

Decree may be examined at the Office of the United States Attorney for the District of Minnesota, 234 United States Courthouse, 110 South Fourth Street, Minneapolis, Minnesota 55401; the Region 5 Office of the United States Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, telephone no. (202) 624-0892. A copy of the proposed Consent Decree with two appendices may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy, please refer to DJ#90-11-2-904, and enclose a check in the amount of \$8.00 (25 cents per page for reproduction costs), payable to the Consent Decree Library.

Bruce S. Gelber,

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

[FR Doc. 97-27208 Filed 10-14-97; 8:45 am]

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to the Assistant Attorney General, Environment and Natural Resources Division, U.S. Department of Justice, Attention: Patricia Ross McCubbin, Environmental Defense Section, P.O. Box 23986, Washington, D.C. 20026-3986, and should refer to *United States v. Pettinaro Construction Co., Inc.*, DJ Reference No. 90-5-1-1-4302.

The proposed consent decree may be examined at either the Clerk's Office, United States District Court, District of Delaware, 844 King Street, Wilmington, Delaware 19801 (telephone number: 302-573-6170), or at the Consent Decree Library, 1120 G Street, N.W., 4th Floor Washington, DC 20005 (telephone number: 202-624-0892). Requests for a copy of the consent decree may be mailed to the Consent Decree Library at the above address, and must include a check in the amount of \$12.75.

Letitia J. Grishaw,

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

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in the amount of \$25,000 pursuant 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 proposed consent decree. Any 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. John Reardon and Paul Reardon*, Civil Action No. 97-12197-T, D.J. Ref. 90-11-2-372B.

The proposed consent decree may be examined at the Office of the United States Attorney, District of Massachusetts, J.W. McCormack Post Office and Courthouse, Boston, Massachusetts, 02109, at Region I, Office of the Environmental Protection Agency, One Congress Street, Boston, Massachusetts, 02203 and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy, please enclose a check (there is a 25 cent per page reproduction cost) in the amount of \$18.25 payable to the Consent Decree Library.

Bruce S. Gelber,

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

[FR Doc. 97-27209 Filed 10-14-97; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Clean Water Act

In accordance with Departmental Policy, 28 C.F.R. § 50.7, notice is hereby given that a consent decree in *United States of America v. Pettinaro Construction Co., Inc., and Linder & Co., Inc.*, No. 97-123 LON (D. Del.), was lodged with the United States District Court for the District of Delaware on September 25, 1997.

The proposed consent decree would resolve the United States allegations in this enforcement action that the Defendants have violated Section 301(a) of the Clean Water Act ("CWA"), 33 U.S.C. § 1311(a), by clearing, grading, filing and/or excavating approximately 18 acres of wetlands in Bethany Bay Subdivision, Sussex County, Delaware, without a permit under Section 404 of the CWA.

The proposed consent decree would require the Defendants to: (1) Restore or create mitigation wetlands for all wetland areas impacted by the illegal discharges; (2) pay a \$60,000 civil penalty; and (3) record the consent decree in the local land records to assure that certain wetland areas remain undisturbed.

The Department of Justice will accept written comments relating to the proposed consent decree for thirty (30) days from the date of publication of this notice. Comments should be addressed

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as Amended

Consistent with Departmental policy, 28 CFR § 50.7, 38 FR 19029, and 42 U.S.C. § 9622(d), notice is hereby given that on September 29, 1997, a proposed consent decree in *United States v. John Reardon and Paul Reardon*, Civil Action No. 97-12197-T, was lodged with the United States District Court for the District of Massachusetts. The proposed Consent Decree will resolve the United States' claims under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. § 9601 *et seq.*, on behalf of the U.S. Environmental Protection Agency ("EPA") against defendants John Reardon and Paul Reardon relating to the Norwood PCB Superfund Site ("Site") in Norwood, Massachusetts. The Complaint alleges that the Reardons are liable under Sections 107(a)(1) and (a)(2) of CERCLA, 42 U.S.C. § 9607(a)(1) and (a)(2).

Pursuant to the Consent Decree, the Reardons will provide access to the portion of the Site under their ownership and control, and will impose institutional controls as their property to ensure the effectiveness of the remedial action at the Site. The United States will also recover response costs

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response Compensation and Liability Act of 1980, as Amended, and the Resource Conservation and Recovery Act

Notice is hereby given that a proposed consent decree in the action entitled *United States v. RohmTech, Inc.*, Civil Action No. 97CV12200 EFH, was lodged on September 30, 1997, with the United States District Court for the District of Massachusetts. The proposed consent decree resolves the United States' claims against RohmTech at the Nyanza Chemical Waste Dump Superfund Site, located in Ashland, Massachusetts ("Site"), under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. § 9601 *et seq.* and the Resources Conservation and Recovery Act, 42 U.S.C. § 6973.

