

States v. A.O. Corporation, et al., Civil Action No. 04–5918, was lodged with the United States District Court for the District of New Jersey.

In this action, the United States sought reimbursement of response costs incurred in connection with the release and threatened release of hazardous substances at the A.O. Polymer Superfund Site (“Site”), comprising 4.18 acres more or less located in Sparta Township, New Jersey. The United States has incurred at least \$1,700,000 in unreimbursed past response costs relating to the Site, and estimates future response costs at \$200,000. The Consent Decree resolves the United States’ *in rem* claim under the Verified Complaint, and results in a recovery by the United States of 85% of the sales proceeds of the Site at a public sale. The Consent Decree also sets forth the terms that will govern the sale.

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, and either e-mailed to pubcomment-ees.enrd@usdoj.gov or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044–7611, and should refer to *United States v. A.O. Corporation, et al.*, D.J. Ref. 90–11–3–07174/1.

The Consent decree may be examined at the Office of the United States Attorney, District of New Jersey, Peter Rodino Federal Building, 970 Broad Street, 7th Floor, Newark, New Jersey 07102 (contact Assistant United States Attorney Susan Steele), and at U.S. EPA Region II, 290 Broadway, New York, New York 10007–1866 (contact Assistant Regional Counsel Frances Maria Zizila). 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/Consent_Decrees.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), 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) payable to the U.S. Treasury or, if by e-mail or fax, forward a check in that amount to the

Consent Decree Library at the stated address.

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 Comprehensive Environmental Response, Compensation, and Liability Act

Pursuant to 28 CFR 50.7, notice is hereby given that on January 12, 2007, a proposed Consent Decree in *United States v. Leon A. Balthaser*, Civil Action No. 07–cv–0156, was lodged with the United States District Court for the Eastern District of Pennsylvania.

In this civil action under the Comprehensive Environmental Response, Compensation and Liability Act (“CERCLA”), the United States seeks recovery of response costs from Leon A. Balthaser, in connection with the Peach Alley Parking Lot Superfund Site in Hamburg, Berks County, Pennsylvania (“Peach Alley Site” or “Site”). The proposed Consent Decree resolves the liability of Mr. Balthaser, who is the owner of the Peach Alley Site, under Section 107(a) of CERCLA, 42 U.S.C. 9607(a), for response costs incurred and to be incurred at the Site. The Consent Decree requires Mr. Balthaser to make a cash payment of \$20,000 in reimbursement of response costs incurred by the United States in connection with the Site, and to provide access to, and restrict use of, the Site.

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. Please address comments to the Assistant Attorney General, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044–7611, and refer to *United States v. Leon A. Balthaser*, D.J. Ref. 90–11–3–08820.

The Consent Decree may be examined at the Office of the United States Attorney for the Eastern District of Pennsylvania, 615 Chestnut Street, Suite 1250, Philadelphia, Pennsylvania 19106 and at U.S. EPA Region III, 1650 Arch Street, Philadelphia, PA 19103. 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/consent_decrees.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), fax no. (202) 514–0097, phone confirmation number (202) 514–1547. When requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$9.50 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Robert Brook,

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

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DEPARTMENT OF JUSTICE

Notice of Lodging of First Amendment To Consent Decree Under the Clean Air Act

Under 28 CFR 50.7, notice is hereby given that on January 11, 2007, a First Amendment to the Consent Decree entered in the case of *United States, et al. v. ConocoPhillips Company*, Civil Action No. H–05–0258, was lodged with the United States District Court for the Southern District of Texas.

Under the original Consent Decree, the ConocoPhillips Company (“COPC”) agreed to implement innovative pollution control technologies to reduce emissions of nitrogen oxides, sulfur dioxide, and particulate matter from refinery process units at nine refineries owned and operated by COPC. COPC also agreed to adopt facility-wide enhanced benzene waste monitoring and fugitive emission control programs. COPC still is so obligated, but under the First Amendment, COPC will install additional pollution control technology, including, in one instance, a new electrostatic precipitator, in consideration for deadline extensions. In addition, COPC will be entitled to numerous deadline extensions at COPC’s refinery in Belle Chasse, Louisiana, because of damage that refinery suffered from Hurricane Katrina. In the First Amendment, the United States is joined by the State of Illinois, the State of Louisiana, the State of New Jersey, the Commonwealth of Pennsylvania, and the Northwest Clean Air Agency in the State of Washington.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the First Amendment. Comments should be addressed to the Assistant Attorney General,