DEPARTMENT OF JUSTICE

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

Consistent with Departmental policy, 28 CFR 50.7 and 38 FR 19029, notice is hereby given that on November 13, 2001, a proposed Consent Decree in *United States* v. *Frederick Gendron, et al.,* Civil Action No. 01–422–JD, was lodged with the United States District Court for the District of New Hampshire. The proposed Consent Decree will resolve the United States' claim under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9607, as amended (''CERCLA''), on behalf of the U.S. Environmental Protection Agency (''EPA'') against the defendant relating to the Gendron Junkyard Site located at 11–13 Hobbs Road in Pelham, New Hampshire (the ''Site''). The Complaint alleges that the defendants are liable under Section 107 of CERCLA, 42 U.S.C. 9607, for recovery of response costs incurred at or in connection with the release or threatened release of hazardous substances at the Site.

The Consent Decree requires the Settling Defendants to pay to the U.S. EPA Hazardous Substance Superfund $650,000 in reimbursement of past response costs, and includes a covenant not to use by the United States.

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. Any comments should be addressed to the Assistant Attorney General of the Environmental and Natural Resource Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, DC 20044–7611, and should refer to *United States* v. *Frederick Gendron, et al.,* Civil Action No. 01–422–JD, Ref. 90–11–3–07116.

The proposed Consent Decree may be examined at the Office of the United States Attorney, District of New Hamsphire, U.S. Department of Justice, 55 Pleasant Street, Room 352, Concord, New Hamsphire, 03301–3904, and at U.S. EPA New England (Region 1), One Congress Street, Suite 1100, Boston, Massachusetts, 02114–2023. A copy of the proposed consent decree may be obtained by mail from the Consent Decree Library, P.O. Box 7611, Washington, DC 20044–7611. In requesting a copy, please enclose a check (there is a 25 cent per page reproduction cost) in the amount of $6.00 payable to the Consent Decree Library.

Ronald Gluck,

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

[FR Doc. 01–31790 Filed 12–26–01; 8:45 am]

BILLING CODE 4410–15–M

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Agreed Amendments to Consent Decree Pursuant to The Comprehensive Environmental Response, Compensation and Liability Act

In accordance with the policy of the Department of Justice, notice is hereby given that proposed Agreed Amendments to Consent Decree in *United State of America* v. *City of Grand Rapids, Michigan,* Civil Action No. 1:99 CV 388, were lodged with the United States District Court for the Western District of Michigan, Southern Division, on December 10, 2001. The original consent decree, entered by the Court on August 10, 2000, involved the settlement of claims brought by the United States, pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601 *et seq.,* against 53 Settling Defendants for reimbursement of response costs and injunctive relief in connection with the Butterworth No. 2 Landfill Superfund Site (''Site'') located in Grand Rapids, Kent County, Michigan. The proposed amendments represent a settlement of claims by the United States against 18 additional Settling Defendants and seeks to add them to the consent decree.

Under this settlement with the United States, the 18 additional Settling Defendants will collectively pay $1,250,000 to the Settling Work Defendants who will then implement the entire remedy for the Site as set forth in the Record of Decision issued by the United States Environmental Protection Agency in March 1992 and as modified by an Explanation of Significant Differences dated October 23, 1998. The 18 additional Settling Defendants will also pay $131,500 to the United States for past response costs incurred in connection with the Site.

The Department of Justice will receive comments relating to the proposed amendments for a period of 30 days from the date of this publication. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States* v. *City of Grand Rapids, Michigan, et. al.,* D.J. Ref. 90–11–2–145A.

The proposed Agreed Amendments to Consent Decree may be examined at the office of the United States Attorney for the Western District of Michigan, 330 Ionia Avenue, N.W., Grand Rapids, Michigan 49503; and at the Region 5 office of the Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604–3590. A copy of the proposed Agreed Amendments to Consent Decree may be obtained by mail from the Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044–7611. In requesting a copy of the proposed amendments, please enclose a check in the amount of $3.00 (25 cents per page reproduction cost) payable to the Consent Decree Library and refer to *United States* v. *City of Grand Rapids, Michigan, et. al.,* D.J. Ref. 90–11–2–145A. To obtain a copy of the original Consent Decree, please enclose a check in the amount of $33.75 (25 cents per page reproduction cost) payable to the Consent Decree Library and refer to *United States* v. *City of Grand Rapids, Michigan, et. al.,* D.J. Ref. 90–11–2–145A.

William D. Brighton,

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

[FR Doc. 01–31784 Filed 12–26–01; 8:45 am]

BILLING CODE 4410–15–M

DEPARTMENT OF JUSTICE

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

In accordance with 28 CFR 50.7 and section 122 of the Comprehensive Environmental Response, Compensation, and Liability Act (''CERCLA''), 42 U.S.C. 9622, the Department of Justice hereby gives notice that on December 13, 2001, a proposed consent decree in the consolidated actions *United States* v. *International Paper Co., et al.,* Civil Action No. 01–C–693–C and *International Paper Co.* v. *City of Tomah, WI, et al.,* Civil Action No. 00–C–539–C was lodged with the United States District Court for the Western District of Wisconsin.

In this action, the United States, under CERCLA Section 107, seeks reimbursement from International Paper and the City of Tomah, Wisconsin of response costs incurred and to be incurred for response actions taken at or

in connection with the release or threatened release of hazardous substances at the Tomah Municipal Sanitary Landfill site in Monroe County, Wisconsin (''the Site'').

