

conducting a removal action to address releases of tetrachloroethylene (or "PCE") from the dry cleaning operation in the soil and groundwater at the site. Under the terms of the Wolf Consent Decree, the Wolfs agree to pay the United States \$10,000 in response costs within 90 days of entry of the Consent Decree. In addition, the Wolfs agree to pledge to the United States 75% of the value of a piece of property (currently valued at approximately \$800,000), which is a portion of the Site, upon its transfer. In consideration for these payments, the Wolfs will receive a covenant not to sue for Site response costs (which, based on certain conditions, extends to future Successors in Interest or Assigns of the Wolfs' property) and contribution protection. Under the terms of the Sells Consent Decree, the Sells agree to pay the United States \$2,000 in response costs within 30 days of entry of the Consent Decree. In consideration for this payment, the Sells will receive a covenant not to sue for Site response costs and contribution protection. Under the terms of the Eberts Consent Decree, Dale Eberts agrees to pay the United States \$5,000 in response costs within 30 days of entry of the Consent Decree. In consideration for this payment, Eberts will receive a covenant not to sue for Site response costs and contribution protection. Each of these settlements is based on the Settling Defendants' limited ability to pay.

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 Decrees. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, 950 Pennsylvania Avenue, NW, Washington, D.C. 20530, and should refer to *United States v. Raymond C. Wolf, et al.* Civ. Action No. 1:99-CV-01032; D.J. Ref. No. 90-11-3-06281.

The Consent Decrees may be examined at the Office of the United States Attorney, 1800 Bank One Center, 600 Superior Avenue East, Cleveland, Ohio 44114-2600, and at the United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590. 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, D.C. 20044-7611. In requesting a copy of the Consent Decrees, please enclose a check payable to the Consent Decree Library in amount of \$16.75 (67 pages at 25 cents per page reproduction cost) for all three Consent Decrees; or \$8.75

(35 pages at 25 cents per page reproduction cost) for the Wolf Consent Decree; \$4.00 each (16 pages at 25 cents per page reproduction cost) for the Sells Consent Decree and the Eberts Consent Decree.

**Joel M. Gross,**

*Chief, Environmental Enforcement Section,  
Environment & Natural Resources Division.*  
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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under Section 107 of the Comprehensive Environmental Response, Compensation and Liabilities Act

Notice is hereby given that on July 26, 2000 a proposed Consent Decree ("Decree") in *United States v. Spokane Metals Co., et al.*, Civil Action No. CS-00-0255-FZS (E.D. Wash.), was lodged with the United States District Court for the Eastern District of Washington. The United States filed this action pursuant to sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9606 and 9607, for recovery of response costs incurred by the United States as a result of releases of various hazardous substances at the Spokane Junkyard and Associated Sites in Spokane, Washington. During its years of operation, the Spokane Metals Company purchased scrap items from many sources in eastern Washington and northern Idaho, including many used electrical transformers, large industrial batteries and large mercury switches. Releases of hazardous substances from these items over several decades contaminated the 12.5 acre site.

This Decree will require the named defendants to reimburse the United States \$680,000 for costs incurred in responding to the releases of hazardous substances, implement institutional controls, provide for the operation and maintenance at the Site, and pay EPA's future oversight costs. The Consent Decree also includes three federal PRPs as Settling Federal Agencies: the Department of Energy's Bonneville Power Administration; the Department of the Interior's Bureau of Reclamation; and the Department of the Navy.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the 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 v. Spokane Metals Co., et al.*, Civil Action No. CS-00-0255-FZS (E.D. Wash.) and D.J. Ref. #90-11-3-1020.

The Decree may be examined at the office United States Department of Justice, Environment and Natural Resources Division, Denver Field Office, 999 18th Street, North Tower Suite 945, Denver, Colorado, 80202. A copy of the Decree may also be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, D.C. 20044-7611. In requesting a copy, please enclose a check in the amount of \$15.25 for the Decree (25 cents per page reproduction cost) payable to the Consent Decree Library.

**Bruce Gelber,**

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

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## DEPARTMENT OF JUSTICE

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

Under 28 CFR 50.7, notice is hereby given that on July 25, 2000, a proposed consent decree in the case *United States v. USX Corporation*, Civil Action No. 99CV536JM, was lodged with the United States District Court for the Northern District of Indiana.

In this action the United States sought penalties for violations of Section 112(c) of the Clean Air Act, 42 U.S.C. 7412(c), and the National Emission Standard for benzene waste, 40 CFR Part 61, at its integrated steel plant located in Gary, Indiana. The proposed consent decree requires USX Corporation to pay \$587,000 in civil penalties and to remove transformers containing 45,000 pounds of poly-chlorinated biphenyls (PCBs) as a supplemental environmental project.

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, 950 Pennsylvania Avenue, NW., Washington, DC 20530, and should refer to *United States v. USC Corporation*, No. 99CV536JM, D.J. Ref. 90-5-2-1-06476.

The consent decree may be examined at the Office of the United States Attorney, 1001 Main St., Suite A, Dyer, Indiana 46311, and at U.S. EPA Region