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William D. Brighton,

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

[FR Doc. 01-25872 Filed 10-12-01; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Resource Conservation and Recovery Act

Under 28 CFR 50.7, notice is hereby given that on September 26, 2001, a Consent Decree in *United States, et al., v. Lee Brass Co., Inc.*, Civil Action No. 01-B-2422-S was lodged with the United States District Court for the Northern District of Alabama.

In the Complaint, the United States seeks injunctive relief against Lee Brass Co., Inc. ("Lee Brass"), pursuant to the Resource Conservation and Recovery Act, ("RCRA"), 42 U.S.C. 6901 *et seq.* for alleged violations at Lee Brass's brass foundry in Anniston, Alabama.

Under the terms of the settlement, Lee Brass will take all steps to come into permanent, consistent compliance with RCRA, including the implementation of management practices with respect to its management of used foundry sand, the closure of its thermal sand reclamation unit, the conduct of a RCRA compliance audit and the implementation of the recommendations of that audit, and corrective action activities associated with each solid waste management unit located at its facility. In addition, Lee Brass will pay a civil penalty of \$350,000. The State of Alabama will join in this settlement as a signatory to the Consent Decree.

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, Environmental and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, D.C. 20044-7611, and should refer to *United States, et al., v. Lee Brass Co., Inc.*, D.J. Ref. 90-7-1-06919.

The Consent Decree may be examined at the Office of the United States Attorney, Northern District of Alabama, Room 200, Robert S. Vance Federal Building, 1800 Fifth Avenue, North, Birmingham, Alabama 35203. 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, In requesting a copy; please enclose a check in the amount of \$25.25 (25 cents per page reproduction cost) payable to the Consent Decree Library.

Ellen M. Mahan,

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

[FR Doc. 01-25877 Filed 10-12-01; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Amendment to Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA")

In accordance with 28 CFR 50.7 and 42 U.S.C. 9622(d)(2), notice is hereby given that on September 21, 2001, an Amendment to Consent Decree in *United States of America, et al. v. Richard Dingwell, d/b/a The McKin Company, et al.*, Civil Action No. 88-0101 B, was lodged with the United States District Court for the District of Maine.

The original Consent Decree, entered on November 21, 1988 ("1988 Consent Decree"), settled claims of the EPA and the State of Maine pursuant to Sections 106 and 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9606, 9607(a), against Settling Parties who were alleged to be liable as generators of hazardous substances sent to the McKin Superfund Site ("Site") in Gray, Maine. Under the 1988 Consent Decree, the Settling Parties agreed to perform the remedy set forth in a 1985 Record of Decision ("ROD") and to pay EPA's response costs. The remedy included pumping and treating of groundwater contaminated with trichloroethylene ("TCE"), with a goal that within five years it would attain a specified performance standard. The Settling Parties operated the pump and treat system for four years without attaining the performance standard for groundwater. EPA, with the concurrence of the State of Maine, issued a Finding of Technical Impracticability in January, 2001, and in March 2001, amended the Record of Decision to modify the remedy for remediation of the groundwater that was selected in 1985. The amended Record of Decision provides for (1) institutional controls to prevent use of the groundwater; (2) monitoring of the groundwater plume to demonstrate that

it is not expanding; (3) monitoring of the Royal River; and (4) performing five year reviews in accordance with § 121(c) of CERCLA, 42 U.S.C. § 9621(c). Under the Amendment to Consent Decree the Settling Parties will implement the remedy in the Amended Record of Decision, pay \$650,000 to EPA for response costs, and pay \$45,000 to the State for activities to protect the Royal River and its watershed. Along with other requirements related to institutional controls, the Settling Parties will pay for conservation easements along the Royal River, and purchase an insurance policy in case of continued contamination of the Royal River.

The Department of Justice will receive a period of thirty (30) days from the date of this publication comments relating to the Amendment to Consent Decree. 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 to *United States of America, et al. v. Richard Dingwell, d/b/a The McKin Company, et al.*, Civil Action No. 88-0101 B, D.J. Ref. 90-11-2-133.

The Consent Decree may be examined at the Office of the United States Attorney for the District of Maine, 100 Middle Street, Portland, Maine 04101, and at EPA Region 1, Office of Environmental Stewardship, One Congress Street, Boston, Massachusetts (Attn: Marcia Lamel). 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. In requesting a copy, please enclose a check payable to the Consent Decree Library in the amount of \$83.25 (25 cents per page reproduction cost) for a copy including appendices, or \$7.00 (25 cents per page reproduction cost) for a copy exclusive of appendices.

Catherine R. McCabe,

Deputy Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division, U.S. Department of Justice.