In the consolidated action, International Paper Co., under CERCLA Section 113(f), seeks reimbursement from the City of Tomah, Wisconsin and the United States Department of Veterans Affairs of certain costs International Paper allegedly incurred in response to the release or threatened release of hazardous substances at the site.

The consent decree provides that: (1) International Paper shall complete the remedial action for Operable Unit 1 at the Site, commenced pursuant to a CERCLA Section 106, 42 U.S.C. 9606, unilateral administrative order issued by the U.S. Environmental Protection Agency (''U.S. EPA'') to International Paper; (2) the City of Tomah shall pay $16,000 to the United States in reimbursement of the United States' past costs at the Site; and (3) the United States, on behalf of the Department of Veteran Affairs, shall pay $893,651.57 to International Paper to ''cash out'' the United States' liability for past and future costs at Operable Unit 1.

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, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044–7611, and should refer to *United States* v. *International Paper Co., et al.,* D.J. Ref. 90–11–2–1317.

The Consent Decree may be examined at the Office of the United States Attorney, 600 West Washington, Ave., Ste. 200, Madison, WI 53701–1585, and at U.S. EPA Region 5, 77 West Jackson Boulevard, Chicago, IL 60604 (contact Timothy Thurlow at (312) 886–6623). 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 $24.50 (25 cents per page reproduction cost) payable to the Consent Decree Library.

William Brighton,

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

[FR Doc. 01–31780 Filed 12–26–01; 8:45 am]

BILLING CODE 4410–15–M

DEPARTMENT OF JUSTICE

Notice of Lodging of Amendments to Consent Decree

Under 28 CFR 50.7, notice is hereby given that on November 29, 2001, amendments to the Consent Decree filed in *United States* v. *Marine Shale Processors, Inc.,* Civ. No. CV90–1240, were lodged with United States District Court for the Western District of Louisiana. The original Consent Decree was filed on February 19, 1998, and was modified by an Order of the Court dated February 23, 1999, and again on June 13, 2001.

In this action against Marine Shale Processors, Inc., (''MSP'') the United States sought to recover civil penalties and enjoin violations to the Resource Conservation and Recover Act (''RCRA''), 42 U.S.C. 6901 *et seq.,* the Clean Water Act, 33 U.S.C. 1251 *et seq.,* and the Clean Air Act 42 U.S.C. 7413. The United States also sought relief under the Comprehensive Environmental Response, Compensation, and Liability Act (''CERCLA''), 42 U.S.C. 9604, 9606, and 9607. MSP operated a facility in Morgan City, Louisiana that treated hazardous waste by combustion.

These amendments extend the deadline by which a new company, CTX, Inc. must purchase the assets and liabilities of MSP, and extend the ''Continuing Election'' provision of the Consent Decree. The amendments to Section IV and V of the Consent Decree provide that these deadlines are extended until January 11, 2002.

The Department of Justice will receive for a period of ten (10) days from the date of this publication comments relating to the 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* v. *Marine Shale Processors, Inc.,* D.J. Ref. 90–11–2–204C. In light of recent mail delays, commenters should notify Darlene Lyons, Department of Justice, of the submission of any comments, by telephone at 202–514–1605.

The consent decree amendments may be examined at the Office of the United States Attorney, Hale Boggs Federal Building, 501 Magazine Street, New Orleans, LA 70130, at U.S. EPA Region VI, 1445 Ross Avenue Dallas, TX 75202–2733, and at the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044–7611. A copy of the consent decree amendments may 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 $1.00 (25 cents per page reproduction cost) payable to the Consent Decree Library.

Thomas A. Mariani, Jr.,

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

[FR Doc. 01–31791 Filed 12–26–01; 8:45 am]

BILLING CODE 4410–15–M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under Clean Water Act

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States* v. *Monongahela Power Company, Inc. (d/b/a Allegheny Power)*, C.A. No. 1 1:01–CV–6, was lodged on November 9, 2001, with the United States District Court for the Northern District of West Virginia. The consent decree resolves the United States' claims against the defendant, pursuant to the Federal Water Pollution Control Act, also known as the Clean Water Act, 33 U.S. C. 1251–1387, as amended by the Oil Pollution Act of 1990, Pub. L. 101–380 (''CWA''), and 40 CFR 112.4. Specifically, the consent decree resolves the United States' claim against the defendant for violating Sections 301 and 311 of the CWA, 33 U.S.C. 1311, 1321, with respect to an oil spill that occurred at the defendant's Belmont Substation, located in Pleasants County, West Virginia. Further, the consent decree resolves the United States' claim against defendant for failing to submit a copy of its Spill Prevention Control and Countermeasures (''SPCC'') Plan to the Environmental Protection Agency within 60 days after the spill, as required by 40 CFR 112.4.

Under the consent decree, the defendant will pay a total civil penalty in the amount of $252,000 to resolve the violations with respect the discharge and failure to submit its SPCC Plan in a timely manner. In addition, the defendant has agreed to implement agreed-upon injunctive relief measures, which include, *inter alia,* replacement of the transformer that failed and caused the discharge, upgrading containment around certain transformers at the Substation, and adding additional equipment at the Substation that will aid in addressing any future spills. The civil penalty is due to be paid within thirty (30) days after entry of the consent decree by the Court.