

Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. §§ 9606 and 9607, with respect to the Delaware Sand & Gravel Superfund Site ("DS&G Site") located in New Castle County, Delaware, against numerous defendants, many of whom have agreed to settlement terms under prior consent decrees. Pursuant to the terms of the Consent Decree with Wilmington Fibre Specialty Company, the United States will receive a payment of \$17,500 for costs incurred in connection with the Site.

The Department of Justice will receive comments relating to the proposed Consent Decree for a period of thirty days from the date of publication of this notice. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. Hercules, et al.*, Civil Action No. 89-562-SLR, Ref. No. 90-11-2-298. The proposed Consent Decree may be examined at the office of the United States Attorney, District of Delaware, Chemical Bank Plaza, 1201 Market Street, Suite 100, Wilmington, Delaware 19899. Copies of the Consent Decree may also be examined and obtained by mail at the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005 (202-624-0892) and the offices of the Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107. When requesting a copy by mail, please enclose a check in the amount of \$5.75 (twenty-five cents per page reproduction costs) payable to the "Consent Decree Library."

Joel M. Gross,

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

[FR Doc. 96-26618 Filed 10-16-96; 8:45 am]

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

In accordance with the policy of the Department of Justice, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States v. Hudson Foods, Inc.*, Civ. No. IP93-0692-C, was lodged with the United States District Court for the Southern District of Indiana, on September 24, 1996. That action was brought against defendant pursuant to the Clean Water Act ("the Act") for penalties and injunctive relief for violations of section 307(d) of the Act, 33 U.S.C. § 1317(d), and wastewater pretreatment regulations promulgated thereunder, 40

CFR Part 403. The decree requires Hudson Foods, Inc. to pay \$501,000 in civil penalties to the United States and to perform Supplemental Environmental Projects to facilitate pollution prevention and waste reduction at certain facilities of Hudson Foods, Inc.

The Department of Justice will receive comments relating to the proposed consent decree for a period of 30 days from the date of this publication. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530. All comments should refer to *United States v. Hudson Foods, Inc.*, D.J. Ref. 90-1-1-3894.

The proposed consent decree may be examined at the office of the United States Attorney for the Southern District of Indiana, U.S. Courthouse, Fifth Floor, 46 East Ohio Street, Indianapolis, Indiana 46204, at the Region V office of the 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 may be obtained in person or by mail from the Consent Decree Library. In requesting a copy, please enclose a check in the amount of \$6.00 for the decree (25 cents per page reproduction costs) payable to the consent Decree Library. When requesting a copy, please refer to *United States v. Hudson Foods, Inc.*, D.J. Ref. 90-5-1-1-3894.

Bruce S. Gelber,

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

[FR Doc. 96-26614 Filed 10-16-96; 8:45 am]

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#### Notice of Lodging of Partial Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. §§ 9601, et seq.

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed partial consent decree in *United States v. Kaiser*, Civil Action No. 96C1743 was lodged on October 1, 1996 with the United States District Court for the Northern District of Illinois. The consent decree resolves the claims alleged against Jordan Kaiser, Walter Kaiser, Jeffrey S. Kaiser, Alfred Kleifield and Barbara Kleifield under the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. §§ 9601, et seq., ("CERCLA"). The proposed Consent

Decree provides for the payment by these settling parties of \$350,000 of the United States unrecovered response costs at the Danforth Corporation Site in Elk Grove Village, Illinois (the "Site").

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 Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Kaiser*, DOJ Ref. # 90-2-966A.

The proposed consent decree may be examined at the office of the United States Attorney, Everett McKinley Dirksen Building, 219 South Dearborn Street, Chicago, Illinois: the Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois; 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 \$6.00 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Bruce S. Gelber,

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

[FR Doc. 96-26615 Filed 10-16-96; 8:45 am]

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#### Notice of Lodging of Settlement Agreement, Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act

In accordance with Departmental policy, 28 C.F.R. 50.7, notice is hereby given that a proposed Settlement Agreement in *In re Goodell*, No. 94-34248 (Bankr. W.D. Wash.), was lodged on September 25, 1996, with the United States Bankruptcy Court for the Western District of Washington. The Settlement Agreement resolves a general unsecured claim filed by the United States on behalf of the United States Environmental Protection Agency ("EPA") in the *Goodell* bankruptcy pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. 9601 et seq.. Under the Settlement agreement, Land Sea Air Leasing Corporation ("LSA") will

withdraw its objection to EPA's claim, and EPA will receive \$70,000 for its claim.