[FR Doc. 01-25880 Filed 10-12-01; 8:45 am]

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DEPARTMENT OF JUSTICE

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

Under 42 U.S.C. 9622(i), notice is hereby given that on September 28,

2001, a proposed Consent Decree in *United States v. Mountain Metal Co., et al.*, Civil Action No. CV-98-C-2562-S and CV-98-C-2886-S was lodged with the United States District Court for the Northern District of Alabama.

In this action, the United States sought reimbursement of costs incurred in responding to the release and threatened release of hazardous substances at the ILCO battery cracking site in Leeds, Alabama. A group of previous settlers also sued to obtain contribution for their costs in performing work at the site. In this Consent Decree, Morris Scrap Metal, Inc., is settling its liability to the United States and the private plaintiffs by paying a total of \$470,000 plus interest. Prior to this Consent Decree, the United States obtained partial reimbursement of its costs through judicial settlements with 58 parties and administrative settlements with 286 parties.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Consent Decrees. 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. Mountain Metal Co., et al.*, D.J. Ref. 90-11-2-108/2.

The Consent Decrees may be examined at the Office of the United States Attorney, 200 Robert S. Vance Fed. Bldg., 1800 5th Avenue N., Room 200, Birmingham, Alabama, and at U.S. EPA Region 4, 61 Forsyth Street, Atlanta, Georgia. A copy of the Consent Decrees may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611. In requesting a copy, please enclose a check in the amount of \$10.75 (25 cents per page reproduction cost) payable to the Consent Decree Library.

Ellen Mahan,

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

[FR Doc. 01-25873 Filed 10-12-01; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of First Amended Consent Decree Under the Clean Water Act

Under 28 CFR 50.7 notice is hereby given that on September 27, 2001, a proposed First Amended Consent Decree ("Amended Consent Decree") in

United States of America and State of Indiana v. City of New Albany, Civil No. NA-90-46-C-B/G was lodged with the United States District Court for the Southern District of Indiana, New Albany Division.

In this action, the United States sought enforcement of a Consent Decree entered into in 1993 for Clean Water Act violations at New Albany's wastewater treatment plant. The First Amended Consent Decree resolves claims of the United States concerning New Albany's wastewater treatment facility and sewer collection system for violations of the 1993 Consent Decree and the Clean Water Act, 33 U.S.C. 1251, et seq., including, inter alia, bypasses and sanitary sewer overflow events. Pursuant to the Amended Consent Decree, New Albany will, among other requirements, develop and implement a capacity assurance plan to address the bypasses and sanitary sewer overflows at its wastewater treatment plant and in the sewer collection system. Also, under the Amended Consent Decree, New Albany will pay \$180,000 in civil penalties for violations of the 1993 Consent Decree.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Amended 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 and State of Indiana v. City of New Albany*, Civil Cause No. NA-90-46-C-B/G, D.J. Ref. 90-5-1-1-3448/A.

The Amended Consent Decree may be examined at the Office of the United States Attorney, 10 West Market Street, Suite 2100, Indianapolis, Indiana 46204-3048 (contact Assistant United States Attorney Thomas Kieper at (317) 229-2400), and at U.S. EPA Region 5, 14th Floor, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590 (contact Deborah A. Carlson at (312) 353-6121). A copy of the Amended 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. In requesting a copy, please enclose a check in the amount of \$15.00 (\$.25 cents per page reproduction cost) payable to the Consent Decree Library.

W. Benjamin Fisherow,

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

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DEPARTMENT OF JUSTICE

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

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States v. Sequa Corporation and John H. Thompson*, C.A. No. 01-CV-4784 (E.D.Pa.), was lodged on September 20, 2001, with the United States District Court for the Eastern District of Pennsylvania. The consent decree resolves the United States' claims against defendants Sequa Corporation ("Sequa") and John H. Thompson ("Thompson") with respect to past response costs incurred through September 30, 1999, pursuant to Section 107 of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9607. The costs were incurred in connection with the Dublin TCE Site, located in the Borough of Dublin, Bucks County, Pennsylvania. Defendant Thompson owns the Site property, or a portion thereof, and defendant Sequa conducted manufacturing activities at the Site, which became contaminated with trichloroethylene.

Under the consent decree, defendants will pay the United States \$3,200,000 in reimbursement of past response costs incurred in connection with the Site. Said amount will be paid within thirty (30) days after entry of the consent decree by the Court.

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 Acting Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. Sequa Corporation and John H. Thompson*, DOJ Reference No. 90-11-2-780.

The proposed consent decree may be examined at the Office of the United States Attorney, 615 Chestnut Street, Suite 1250, Philadelphia, Pennsylvania 19106; and the Region III Office of the Environmental Protection Agency, 1650 Arch Street, Philadelphia, Pennsylvania. A copy of the proposed decree may be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$7.75 (.25 cents per page