

date of this publication comments relating to the consent decrees. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. Joseph DeLuca*, D.J. # 90-5-1-1-07649.

The proposed consent decree may be examined at the Department of Housing and Urban Development, Office of Lead Hazard, Control, attention: Matthew E. Ammon, 490 L'Enfant Plaza SW., Room 3206, Washington, DC 20410, (202) 755-1785; at the office of the United States Attorney for the District of Rhode Island, 50 Kennedy Plaza, 8th Floor, Providence, Rhode Island 02903; and at U.S. EPA Region 1, One Congress Street, Boston, MA 02114. 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, or by faxing a request to Tonia Fleetwood, fax no. (202) 514-0097, phone confirmation number (202) 514-1547. 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), payable to the U.S. Treasury.

**Karen Dworkin,**

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

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decrees Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act

In accordance with Departmental policy, notice is hereby given that on January 8, 2003, three proposed consent decrees in the case captioned *Dow Chemical Co., et al. v. Acme Wrecking Co., Inc., et al.*, Civil Action Nos. C-1-97-0307, C-1-97-0308, and C-1-01-439-(S.D. Ohio), were lodged with the United States District Court for the Southern District of Ohio. The proposed, *de minimis* consent decrees relate to the Skinner Landfill Superfund Site ("Site") in West Chester, Ohio. The proposed consent decrees would resolve civil claims of the United States for response actions and for the recovery of response costs at the Site under Sections 106 and 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. 9606, 9607(a), against Aeronca, Inc. ("Aeronca"),

Martin E. Clarke, Clarke Sanitary Landfill, Clarke Container, Inc., Clarke's Incinerators, Inc. (the "Martin Clarke Entities"), Richard M. Clarke, Clarke's Complete Collection, Dick Clarke Co., Dick Clarke Trash Removal and Demolition, Clarke's Services, Inc., and Clarke, Inc. (the "Dick Clarke Entities") (collectively "Settling Defendants"). Under the proposed consent decree with Aeronca, Aeronca would pay the United States \$232,500 and would pay the parties that are performing the work at the Site (the "Skinner Landfill Site Group") \$232,500. Under the proposed consent decree with the Martin Clarke Entities, the Martin Clarke Entities would pay the United States \$88,000 and would pay the Skinner Landfill Site Group \$88,000. Under the proposed consent decree with the Dick Clarke Entities, the Dick Clarke Entities would pay the United States \$100,500, and would pay the Skinner Landfill Site Group \$25,500.

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 Resource Division, Department of Justice, Washington, DC 20530, and should refer to *Dow Chemical Co. et al. v. Acme Wrecking Co., Inc. et al.*, Civil Action Nos. C-1-97-0307, C-1-97-0308, and C-1-01-439 (S.D. Ohio), and DOJ Reference No. 90-11-3-1620/2.

The proposed consent decrees may be examined at: (1) The Office of the United States Attorney for the Southern District of Ohio, 221 E. Fourth St., Suite 400, Cincinnati, Ohio 45202 and (2) the United States Environmental Protection Agency (Region 5), 77 West Jackson Boulevard, Chicago, Illinois 60604-3590. Copies of the proposed consent decrees may be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044. In requesting copies, please refer to the above-referenced case and DOJ Reference Number and enclose a check for \$9.50 (38 pages at 25 cents per page reproduction cost) for the Consent Decree with Aeronca, \$9.00 (36 pages) for the Consent Decree with the Martin Clarke Entities, and/or \$8.50 (34 pages) for the Consent Decree with the Dick

Clarke Entities, made payable to the Consent Decree Library.

**William D. Brighton,**

*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 the Clean Air Act

Notice is hereby given that on December 20, 2002, a proposed Consent Decree ("Decree") in *United States v. Rhode Island Resource Recovery Corporation*, Civil Action No. 02-540ML was lodged with the United States District Court for the District of Rhode Island.

In this action the United States sought injunctive relief and a civil penalty from the defendant, Rhode Island Resource Recovery Corporation ("RIRRC"), for violations of the Clean Air Act at the Central Landfill in Johnston, Rhode Island. The Decree provides that RIRRC shall pay a civil penalty of \$321,000. Moreover, the Decree requires the defendant to preform injunctive relief estimated to cost upwards of \$3.5 million, and undertake a supplemental environmental project ("SEP") with a total SEP cost to RIRRC of at least \$1.8 million. The SEP includes, *inter alia*, the termination of waste acceptance operations at Phases II and III of the landfill by July 2003, the capping of Phases I, II, and III by 2006, and the accelerated capping of portions of Phases II and III by the end of 2003.

The Department of Justice will receive for a period of 30 days from the date of this publication, comments relating to the 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 v. Rhode Island Resource Recovery Corporation*, D.J. Ref. 90-5-2-1-07164.

The Decree may be examined at the Office of the United States Attorney, District of Rhode Island, Fleet Center, 50 Kennedy Plaza, 8th Floor, Providence, Rhode Island 02903, (401) 528-5477 and at U.S. EPA Region I, 1 Congress Street, Suite 1100, Boston, Massachusetts 02114, (617) 918-2001. A copy of the 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 or by faxing a request to Tonia