

Court for the Western District of Missouri.

In this action the United States sought, pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9601 *et seq.*, as amended (“CERCLA”), declaratory relief, injunctive relief, and recovery of response costs incurred and to be incurred by the United States in connection with the release or threatened release of hazardous substances at or from the Armour Road Superfund Site, located at and adjacent to 2251 Armour Road in North Kansas City, Clay County, Missouri (“Site”). The Consent Decree requires the settling defendant to perform a remedial investigation and feasibility study (“RI/FS”) for the Site and to pay the costs incurred and to be incurred by the United States in connection with the RI/FS. The work to be performed by the settling defendant is expected to cost about \$600,000.

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](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044–7611. In either case, the comments should refer to *United States of America v. U.S. Borax Inc.*, Civil Action 4:10–cv–00057 (W.D. Missouri), D.J. Ref. No. 90–11–3–08035/3.

During the comment period, the Consent Decrees may 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 Consent Decree may also be examined at the Office of the United States Attorney, Western District of Missouri, Charles Evans Whittaker Courthouse, 400 East 9th Street, Room 5510, Kansas City, MO 64106 (Contact: Charles Thomas, Assistant United States Attorney), and at U.S. EPA Region VII, 901 N. 5th Street, Kansas City, Kansas 66101. Copies 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 \$17.00 (25 cents per page reproduction cost) 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.*

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**BILLING CODE 4410–15–P**

## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on January 27, 2010, a proposed Consent Decree in *United States v. Newell Holdings Delaware, Inc. and Rock Springs Enterprises, Inc.*, Civil Action No. 5:07–cv–164, was lodged with the United States District Court for the Northern District of West Virginia. In a civil action filed on December 18, 2007, under Section 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act (“CERCLA”), 42 U.S.C. 9607(a), the United States sought recovery of response costs from Newell Holdings Delaware, Inc. (“Newell Holdings”) and Rock Springs Enterprises, Inc. (“Rock Springs”) in connection with the Eighth and Plutus Streets Pottery Site in Chester, West Virginia (“the Site”). The proposed Consent Decree, lodged on January 27, 2010, resolves the liability of defendant Rock Springs for response costs incurred and to be incurred by the United States in connection with the Site, and requires Rock Springs to market and sell the Site property Newell Holdings and to pay percent of net sales proceeds in reimbursement of response costs in accordance with the terms of the Decree. A Consent Decree with defendant Newell Holdings was lodged with the Court on December 18, 2009, and notice of that Consent Decree was published in the **Federal Register** on December 24, 2009. Cite.. Newell Holdings is not a party to the Consent Decree being noticed today.

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, by e-mail to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or regular mail to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044–7611, and refer to *United States v. Newell Holdings Delaware, Inc. and Rock*

*Springs Enterprises, Inc.*, D.J. Ref. 90–11–3–09297.

The Consent Decree may be examined at the Office of the United States Attorney for the Northern District of West Virginia, U.S. Courthouse and Federal Building, 1125 Chapline Street, Wheeling, WV 26003 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](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](mailto: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 \$10.00 for the Consent Decree only or \$20.25 for the Consent Decree and attachments (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 address above.

**Maureen Katz,**

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

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response Compensation and Liability Act (“CERCLA”)

Notice is hereby given that on January 21, 2010, a proposed Consent Decree in *United States v. United Fibers, LLC, et al.* (N.D.N.Y.) No. 1:09–cv–00602 (GLS/RFT) was lodged with the United States District Court for the Northern District of New York.

In this action, the United States sought the recovery of response costs pursuant to Section 107(a) of the Comprehensive Environmental Response, Compensation, and Recovery Act, as amended (“CERCLA”), 42 U.S.C. 9607(a), from Defendants for response costs incurred at the Stevens & Thompson Paper Company Superfund Site (the “Site”), located in Washington County, New York. Pursuant to the proposed Consent Decree, the Settling Defendants will pay to the United States