

for these changes. The proposed Amendment to Consent Decree provides for completion of remedial activities at the Site and preserves recovery of EPA's future oversight costs.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed Amendment to 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. Central Maine Power Company*, Civil Action No. 90-302 B, D.J. Ref. 90-11-2-544.

The Amendment to Consent Decree may be examined at the Office of the United States Attorney for the District of Maine, P.O. Box 9718, Portland, Maine 04104-5018 and at U.S. EPA Region I, 1 Congress Street, Suite 1100, Boston, Massachusetts 02114-2023. During the public comment period, the Amendment to 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 Amendment to 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 number (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy of the proposed Amendment to Consent Decree, please enclose a check payable to the U.S. Treasury for \$30.50 for reproduction costs (at 25 cents per page).

**Ronald Gluck,**

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

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Amended Consent Decree Under the Clean Air Act

In accordance with 28 CFR 50.7, notice is hereby given that on January 21, 2003, a proposed "Consent Decree in *United States v. Dominick's Finer Foods, L.L.C.*, Civil Action No. 04C 0471, was lodged with the United States District Court for the Northern District of Illinois.

In a Complaint filed simultaneously with the lodging of the proposed Consent Decree, the United States

sought injunctive relief and civil penalties for violations of the commercial refrigerant repair, recordkeeping, and reporting regulations at 40 CFR 82.152-82.166 (Recycling and Emission Reduction) promulgated by the Environmental Protection Agency ("EPA") under Subchapter VI of the Act (Stratospheric Ozone Protection, 42 U.S.C. 7671-7671q, at some or all of the twenty-nine Dominick's stores listed in the Complaint, which are in or near Chicago, Illinois. In the proposed Consent Decree, Dominick's agrees to (1) replace or retrofit all commercial refrigeration units (units having a charge of more than 50 pounds of refrigerant) in the twenty-nine stores within two years to use only non-ozone depleting refrigerants; (2) in all stores that it constructs in the future, use only non-ozone depleting refrigerant systems; (3) participate in an EPA study of refrigeration systems in the food industry; and (4) pay a civil penalty of \$85,000 to the United States.

The Department of Justice will receive comments relating to the proposed Consent Decree for a period of thirty (30) days from the date of this publication. 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. Dominick's Finer foods, L.L.C.*, D.J. Ref. 90-5-2-1-07951.

The Consent Decree may be examined at the Office of the United States Attorney for the Northern District of Illinois, 219 South Dearborn Street, Chicago, Illinois 60604, and at U.S. EPA Region 5, 77 West Jackson Blvd., Chicago, IL 60604. During the public comment period the proposed 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 proposed 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 \$6.50 (25 cents per

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

**William D. Brighton,**

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## DEPARTMENT OF JUSTICE

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

Under 28 CFR 50.7, notice is hereby given that on December 22, 2003, a proposed consent decree in *United States v. Saunders Supply Company et al.*, Civ. Action No. 2:03CV889, was lodged with the United States District Court for the Eastern District of Virginia.

Notice of this proposed consent decree was initially published at 69 FR 938 (January 7, 2004). The January 7, 2004 notice erroneously stated that the proposed consent decree was available at the Office of the United States Attorney in Wheeling, WV. It is actually available in the Office of the United States Attorney in Norfolk, VA. The notice of this proposed consent decree is being republished to correct this error.

In this action the United States is seeking response costs pursuant to the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9601 *et seq.*, in connection with the Saunders Supply Company, Inc. Site ("Site") in Chuckatuck, Virginia. The decree will require defendants to pay \$380,000.00 in partial reimbursement of the United States' past response costs incurred at the Site.

The Department of Justice will receive for a period of thirty (30) days from the date of this application 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. Saunders Supply Company et al.*, D.J. Ref. No. 90-11-3-07774.

The proposed consent decree may be examined at the Office of the United States Attorney, Eastern District of Virginia, 8000 World Trade Center, 1010 East Main St., Norfolk, VA 23510, and at U.S. EPA Region III, 1650 Arch Street, Philadelphia, PA 19103. During the public comment period, the proposed consent decree, may also be examined