

Hazardous Air Pollutants for Asbestos ("NESHAP"), 40 CFR part 61, subpart M, against the Arizona Department of Transportation, Cornerstone Properties, Inc., Mel Price Associates, Breinholt Contracting Co., Inc., and Granite Construction Co. The claims arise out of demolition activities in 1998 at four facilities located in Mohave County, Arizona. The proposed Decree provides that the defendants will pay a \$115,000 penalty, comply with the Clean Air Act and the asbestos NESHAP in all future demolition and/or renovation operations, amend their standard contracts to provide for and require compliance with the NESHAP, and provide training.

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 v. Arizona Department of Transportation, et al.*, DOJ Ref. # 90-5-2-1-06520.

The Consent Decree may be examined at the Office of the United States Attorney, District of Arizona, U.S. Courthouse, 230 N. First Ave., Phoenix, AZ 85025, and at U.S. EPA Region IX, Office of Regional Counsel, 75 Hawthorne Street, San Francisco, CA 94105. 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 from the Consent Decree Library, please enclose a check in the amount of \$5.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Ellen Mahan,

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

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DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act and the Resource Conservation Recovery Act

In accordance with Departmental Policy, 28 U.S.C. 50.7, notice is hereby given that on February 3, 2003, a proposed consent decree in *United States v. Charles George Trucking*

Company, Inc., et al., Civil Action No. 85-2463-WD, was lodged with the United States District Court for the District of Massachusetts.

In this action the United States sought cost recovery and natural resource damages under the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA") and the Resource Conservation Recovery Act ("RCRA") against Charles George, Sr., Dorothy George and the Charles George Land Reclamation Trust (collectively, the "settling defendants") and other defendants (who have settled under prior agreements) with respect to the Charles George Land Reclamation Trust Superfund Site in Tynsborough, Massachusetts. Under the terms of the proposed settlement, the settling defendants will pay up to \$3.8 million to reimburse the United States and the Commonwealth of Massachusetts for costs incurred at the Site. In addition, to resolve the governments' claims of natural resource damages at the Site, the settling defendants will impose a conservation restriction on approximately 15 acres of undeveloped land in Tynsborough, Massachusetts. This settlement is the third and final settlement entered into by the United States concerning response costs at this Site.

The Department of Justice will receive for a period of 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. Charles George Trucking Company, et al.*, D.J. Ref. 90-11-3-91. 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 Consent Decree may be examined at the Office of the United States Attorney, 1 Courthouse Way, Suite 9200, Boston, Massachusetts 02210, and at U.S. EPA Region I, One Congress Street—Suite 1100, Boston, Massachusetts 02114. 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, or by faxing a request to Tonia Fleetwood, fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy, please enclose a check in the amount of \$14.25 (25 cents

per page reproduction cost) payable to the U.S. Treasury.

Ronald Gluck,

Assistant 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 January 27, 2003, a proposed consent decree in *United States v. Del Webb Communities, Inc.*, No. CV-S-03-0096-LDG-LRL, was lodged with the United States District Court for the District of Nevada.

The Consent Decree resolves claims brought in a complaint filed concurrently with the lodging of the Consent Decree. The complaint alleges that defendant Del Webb Communities, Inc. failed to comply with Clean Air Act requirements to control fugitive dust at construction projects in Clark County, Nevada.

Under the proposed Consent Decree, Del Webb will pay a \$50,000 civil penalty. In addition, Del Webb will commit to injunctive relief requiring that it implement necessary work practices to control dust emissions in the future and provide training in such practices to its employees.

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 v. Del Webb Communities, Inc.*, D.J. Ref. No. 90-5-2-1-07313.

The consent decree may be examined at the offices of U.S. EPA Region 9, 75 Hawthorne Street, San Francisco, California 94105, and at the Office of the United States Attorney, District of Nevada, 333 Las Vegas Blvd. So., #5000, Las Vegas, Nevada 89101 (refer to NSAO No.: 2000V00330). During the public comment period, the consent decree may be examined on the following Department of Justice Web site: <http://www.usdoj.gov/enrd/open.html>. 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, U.S. Department of Justice, Washington, DC 20044-7611, or by e-mailing or faxing a request to Tonia