

The Consent Decree may be examined at the Office of the United States Attorney for the Southern District of Ohio, Western Division, Potter Stuart Federal Courthouse, 5th and Walnut Streets, Room 220, Cincinnati, Ohio 45202, and at U.S. EPA Region 5, 77 West Jackson Blvd., Chicago, Illinois 60604. 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. In requesting a copy, please enclose a check in the amount of \$7.75 (25 cents per page reproduction cost) payable to the Consent Decree Library.

**William D. Brighton,**

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

[FR Doc. 01-91 Filed 1-2-02; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Request for Resubmission of Comments on Proposed Consent Decree

In accordance with Departmental Policy, 28 CFR 50.7, the Department of Justice published a notice on October 4, 2001 that a proposed consent decree in *United States v. Caribbean Airport Facilities, Inc. and Anthony Tirri*, Civil Action No. 01-2178 (JAG) (D.P.R.), had been lodged with the United States District Court for the District of Puerto Rico, and provided a public comment period that ended on November 6, 2001. The notice provided an address to which comments should be mailed.

The Department of Justice has experienced disruptions in mail delivery in October and November. To date, the Department has received no comments on the proposed consent decree in this case.

In recognition of the possibility that comments were mailed but did not reach the Department due to the mail disruptions, the Department is requesting that any persons who sent comments on the proposed consent decree during the period resubmit a copy of those comments to the Department. To be clear, the Department is *not* reopening the comment period or accepting new comments. The Department will only consider comments that were previously mailed during the comment period that ended on November 6, 2001.

Any person who submitted comments to the Department during the comment period and wishes to have those comments considered must resubmit

their comments within 10 days of the date of publication of this notice. Resubmitted comments should be sent either (1) by telecopy to Scott J. Jordan at 202-514-8865 or (2) by mail to Camille Vélez-Rivé, Assistant United States Attorney, US Attorney's Office, Room 452, Federal Office Building, Carlos Chardon Street, Hato Rey, Puerto Rico 00918.

**Mary F. Edgar,**

*Assistant Chief, Environmental Defense Section, Environment & Natural Resources Division.*

[FR Doc. 02-39 Filed 1-2-02; 8:45 am]

**BILLING CODE 4410-15-M**

## 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 partial consent decree in *United States v. The Ed Krewatch Partnership, Antonio v. Nero, Gardner Asphalt Corporation, Emulsion Products Company, and Raymond T. Hyer, Jr.*, Civil Action No. 01:659, was lodged with the United States Court for the District of Delaware on September 28, 2001.

The proposed partial consent decree pertains to the Krewatch Farm Superfund Site ("Site"), located near Seaford, Delaware. The United States has sued a number of defendants pursuant to Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9607, to recover past response costs incurred at the Site. Two defendants, Antonio V. Nero and The Ed Krewatch Partnership ("Settling Defendants"), have agreed to a settlement memorialized in the partial consent decree. In the settlement, defendant Antonio V. Nero agrees to pay \$10,000 for reimbursement of costs expended in the cleanup by the Environmental Protection Agency. Defendant The Ed Krewatch Partnership agrees to pay \$152,000 in cash and 40% of the proceeds of the sale of the farm on which the Site is located. In addition, The Ed Krewatch Partnership agrees to reimburse \$22,667.25 to the state environmental agency Delaware Department of Natural Resources and Environmental Control ("DNREC").

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, DC 20530, and should refer to *United States v. The Ed Krewatch Partnership, et al.*, DOJ Ref. # 90-11-3-07224.

The proposed consent decree may be examined at the office of the United States Attorney, District of Delaware, 1201 N. Market Street, Wilmington, DE and at the Region III Office of the Environmental Protection Agency, 1650 Arch St., Philadelphia, PA 19103. A copy of the proposed consent decree may be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$9.75 (\$.25 per page reproduction cost), payable to the Consent Decree Library.

**Robert D. Brook,**

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

[FR Doc. 02-95 Filed 1-2-02; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

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

Consistent with Departmental policy, 28 CFR 50.7 and 38 FR 19029, notice is hereby given that on November 13, 2001, a proposed Consent Decree in *United States v. Frederick Gendron, et al.*, Civil Action No. 01-422-JD, was lodged with the United States District Court for the District of New Hampshire. The proposed Consent Decree will resolve the United States' claims under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9607, as amended ("CERCLA"), on behalf of the U.S. Environmental Protection Agency ("EPA") against the defendant relating to the Gendron Junkyard Site located at 11-13 Hobbs Road in Pelham, New Hampshire (the "Site"). The Complaint alleges that the defendants are liable under Section 107 of CERCLA, 42 U.S.C. 9607, for recovery of response costs incurred at or in connection with the release or threatened release of hazardous substances at the Site.

The Consent Decree requires the Settling Defendants to pay to the U.S. EPA Hazardous Substance Superfund \$650,000 in reimbursement of past