The United States entered into the Settlement Agreement in connection with a Prospective Purchaser Agreement between EPA and Way Conn Properties, Inc. ("Way Conn"), an LSA affiliate. The Prospective Purchaser Agreement provides that Way Conn will remove all remaining contaminated soil from the property and pay EPA \$200,000 subject to a \$50,000 credit for every dollar Way Conn expends above \$50,000 in soil removal and disposal for a maximum credit of \$50,000. The 2.5 acre parcel of property subject to the Prospective Purchaser Agreement is the primary asset of the bankruptcy estate, and is located at the head of the Hylabos Waterway in the Commencement Bay/ Near Shore Tidelands Superfund Site in Tacoma, Washington.

The Department of Justice will receive, for a period of fifteen (15) days from the date of this publication, comments relating to the proposed Settlement Agreement. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *In re Goodell*, DOJ Ref. #90-11-2-1125.

The proposed Settlement Agreement may be examined at the office of the United States Attorney, 800 Fifth Avenue, Seattle, Washington, 98104; the Region 10 Office of the Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington, 98105; 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 settlement Agreement 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 \$2.25 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel Gross,

Chief, Environmental Enforcement Section,  
Environment and Natural Resources Division.  
[FR Doc. 96-26610 Filed 10-16-96; 8:45 am]

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#### Notice of Lodging of Partial Consent Decree Pursuant to the Safe Drinking Water Act

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed Partial Consent Decree in *United States v. Perry Phillips, et al.*, Civil Action No. 95-5578 (E.D.

Pa.), was lodged on September 27, 1996 with the United States District Court for the Eastern District of Pennsylvania. The proposed Partial Consent Decree resolves injunctive relief claims of the United States and the Commonwealth of Pennsylvania under the Safe Drinking Water Act ("Act") in a Complaint filed September 6, 1995 against Perry Phillips and Jeanne Phillips doing business as the Perry Phillips Mobile Home Park, which owns and operates a water system for approximately sixty residents of the Perry Phillips Mobile Home Park near Coatesville, Pennsylvania. The Complaint alleged violations of the maximum contaminant levels set forth in regulations implementing the Act for several volatile organic compounds detected in the water system for the mobile home park.

The proposed Partial Consent Decree requires Perry and Jeanne Phillips to construct a groundwater remediation system, to sample for volatile organic compounds on a monthly basis, and to notify EPA, the Pennsylvania Department of Environmental Protection ("PADEP") and the residents of the park of any violations of the Act or implementing regulations. The Partial Consent Decree reserves the rights of the United States and PADEP to seek a civil penalty at a later time.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed Partial Consent Decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC, 20530, and should refer to *United States v. Perry Phillips, et al.*, DOJ Ref. 90-5-1-1-4151.

The proposed Partial Consent Decree may be examined at the Office of the United States Attorney, Eastern District of Pennsylvania, 615 Chestnut Street, Suite 1250, Philadelphia, PA 19106; the Region III Office of the Environmental Protection Agency, 941 Chestnut Street, Philadelphia, PA 19107; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, DC 20005, 202-624-0892. A copy of the proposed Partial Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, DC 20005. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$9.25 (25 cents per page

reproduction costs), payable to the Consent Decree Library.

Joel M. Gross,

Chief, Environmental Enforcement Section,  
Environment and Natural Resources Division.  
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#### Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act

Notice is hereby given that on September 27, 1996 a proposed First Amended Consent Decree in *United States and State of California v. Shell Oil Company, Inc., et al.*, Case No. CV 91-0589 RJK(Ex) was lodged with the United States District Court for the Central District of California. This First Amended Consent Decree represents a settlement of claims against McAuley LCX Corporation ("McAuley") for costs incurred in connection with the McColl Superfund Site ("Site") in Fullerton, California under Section 107 of CERCLA, 42 U.S.C. § 9607.

Under this settlement between the United States and the State of California ("Plaintiffs") and McAuley, McAuley will pay the United States Environmental Protection Agency ("EPA") \$184,000 for past United States response costs. The First Amended Consent Decree also requires McAuley to pay the State of California \$66,000 for past State response costs.

A Consent Decree resolving claims against McAuley was previously lodged with the Court on December 1, 1995. However, subsequent to the lodging of that Consent Decree, EPA issued a Record of Decision ("ROD") regarding the groundwater remedy at the Site. As a result, the earlier Consent Decree has been amended to ensure that McAuley does not take actions that would adversely affect the implementation of this remedial action. Additionally, the First Amended Consent Decree more specifically describes the matters addressed in the Covenant Not to Sue. This First Amended Consent Decree is similar in all other material respects to the Consent Decree lodged on December 1, 1995.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed First Amended Consent Decree. 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 and State*