 to the California Department of Toxic Substances Control, and \$450,000 to the California Regional Water Quality Control Board, Los Angeles Region, which commits to spend this money on

the Current Storm Water Pathway only. The consent decree includes a covenant not to sue by the United States under Sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9606 and 9607, and under Section 7003 of the Resource Conservation and Recovery Act, 42 U.S.C. 6973.

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, U.S. Department of Justice, P.O. Box 7611, Washington, DC 20044; and refer to *United States, et al. v. Montrose Chemical Corporation of California, et al.*, No. CV 90-3122-R (C.D. Cal), and DOJ Ref. #90-11-3-511/3.

The proposed settlement agreement may be examined at the Office of the United States Attorney, Central District of California, Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012; and the Region IX Office of the Environmental Protection Agency, 75 Hawthorne Street, San Francisco, CA 94105. A copy of the proposed Consent Decree 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 refer to the referenced case and enclose a check in the amount of \$9.25 (25 cents per page reproduction costs), payable to the Consent Decree Library.

**Bruce Gelber,**

*Section 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 on December 20, 2001, a Consent Decree in *United States, et al. v. Navajo Refining, Co., et al.*, Civil Action No. Civ-01-1422 LH/LCS, was lodged with the United States District Court for the District of New Mexico.

In a complaint that was filed simultaneously with the Consent Decree, the United States sought injunctive relief and penalties against Navajo Refining Company ("Navajo") and Montana Refining Company ("Montana Refining"), pursuant to

section 113(b) of the Clean Air Act ("CAA"), 42 U.S.C. 7413(b) (1983), amended by, 42 U.S.C. 7413(b) (Supp. 1991) for alleged CAA violations at Navajo's two refineries in Artesia and Lovington, New Mexico, and at Montana Refining's refinery in Great Falls, Montana.

Under the settlement, Navajo and Montana Refining will implement innovative pollution control technologies to greatly reduce emissions of nitrogen oxides ("NO<sub>x</sub>") and sulfur dioxide ("SO<sub>2</sub>") from refinery process units and they will adopt facility-wide enhanced monitoring and fugitive emission control programs. In addition, Navajo and Montana Refining will pay a civil penalty of \$400,000 for settlement of the claims in the United States' complaint, and Navajo will pay \$350,000 for settlement of claims raised by the State of New Mexico in two compliance orders that New Mexico issued to Navajo in May and July of 2001. Navajo also will perform environmentally beneficial projects totaling approximately \$1.4 million. The States of New Mexico and Montana will join in this settlement as signatories to the Consent Decree.

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, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States, et al., v. Navajo Refining Co., et al.* D.J. Ref. 90-5-2-1-2228/1.

The Consent Decree may be examined at the Office of the United States Attorney, 201 3rd St., NW., Suite 900, Albuquerque, New Mexico, 87102, and at U.S. EPA Region 6, Fountain Place, 1445 Ross Avenue, Dallas, TX 75202. A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611. In requesting a copy, please enclose a check in the amount of \$53.25 (25 cents per page reproduction cost) payable to the Consent Decree Library.

**Robert D. Brook,**

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

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under Comprehensive Environmental Response, Compensation and Liability Act

Notice is hereby given that a consent decree in *United States v. Sequa Corporation and John H. Thompson*, C.A. No. 01-CV-4784 (E.D.Pa.), was lodged on September 20, 2001, with the United States District Court for the Eastern District of Pennsylvania. This notice was previously published in the **Federal Register** on October 15, 2001 and the public was given 30 days to comment. No comments were received. However, because of severe disruption in the mail service, the United States is unable to conclude with certainty that any comments mailed in response to that notice would have been received. As a result, the United States is providing this opportunity for any persons who previously submitted comments to resubmit their comments as directed below.

The consent decree resolves the United States' claims against defendants Sequa Corporation ("Sequa") and John H. Thompson ("Thompson") with respect to past response costs incurred through September 30, 1999, pursuant to Section 107 of the Comprehensive Environmental Response, Compensation and Liability Act, 41 U.S.C. 9607. The costs were incurred in connection with the Dublin TCE Site, located in the Borough of Dublin, Bucks County, Pennsylvania. Defendant Thompson owns the Site property, or a portion thereof, and defendant Sequa conducted manufacturing activities at the Site, which became contaminated with trichloroethylene.

Under the consent decree, defendants will pay the United States \$3,200,000 in reimbursement of past response costs incurred in connection with the Site. Said amount will be paid within thirty (30) days after entry of the consent decree by the Court.

The Department of Justice will receive, for a period of twenty (20) days from the date of this publication, comments relating to the proposed consent decree. Any persons who previously submitted comments should resubmit and address their comments to the Acting Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. Sequa Corporation and John H. Thompson*, DOJ Reference No. 90-11-2-780. The comments should be faxed to the Acting Assistant Attorney General at 202/616-

6583. Alternatively, the comments may be mailed to the Office of the United States Attorney, ATTN: Barbara Rowland, 615 Chestnut Street, Suite 1250, Philadelphia, Pennsylvania 19106.

The proposed consent decree may be examined at the Office of the United States Attorney, 615 Chestnut Street, Suite 1250, Philadelphia, Pennsylvania 19106; and the Region III Office of the Environmental Protection Agency, 1650 Arch Street, Philadelphia, Pennsylvania. A copy of the proposed decree may be obtained by mail from the Department of Justice Consent Decree Library, PO Box 7611, Washington, DC 20044. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$7.75 (.25 cents per page production costs), payable to the Consent Decree Library.

**Robert D. Brook,**

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

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-39,039]

#### Fashion International A.D.M. Services, Inc. Scranton, Pennsylvania; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on June 7, 2001, applicable to workers of Fashion International located in Scranton, Pennsylvania. The notice was published in the **Federal Register** on June 27, 2001 (66 FR 34256).

At the request of the company, the Department reviewed the certification for workers of the subject firm. Company information shows that worker separations occurred at A.D.M. Services, Inc. when it closed in March, 2001. A.D.M. Services provided designing services and markers supporting the production of men's sport coats and men's and ladies' blazers at Fashion International, Scranton, Pennsylvania which also closed in March, 2001. A.D.M. Services, Inc. workers were inadvertently omitted from the certification.