

Blaine Cliver, Chief, HABS/HAER/HALS, at (202) 343-9624.

Due to an unanticipated administrative delay in reviewing this notice within the National Park Service, it could not be published at least 15 days prior to the meeting dates. The National Park Service regrets this error, but is compelled to hold the meeting as scheduled because of the significant sacrifice re-scheduling would require of board members who have adjusted their schedules to accommodate the proposed meeting dates and the high level of anticipation by all parties who will be affected by the outcome of the board's actions. Since there has been advance notice to the board members about this meeting, the National Park Service believes that the public interest will not be adversely affected by the less-than-15-days advance notice in the **Federal Register**.

Meeting minutes of the meeting will be available for public inspection about eight weeks after the meeting at the office of HABS/HAER/HALS, National Park Service, 800 North Capitol Street NW, Suite 300, Washington, DC.

**de Teel Patterson Tiller,**

*Deputy Associate Director, Historic Preservation, Recreation and Partnerships and Acting Manager, National Center for Preservation Technology and Training.*

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**BILLING CODE 4310-70-S**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980

Under 28 CFR 50.7 notice is hereby given that on March 26, 2002, a proposed consent decree in *United States v. Great Western Inorganics, Inc.*, Civil Action No. 02-N-0604, was lodged with the United States District Court for the District of Colorado.

In this action the United States alleges that under sections 107(a) and 113(g)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA"), as amended, 42 U.S.C. 9607(a) and 9613(g)(2), Great Western Inorganics, Inc. ("GWI") is liable for the recovery of costs incurred or to be incurred by the United States in response to releases or threatened releases of hazardous substances at and from the GWI's chemical manufacturing facility located in the Rocky Flats Industrial Park Site in unincorporated Jefferson County, Colorado (the "Facility"). Under the terms of the

proposed consent decree, which is based in part on GWI's limited financial resources, GWI will pay the Environmental Protection Agency ("EPA") \$220,000 over a period of three years in reimbursement of EPA's response costs. GWI will also perform work at the Facility valued at \$333,000 to enhance and maintain EPA's response actions and will enter into an environmental covenant designed to ensure the continued protectiveness of those response actions.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Decree. Comments should be addressed to the Assistant Attorney General, The United States' covenant is conditioned on the veracity and completeness of the financial information General, Environment and Natural Resources Division, P.O. Box 7911, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Great Western Inorganics, Inc.*, D.J. Ref. 90-11-3-1719/3. 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 consent decree may be examined at U.S. EPA Region 8, 999 18th Street, Suite 500, Denver, Colorado, 80202. 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, D.C. 20044-7611 fax. no. (202) 616-6584; phone confirmation no. (202) 514-1547. In requesting a copy, please enclose a check in the amount of \$15.50 (25 cents per page reproduction cost) payable to the Consent Decree Library. In requesting a copy exclusive of exhibits and defendants' signatures, please enclose a check in the amount of \$7.00 (25 cents per page reproduction cost) payable to the Consent Decree Library. The check should refer to *United States v. Great Western Inorganics, Inc.*, CA No. 02-N-0604, D. CO. and DOJ #90-11-3-1719/3.

**Robert Brook,**

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

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**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on March 14, 2002, a proposed Consent Decree in *United States v. T H Agriculture & Nutrition, L.L.C.*, Civil Action No. 1:02-CV-38-2, was lodged with the United States District Court for the Middle District of Georgia.

In this action the United States sought injunctive relief in order to remedy conditions in connection with the release and threatened release of hazardous substances into the environment at and from Operable Unit Number 1 of the T.H. Agriculture and Nutrition Superfund Site ("Site") in Albany, Dougherty County, Georgia. The United States also sought to recover unreimbursed costs incurred and to be incurred for response activities undertaken and to be undertaken at Operable Unit Number 1 of the Site. The Site consists of two former pesticide formulation facilities. The proposed Consent Decree settles claims against defendant T H Agriculture & Nutrition, L.L.C. ("THAN") pursuant to Sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9606, 9607, with respect to injunctive relief and response costs sought. The proposed Consent Decree requires the Defendant, THAN, to implement the remedy selected by the Environmental Protection Agency ("EPA") for Operable Unit Number 1. The proposed Consent Decree provides for the defendant to file a motion to dismiss with prejudice its appeal from a United States District Court decision denying its claim for reimbursement of response costs under CERCLA Section 106(b)(2), 42 U.S.C. 9606(b)(2), currently on appeal before the United States Court of Appeals for the Eleventh Circuit as Appeal No. 00-12854-BB, *T H Agriculture & Nutrition v. EPA, et al.* The proposed Consent Decree provides that the defendant shall not be required to pay for the United States' past or future response costs at 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 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*