

ASARCO LLC to Point Ruston LLC, which property is part of the Commencement Bay Nearshore/Tideflats Superfund Site. Under the terms of the Second Amendment should Point Ruston LLC, complete its proposed purchase of the Purchased Property, Point Ruston shall (a) assume the clean-up obligations on the property it is purchasing from Asarco and (b) assume certain clean-up obligations at the Site on property not owned by Asarco that is adjacent to the Purchased Property. The Second Amendment is also conditioned upon approval of a lien resolution agreement. Under the Lien Agreement, the United States will release its existing CERCLA lien in return for a payment of \$1,500,000 at closing and contingent payments that could total \$4,000,000 based on revenue from the development of the property.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Second Amendment. Comments should be addressed to the Assistance Attorney General, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer *United States v. Asarco Inc.*, Civil Action No. C91-5528B, D.J. Ref. 90-11-2-698A. Public meeting will be held in the affected area, in accordance with Section 7003(d) of RCRA, 42 U.S.C. 6973(d) at the following times: Tuesday, August 22, 2006, 2 to 4 p.m. and 6 to 8 p.m. The location of the meetings shall be: the Asarco Information Center (old Ruston school), 5219 North Shirley, Ruston, WA.

The Second Amendment may be examined at the Office of the United States Attorney, Western District of Washington, 700 Stewart St., Suite 5220, Seattle, WA, and at U.S. EPA Region 10, 1200 6th Ave., Seattle, WA. During the public comment period, the Second Amendment, may also be examined on the following Department of Justice, Web site, [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html).

A copy of the Second 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 \$8.50 (25 cents per page reproduction cost—not including the voluminous attachments) payable to the U.S. Treasury or, if by email or fax,

forward a check in that amount to the Consent Decree Library at the stated address.

**Maureen Katz,**

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

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to Clean Water Act

Notice is hereby given that on August 2, 2006, a proposed consent decree in *United States, et al. v. City of Brockton, Massachusetts*, Civil Action No. 06-11334-NMG, was lodged with the United States District Court for the District of Massachusetts.

The proposed consent decree will settle the United States' and Commonwealth of Massachusetts' claims for violations of the Clean Water Act, 33 U.S.C. 1251, *et seq.*, and the Massachusetts Clean Waters Act, Mass. Gen. Laws c. 21, §§ 26, *et seq.*, related to the City's alleged failure to comply with its discharge permit relating to the City's publically-owned treatment works (POTW). Pursuant to the proposed consent decree, the City will pay \$120,000 as civil penalty for such violations, perform three supplemental environmental projects at a cost of \$180,000, as well as institute necessary improvements at the POTW at an estimated cost of \$95 million.

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 decree. 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, et al., v. City of Brockton, Massachusetts*, Civil Action No. 06-11334-NMG, D.J. Ref. 90-5-1-1-08161.

The proposed consent decree may also be examined at the Office of the United States Attorney, District of Massachusetts, 1550 Main Street, U.S. Courthouse, Room 310, Springfield, MA. 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/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.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. If requesting a copy of the proposed consent decree, please so note and enclose a check in the amount of \$12.00 (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 Oil Pollution Act and the Federal Water Pollution Control Act

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that on August 1, 2006, a proposed Consent Decree ("Decree") in *United States v. ConocoPhillips Company*, Civil Action No. 06-CV-195-J was lodged with the United States District Court for the District of Wyoming.

The Decree resolves the United States' claims against ConocoPhillips Company ("Conoco") under Section 1002 of the Oil Pollution Act of 1990 ("OPA"), 33 U.S.C. 2702, and Section 311 of the Federal Water Pollution Control Act, more commonly known as the Clean Water Act ("CWA"), 33 U.S.C. 1321, for past response costs incurred at the Glenrock Oil Seep Site outside Glenrock, Wyoming. The Decree requires Conoco to pay the United States \$1,037,500 and to release any claims it might have (1) against the Oil Spill Liability Trust Fund relating to the Site or (2) arising out of response actions at the Site for which past costs were incurred.

The Department of Justice will receive for a period of thirty (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. ConocoPhillips Company*, D.J. Ref. 90-5-1-1-08459.

The Decree may be examined at the Office of the United States Attorney, 2120 Capitol Ave., 4th Floor, Cheyenne, Wyoming 82001. During the public comment period, the Decree, may also be examined on the following Department of Justice Web site, [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html).