

DEPARTMENT OF JUSTICE**Notice of Lodging of Settlement Agreement Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)**

Notice is hereby given that on June 25, 2009, a proposed Consent Decree was filed with the United States District Court for the Eastern District of Pennsylvania in *United States and The Commonwealth of Pennsylvania Department of Environmental Protection v. George R. Rubright and Mary Lou Rubright*, Case No. 5:09-cv-2853 (E.D. Pa.). The proposed consent decree resolves cost recovery claims asserted by the U.S. Environmental Protection Agency ("EPA") under the Comprehensive Environmental Response Compensation and Liability Act ("CERCLA") Section 107(a), 42 U.S.C. 9607(a), and by the Commonwealth of Pennsylvania Department of Environmental Protection ("PADEP") under the Pennsylvania Hazardous Sites Cleanup Act, 35 P.S. 6020, against George R. Rubright and Mary Lou Rubright for costs incurred in connection with the Water Street Battery Site (the "Site") located in Shoemakersville, Berks County, Pennsylvania.

The United States and the Commonwealth incurred about \$1,326,649.99 in response costs to address lead contamination at the Site that resulted from using crushed battery casings as fill material. The Defendants agree to pay \$484,000 to the United States, to settle EPA's claims, and \$1,000 to the Commonwealth, to settle PADEP's claims.

For thirty (30) days after the date of this publication, the Department of Justice will receive comments relating to the Settlement Agreement. 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. In either case, comments should refer to *United States and The Commonwealth of Pennsylvania Department of Environmental Protection v. George R. Rubright and Mary Lou Rubright* (E.D. Pa.), D.J. Ref. No. 90-11-3-08686.

The proposed Settlement Agreement 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 the office of the Environmental Protection Agency

Region 3, 1650 Arch Street, Philadelphia, PA 19103. During the comment period, the proposed Settlement Agreement may also be examined on the following Department of Justice Web site: http://www.usdoj.gov/enrd/Consent_Decree.html. A copy of the proposed Settlement Agreement may also be obtained by mail from the Department of Justice 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 \$8.00 for the Settlement Agreement (25 cents per page reproduction costs) payable to the United States Treasury or, if by e-mail 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 Under the Comprehensive Environmental Response, Compensation and Liability Act**

Notice is hereby given that on June 25, 2009, a proposed Consent Decree in *United States of America et al. v. Saturn Chemicals, Inc., et al.*, Civil Action No. 08-3537 was lodged with the United States District Court for the District of New Jersey.

The Consent Decree resolves claims under CERCLA Section 107(a)(2), as alleged in a Complaint filed July 14, 2008 against Saturn Chemicals, Inc., PolySat, Inc., and Darryl Manuel (the "Saturn Defendants"), as well as third-party claims against two third-party defendants. Under the settlement, the Saturn Defendants will pay to the United States \$550,000 plus interest, third-party defendant Township of Lawrence will pay to the United States \$60,000 plus interest in two installments, and third-party defendant Mercer Wrecking and Recycling Corporation will pay to the United States \$140,000 plus interest up to a total of \$145,000.

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, Environmental 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 of America et al. v. Saturn Chemicals, Inc., et al.*, Civil Action No. 08-3537 (D. NJ), D.J. Ref. 90-11-3-09114.

The Decree may be examined at the Office of the United States Attorney, District of New Jersey, Peter Rodino Federal Building, 970 Broad Street, Suite 700, Newark, NJ 07102. 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. A copy of the 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 \$23.25 (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.

Maureen Katz,

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

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DEPARTMENT OF JUSTICE**Notice of Settlement Agreement Under the Resource Conservation and Recovery Act**

Notice is hereby given that on June 25, 2009, the United States filed a Notice of Settlement Agreement in *In re: Fleming Companies, Inc., et al.*, Case No. 03-10945 (MFW) (Bankr. D. Del.). The proposed Settlement Agreement resolves claims by the United States Environmental Protection Agency ("EPA") and the Arizona Department of Environmental Quality ("ADEQ") under the Resource Conservation and Recovery Act, 42 U.S.C. 6991 *et seq.*, as amended ("RCRA"), against Fleming Companies, Inc. ("Fleming") and the Fleming Post Confirmation Trust ("the PCT") with respect to two underground storage tanks ("USTS") located at the