

Suite 2300, Detroit, Michigan. A copy of the proposed consent decree may be obtained by mail from the Department of Justice Consent Decree Library, PO Box 7611, Washington, DC 20044-7611 or by faxing a request to Tonia Fleetwood, fax no. (202) 514-0097. In requesting a copy, please enclose a check payable to the "U.S. Treasury", in the amount of \$4.00 (25 cents per page reproduction cost). The check should refer to *United States v. Brighton Township*, D.J. Ref. No. 90-5-1-1-5073.

**W. Benjamin Fisherow,**

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

[FR Doc. 02-26505 Filed 10-17-02; 8:45 am]

BILLING CODE 4410-15-M

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Air Act

Under 28 CFR 50.7, notice is hereby given that on September 24, 2002, a proposed consent decree in *United States and City of Philadelphia v. Brotech Corporation*, Civ. Action No. 00-2428, was lodged with the United States District Court for the Eastern District of Pennsylvania.

In this action the United States alleged the Brotech Corporation had violated the Clean Air Act, 42 U.S.C. 7401 *et seq.* by discharging pollutants into the air at its chemical processing facility at 3620 "G" Street, Philadelphia, PA. The proposed decree will require defendants to pay a civil penalty of \$400,000.00, plus interest, divided equally between the United States and the City of Philadelphia. The consent decree will also require the defendant to comply with all federal, state, and local air pollution control regulations.

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. Comments should be addressed to the Chief, Civil Division, United States Attorney's Office, Eastern District of Pennsylvania, and transmitted by one of the following methods: (1) Via U.S. Mail or overnight mail to United States Attorney's Office, 615 Chestnut Street, Suite 1250, Philadelphia, PA 19106 and/or (2) by facsimile to (215) 861-8647. Each communication should reference *United States and City of Philadelphia v. Brotech Corporation*, CA No. 00-2428, DOJ #90-5-2-1-06899.

The proposed consent decree may be examined at the Office of the United States Attorney, 615 Chestnut Street, Suite 1250, Philadelphia, PA 19106 and

at U.S. EPA Region III, 1650 Arch Street, Philadelphia, PA 19103. A copy of the proposed 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. When requesting a copy, please enclose a check in the amount of \$22.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Robert Brook,**

*Assistant Section Chief, Environmental Enforcement Section, Department of Justice.*

[FR Doc. 02-26506 Filed 10-17-02; 8:45 am]

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## DEPARTMENT OF JUSTICE

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

In accordance with the Departmental Policy, 28 CFR 50.7, notice is hereby given that two Consent Decrees in *United States v. CryoChem, Inc., C.S. Garber & Sons, Inc., Elizabeth H. Garber, Executrix of the Estate of Claude W. Garber, Russell E. Garber, Jr. and Randall J. Garber, Co-Executors of the Estate of Russell E. Garber, Sr., and Joan E. Miller, Executrix for the Estate of Kathryn Reigner* ("Settling Defendants"), Civil Action No. 02-CV-746, were lodged with the United States District Court for the Eastern District of Pennsylvania on September 26, 2002. These Consent Decrees resolve claims of the United States' against the Settling Defendants under Sections 106 and 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9606 and 9607(a). The Consent Decrees require the Settling Defendants to make payments in reimbursement of response costs for the CryoChem Superfund Site located in Berks County, Pennsylvania. One of the Consent Decrees is between the United States and C.S. Garber & Sons, Inc. and the Estates and requires C.S. Garber and Sons, Inc. to pay a total of \$240,000, plus interest, over a period of four years. This Consent Decree also requires each of the Estates to pay \$167,000 in reimbursement of response costs, for a total of \$501,000. The second Consent Decree requires CryoChem, Inc. to pay \$200,000 in reimbursement of response costs. The total amount to be paid by all parties under both Consent Decrees is \$941,000.

The Department of Justice will accept written comments on the proposed Consent Decrees for thirty (30) days from the date of publication of this notice. Please address comments to the

Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, DC 20044-7611, and refer to *United States v. CryoChem, Inc., C.S. Garber & Sons, Inc., Elizabeth H. Garber, Executrix of the Estate of Claude W. Garber, Russell E. Garber, Jr. and Randall J. Garber, Co-Executors of the Estate of Russell E. Garber, Sr., and Joan E. Miller, Executrix for the Estate of Kathryn Reigner*, DOJ #90-11-3-06815.

Copies of the proposed Consent Decrees may be examined at the Office of the United States Attorney, Eastern District of Pennsylvania, 615 Chestnut Street, Philadelphia, PA 19106 and at EPA Region III, 1650 Arch Street, Philadelphia, PA 19103. Copies of the proposed Consent Decrees may be obtained by mail from the U.S. Department of Justice, Consent Decree Library, P.O. Box 7611, Washington, DC 20044-7611. When requesting a copy of the proposed Consent Decrees, please enclose a check to cover the twenty-five cents per page reproduction costs payable to the "U.S. Treasury" in the amount of \$7.00 for the Consent Decree between the United States and CryoChem, Inc. and in the amount of \$8.25 for the Consent Decree between the United States and C.S. Garber & Sons, Inc., Elizabeth H. Garber, Executrix of the Estate of Claude W. Garber, Russell E. Garber, Jr. and Randall J. Garber, Co-Executors of the Estate of Russell E. Garber, Sr., and Joan E. Miller, Executrix for the Estate of Kathryn Reigner. Please specify which Consent Decree you are seeking and reference *United States v. CryoChem, Inc., C.S. Garber & Sons, Inc., Elizabeth H. Garber, Executrix of the Estate of Claude W. Garber, Russell E. Garber, Jr., and Randall J. Garber, Co-Executors of the Estate of Russell E. Garber, Sr., and Joan E. Miller, Executrix for the Estate of Kathryn Reigner*, DOJ #901-11-3-06815.