RohmTech is the successor to a former owner and operator of the Site. The consent decree will also resolve the claims of the Commonwealth of Massachusetts ("Commonwealth") in connection with the Site under CERCLA and the Massachusetts Oil and Hazardous Material Release Prevention and Response Act, M.G.L. c. 21E.

Under the proposed consent decree, RohmTech will make an immediate payment to the United States and the Commonwealth in the amount of \$4,000,000, plus interest. In addition, the United States and the Commonwealth will receive a percentage of gross proceeds from related insurance litigation and litigation against another potentially responsible party. Of the total payments, \$2,100,000 will be paid to the United States and the Commonwealth in connection with claims for natural resource damages at the Site. The remaining money will be paid to the United States and the Commonwealth as reimbursement for response costs incurred and to be incurred at the Site. The amount of the payments to be made by RohmTech reflect the company's financial condition.

The Department of Justice will receive, for a period of up to thirty days from the date of this publication, comments relating to the proposed consent decree. Any comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, DC 20044, and should refer to *United States v. RohmTech, Inc.*, DOJ Ref. Number 90-11-2-340. Commenters may request an opportunity for a public meeting in the affected area, in accordance with Section 7003(d) of RCRA, 42 U.S.C. § 6973.

The proposed consent decree may be examined at the Environmental Protection Agency, One Congress Street, Boston, Massachusetts (contact Joanna Jerison at 617-565-3350) and at the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005, 202-624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$12.50 (50 pages at 25

cents per page reproduction costs), payable to the Consent Decree Library.

Bruce S. Gelber,

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

[FR Doc. 97-27206 Filed 10-14-97; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant To The Comprehensive Environmental Response Compensation and Liability Act of 1980, As Amended

Notice is hereby given that a proposed consent decree in the action entitled *United States v. Taylor, et al.*, Civil Action No. 97CV12201EFH, was lodged on September 30, 1997, with the United States District Court for the District of Massachusetts. The proposed consent decree resolves the United States's claims against several potentially responsible parties ("Settling Defendants") at the Nyanza Chemical Waste Dump Superfund Site, located in Ashland, Massachusetts ("Site"), under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. § 9601 *et seq.* The consent decree will also resolve the claims of the Commonwealth of Massachusetts ("Commonwealth") in connection with the Site under CERCLA and the Massachusetts Oil and Hazardous material Release Prevention and Response Act, M.G.L. c. 21E. The Settling Defendants include Scott D. Taylor, individually; the Estate of Roland E. Derby, Jr.; Scott D. Taylor in his capacity as Administrator of the Estate of Roland E. Derby, Jr.; the Estate of Roland E. Derby, Sr., and Edward M. Lynch, Jr. in his capacity as Executor of the Estate of Roland E. Derby, Sr. The consent decree includes a covenant not to sue by the United States under, *inter alia*, Sections 106 and 107 of CERCLA, 42 U.S.C. §§ 9606 and 9607 (including claims for natural resource damages), and under Section 7003 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6973.

Under the proposed consent decree, Scott D. Taylor will make a payment to the United States and the Commonwealth in the amount of \$565,000 over a three-year period, plus interest. Of the \$565,000 total, \$424,000 will be paid the United States (EPA) as reimbursement for response costs incurred in connection with the Site, \$106,000 will be paid to the Commonwealth as reimbursement for

response costs incurred in connection with the Site, and \$35,000 will be paid to the United States and the Commonwealth in connection with claims for natural resource damages. In addition, if the gross insurance proceeds recovered by the Settling Defendants in connection with the Site exceed \$425,000, Settling Defendants shall pay to the United States and the Commonwealth 80% of the amount in excess of \$425,000.

The Department of Justice will receive, for a period of up to thirty days from the date of this publication, comments relating to the proposed consent decree. Any comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044, and should refer to *United States v. Taylor, et al.*, DOJ Ref. Number 90-11-2-340B. Commenters may request an opportunity for a public meeting in the affected area, in accordance with Section 7003(d) of RCRA, 42 U.S.C. § 6973.

The proposed consent decree may be examined at the Environmental Protection Agency, One Congress Street, Boston, Massachusetts (contact Joanna Jerison at 617-565-3350) and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, 202-624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$13.25 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Bruce S. Gelber,

Deputy Section 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

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States v. Washington Central Railroad Company, Inc., et al.*, No. CV97-1400-ST (D. Oregon), was lodged on September 30, 1997, with the United States District Court for the District of Oregon. With regard to the Defendants,