

of the Interior ("DOI"), seeks reimbursement of response costs incurred and to be incurred in connection with response actions at the former Harding Landfill (the "Site"), located within the Great Swamp National Wildlife Refuge in Harding Township, Morris County, New Jersey. The Complaint alleges that the defendant is liable under sections 107(a) and 113(f) of CERCLA, 42 U.S.C. 9607(a) and 9613(f). Pursuant to the Consent Decree, the defendant will transfer title to and interest in a 65 acre parcel of real property (the "Parcel") adjacent to the Great Swamp National Wildlife Refuge to DOI's Central Hazardous Materials Fund as reimbursement for costs incurred and to be incurred by DOI at the Site. The Parcel will be managed by Fish & Wildlife Service as part of the Great Swamp National Wildlife Refuge for use by and enjoyment of the public.

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. Harding Township, New Jersey*, D.J. Ref. 90-11-3-07117.

The Consent Decree may be examined at the Office of the United States Attorney for the District of New Jersey, 970 Broad Street, Room 400, Newark, New Jersey 07102, and at U.S. Department of the Interior, Office of the Solicitor, 1849 C Street, NW., Washington, DC 20240. During the public comment period, the Consent Decree may also 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 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 \$8.00 (25 cents per page reproduction cost), payable to the U.S. Treasury.

**Ronald Gluck,**

*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 Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA")**

Consistent with Departmental policy, 28 CFR 50.7, 38 FR 19029, and 42 U.S.C. 9622(d), notice is hereby given that on September 15, 2003, a proposed consent decree in *United States v. Mallinckrodt Baker, Inc., et al.*, Civil Action No. 03-417S, was lodged with the United States District Court for the District of Rhode Island.

In this action the United States sought recovery of response costs pursuant to Section 107(a) of CERCLA, for costs incurred related to the Davis Liquid Waste Site in Smithfield, Rhode Island. The consent decree requires three generator defendants to pay \$1,400,00, of which the United States will receive \$660,000. The remaining portion will go to the State of Rhode Island and National Starch and Chemical Co. ("National Starch"), a contribution plaintiff.

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. Mallinckrodt Baker, Inc., et al.*, D.J. Ref. #90-11-2-137/1.

The consent decree may be examined at the Office of the United States Attorney, Fleet Center, 50 Kennedy Plaza, 8th Floor, Providence, Rhode Island 02903 (contact AUSA Michael Iannotti), and at U.S. EPA Region I, One Congress Street, Suite 1100, Mail Code SES, Boston, MA 02114 (contact Ruthann Sherman). During the public comment period the consent decree may also 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 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

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**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 Under the Clean Water Act**

Notice is hereby given that on September 16, 2003, a proposed Consent Decree in *United States v. Phelps Dodge Corporation*, Civil Action No. CIV-03-1804-PHX-SMM, was lodged with the United States District Court for the District of Arizona.

In this action the United States sought injunctive relief and civil penalties for violations of section 301(a) of the Clean Water Act, 33 U.S.C. 1311(a), at the United Verde mine near Jerome, Arizona. The defendant is Phelps Dodge Corporation, the owner of the United Verde mine.

Under the terms of the proposed settlement, Phelps Dodge will pay a civil penalty of \$220,142. In addition, Phelps Dodge will carry out three projects at the United Verde mine designed to address the violations 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 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. Phelps Dodge Corporation*, D.J. Ref. 90-5-1-1-07311.

The Consent Decree may be examined at the Office of the United States Attorney, Sue A. Klein, Assistant U.S. Attorney, Two Renaissance Square, 40 North Central Ave., Suite 1200, Phoenix, AZ 8500. During the public comment period, the Consent Decree may also 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, or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 616-6584, phone confirmation number (202) 514-1547. In requesting a copy, please enclose a check in the