

Action No. C03-5117RJB were lodged on March 3, 2003, with the United States District Court for the Western District of Washington. These consent decrees require the defendants require the defendants to perform injunctive relief, requiring two groups of performing parties to perform the cleanup of the Thea Foss and Wheeler Osgood Waterway Problem Areas of the Commencement Bay/Nearshore Tideflats Superfund Site and the funding parties to pay a total of \$13,000,000 to fund cleanup activities 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 proposed consent decrees. Comments should be addressed to the Assistant Attorney General, Environmental and Natural Resources Division, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Advance Ross Sub Company et al.*, DOJ Ref. # 90-11-2-1049/2.

The proposed consent decrees may be examined at the office of the United States Attorney, 601 Union Street, Suite 5100, Seattle, WA 98101 and at U.S. EPA Region 10, 1200 Sixth Avenue, Seattle, WA 98101. During the comment period, the consent decrees may be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. Copies of the consent decrees also may be obtained by mail from the Consent Decree Library, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy, please enclose a check in the amount of \$161.25 (with attachments) or \$28.00 (without attachments) for *United States v. Advance Ross Sub Company et al.*, and/or the amount of \$184.50 (with attachments) or \$41.00 (without attachments) for *United States v. Atlantic Richfield Company, et al.*, (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Robert Maher,**

*Assistant Section Chief, Environmental Enforcement Section.*

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**DEPARTMENT OF JUSTICE**

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

Under 28 CFR 50.7, notice is hereby given that on February 27, 2003, a proposed Amendment to the Consent Decree entered on December 9, 1997 ("Amendment") in *United States v. Ajax/Acorn Manufacturing, Inc.*, Civil Action No. 89-7421, was lodged with the United States District Court for the Eastern District of Pennsylvania.

The 1997 consent decree resolved the liability of twenty-two municipalities and a private waste hauler for claims of the United States and the Pennsylvania Department of Environment Protection ("PADEP") under sections 106 and 107 of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9606 and 9607, at the Moyer Landfill Superfund Site, located in Lower Providence Township, Montgomery County, Pennsylvania ("the Site"). The 1997 consent decree required the settling defendants to design and construct an on-site treatment plant to treat leachate from the Site.

The proposed Amendment reflects that EPA has now adopted a contingent remedy under which leachate will be sent through the local sewer main to the Oaks Sewage Treatment Plant for treatment. Under the Amendment, the settling defendants are no longer obligated to perform work related to leachate treatment that will now be the responsibility of PADEP. The Amendment also provides that \$600,000 remaining in the settling defendants trust account for construction of the on-site treatment plant will be paid to PADEP, since PADEP has assumed responsibility for design, construction, operation and maintenance of the remedy for leachate treatment at the Landfill.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Amendment. 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. Ajax/Acorn Manufacturing Inc.*, Civil Action No. 89-7421, D.J. Ref. 90-11-3-145.

The Amendment may be examined at the Office of the United States Attorney, Eastern District of Pennsylvania, 615 Market Street, Suite 1250, Philadelphia,

PA, 19106, and at U.S. EPA Region III, 1650 Arch Street, Philadelphia, PA 19103-2029. During the public comment period, the Amendment may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the Amendment 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 or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$47.75 payable to the U.S. Treasury. In requesting a copy exclusive of exhibits and defendants' signatures, please enclose a check in the amount of \$8.25 payable to the U.S. Treasury.

**Robert Brook,**

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

[FR Doc. 03-5880 Filed 3-11-03; 8:45 am]

**BILLING CODE 4410-15-M**

**DEPARTMENT OF JUSTICE**

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

Notice is hereby given that on February 10, 2003, a proposed consent decree in *United States versus Ponderosa Fibres of America, Inc., et al.*, Civil Action No. 99-CV-1305 (FJS/RWS), was lodged with the United States District Court for the Northern District of New York.

The United States' Amended Complaint in this action alleges that Ponderosa Fibres of America, Inc. ("PFA"), Martin Bernstein and Jerome Goodman are jointly and severally liable for past and future response costs, currently totaling over \$1.5 million, incurred by the United States in connection with the U.S. Environmental Protection Agency's removal of hazardous substances from the St. Lawrence Pulp and Paper Superfund Site in Ogdensburg, St. Lawrence County, New York ("Site").

The proposed Consent Decree, lodged on February 5, resolves the United States' cost recovery claim, pursuant to Section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9607(a), and potential contribution claims by other parties against Defendant Jerome