

**DEPARTMENT OF JUSTICE****Notice of Lodging of Consent Decree Pursuant to Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)**

In accordance with Departmental policy, 28 CFR 50.7, and 42 U.S.C. 9622(d)(2), notice is hereby given that on August 12, 1997, a proposed Consent Decree in *United States v. Consolidation Coal Company, et. al.*, Civil Action No. C2-94-785, was lodged with the United States District Court for the Southern District of Ohio, Eastern Division. The proposed Consent Decree resolves the United States pending cost-recovery claims under Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9607, as well as claims under CERCLA Section 106, 42 U.S.C. 9606, for implementation of remedial action relating to the Buckeye Reclamation Landfill Site (the "Site"), located in Richland Township, Belmont County, Ohio.

The Site is a 658-acre property that was a disposal area for mine refuse until the early 1950s. In 1973, approximately 50 acres of the Site was licensed as a public sanitary landfill. The facility accepted municipal waste from local municipalities and villages, but also received industrial sludge and liquids. The estimated total volumes of industrial waste received are 4.7 million gallons of liquid and 3,300 tons of industrial solid wastes. The Site was listed on the National Priorities List on September 9, 1983.

The settling defendants (collectively, the "Settlers") are four owner/operators (Belmont County, Consolidation Coal Company, Cravat Coal Company, and Ohio Resources Corp.) and 10 generators (Allegheny Ludlum Corporation, Aristech Chemical Corporation, Ashland, Inc., Beazer East, Inc., National Steel Corporation, The Pullman Company, SKF USA, Inc., Triangle Wire & Cable, Inc., USX Corporation, and Wheeling-Pittsburgh Steel Corporation). The Settlers agree in the proposed Consent Decree to implement the clean up at the Site consistent with the Record of Decision dated August 19, 1991, as modified by the Explanation of Significant Differences dated July 17, 1997 (collectively, the "ROD") at an estimated cost of \$26 million; and to reimburse EPA all future oversight costs in excess of \$300,000.

The Department of Justice will receive comments concerning the proposed Consent Decree for a period of thirty

(30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, U.S. Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, D.C., 20044, and should refer to *United States v. Consolidation Coal Company, et al.*, DOJ Number 90-11-2-1006. Commenters may request an opportunity for a public meeting in the affected area, in accordance with Section 7003(d) of the Resource Conservation and Recovery Act, 42 U.S.C. 6973(d).

The proposed Consent Decree may be examined at any of the following offices: (1) The Office of the United States Attorney, Southern District of Ohio, 280 N. High Street, 4th Floor, Columbus, OH (614) 469-5715; (2) the U.S. Environmental Protection Agency, Region 5, 77 W. Jackson Blvd., Chicago, Illinois 60604, (312) 886-6842; (3) the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. Copies of the proposed Decree may be obtained by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005. For a copy of the Consent Decree (without attachments), please enclose a check for \$25.50 (\$.25 per page reproduction charge) payable to "Consent Decree Library."

**Bruce S. Gelber,**

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

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**DEPARTMENT OF JUSTICE****Notice of Lodging of Consent Decree Pursuant to the Oil Pollution Act of 1990**

Notice is hereby given that a proposed Consent Decree in *United States v. UNOCAL* Civil Action #H-97-2678 was lodged on August 5, 1997, with the United States District Court for the Southern District of Texas, Houston Division. The parties to the Consent Decree are the United States, on behalf of the Secretary of the Department of the Interior ("DOI" or "Federal Trustee") and the State of Texas on behalf of the Texas General Land Office ("TGLO"), the Texas Natural Resource Conservation Commission ("TNRCC"), and the Texas Parks and Wildlife Department ("TPWD") (collectively, "State Trustees") and UNOCAL. Under the terms of the Consent Decree, UNOCAL agrees to pay \$200,000 to

create 3 acres of wetlands in the Neches River basin as compensation for natural resource damages suffered as a result of a discharge of crude oil from a UNOCAL air eliminator discharge line on April 20, 1993, plus \$20,000 in future administrative costs.

Contemporaneously with lodging the Consent Decree, the United States and the State of Texas jointly filed a complaint alleging that UNOCAL is an owner or operator of the facility that released the crude oil within the meaning of the OPA.

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. UNOCAL*, DOJ Reference Number 90-5-1-1-4340.

The proposed Consent Decree may be examined 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 \$3.50 (25 cents per page reproduction costs), payable to the Consent Decree Library.

**Walker Smith,**

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

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**DEPARTMENT OF JUSTICE****Antitrust Division****Notice Pursuant to the National Cooperative Research and Production Act of 1993—National Center for Manufacturing Sciences, Inc. (Spindles Project)**

Notice is hereby given that, on July 8, 1997, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. § 4301 *et seq.* ("the Act"), the National Center for Manufacturing Sciences, Inc. ("NCMS") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its