**Robert Brook,**

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

[FR Doc. 02-26508 Filed 10-17-02; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree; Under the Clean Water Act, the Oil Pollution Act of 1990 and State of California Law

Notice is hereby given that on September 23, 2002, a proposed consent

decree in *United States and State of California v. ExxonMobil Oil Corp.*, Civil Action No. 2:02cv07408 MMM (MANx), was lodged with the United States District Court for the Central District of California.

The consent decree resolves claims against defendant ExxonMobil Oil Corporation arising from a spill from an oil pipeline in Southern California, operated by Mobil Oil Corporation, the predecessor of defendant ExxonMobil Oil Corporation, the predecessor of defendant ExxonMobil Oil Corporation ("ExxonMobil"). The proposed complaint seeks recovery by the United States of natural resource damages and civil penalties under Section 311 of the CWA, 33 U.S.C. 1321, and Sections 1002 and 1006 of OPA, 33 U.S.C. 2702, 2706, and recovery by the State of California of natural resource damages, civil penalties, and other damages under State of California law. The proposed consent decree resolves those claims in consideration of a total payment by ExxonMobil of \$4.7 million, consisting of \$3.45 million in natural resource damages, damage assessment costs, and planning and oversight costs; \$600,000 in federal civil penalties, and \$650,000 in state civil penalties and damages.

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, D.C. 20044-7611, and should refer to *United States and State of California v. ExxonMobil Oil Corp.*, D.J. Ref. No. 90-5-1-1-06971.

The consent decree may be examined at the offices of U.S. EPA Region 9, 75 Hawthorne Street, San Francisco, California 94105. 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 a request to Tonia Fleetwood, fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy, please enclose a check in the amount of \$7.50 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Ellen M. Mahan,**

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

[FR Doc. 02-26504 Filed 10-17-02; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Modification of Consent Decree Under the Clean Water Act

Pursuant to 28 CFR 50.7, notice is hereby given that, on September 26, 2002, a proposed Stipulation modifying the Amended Consent Decree in *United States v. Government of the Virgin Islands*, Civil Action No. 84-104, was lodged with the United States District Court for the District of the Virgin Islands.

On May 10, 1985 and July 14, 1987, the Government of the Virgin Islands ("Virgin Islands") applied to the Environmental Protection Agency ("EPA"), pursuant to section 301(h) of the Clean Water Act, 33 U.S.C. 1311(h), for a waiver of secondary treatment requirements at the St. Croix Wastewater Treatment Plant ("St. Croix WWTP") and the Charlotte Amalie Wastewater Treatment Plant ("Charlotte Amalie WWTP"), respectively. On January 19, 1996, the United States District court for the District of the Virgin Islands approved an Amended Consent Decree in an action that had been filed by the United States against the Virgin Islands, on March 21, 1984, alleging violations of certain provisions of the Clean Water Act at eight of its wastewater treatment plants. The Amended Decree provided, *inter alia*, that if EPA denied either of the 301(h) waiver applications, the Virgin Islands would be required to achieve secondary treatment at the facility within three years of the effective date of EPA's final denial of the application.

On June 7, 2001, before EPA had taken action with respect to the 301(h) applications, the Virgin Islands withdrew the applications.

The United States, pursuant to this Stipulation, agrees to give the Virgin Islands additional time to complete the construction of new or upgraded facilities that will meet the secondary treatment requirements of the Clean Water Act or any more stringent requirements that may be set forth in the Territorial Pollutant Discharge Elimination System permits for the St. Croix WWTP and the Charlotte Amalie WWTP. Pursuant to the Stipulation, the Virgin Islands has until November 30, 2005 to complete construction and place into operation new or upgraded treatment facilities with respect to the St. Croix WWTP and until November 30, 2006 to complete construction and place into operation new or upgraded treatment facilities with respect to the Charlotte Amalie WWTP. Pursuant to the Stipulation, the Virgin Islands

agrees to use the services of a private contractor to design, construct, and operate (for at least 20 years) the new or upgraded facilities. The Virgin Islands has also agreed to deposit into a separate account, on an annual basis, the funds needed to design, construct, and operate (for two years) the facilities during the succeeding twelve-month period.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Stipulation. Comments should be addressed to Donald G. Frankel, Trial attorney, Department of Justice, One Gateway Center, Suite 616, Newton Massachusetts 02458 and should refer to *United States v. Government of the Virgin Islands*, D.J. Ref. 90-5-1-1-1911A.

The Stipulation may be examined at the Office of the United States Attorney, District of the Virgin Islands, Federal Building and United States Courthouse, 550 Veterans Drive, Suite 260, Charlotte Amalie, St. Thomas Virgin Islands 00802 (contact Joycelyn Hewlett at (340) 774-5757). A copy of the Stipulation 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 a request to Tonia Fleetwood, fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy, please enclose a check in the amount of \$5 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Ronald G. Gluck,**

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

[FR Doc. 02-26502 Filed 10-17-02; 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 ("CERCLA")

Notice is hereby given that a proposed consent decree in *United States and State of New Jersey v. Dominick Manzo, et al.*, C.A. Nos. 97-289 and 99-3937 (MLC) (Consolidated Actions), was lodged with the United States District Court for the District of New Jersey on September 25, 2002 (the "Consent Decree"). The Consent Decree will resolve the liability of 10 third-party generator defendants to the United States, on behalf of the United States Environmental Protection Agency, under sections 106 and 107(a) of the