

**DEPARTMENT OF JUSTICE****Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as Amended**

Notice is hereby given that a proposed Consent Decree in the action entitled *United States v. Hathaway-Braleley Wharf Co.*, Civil Action No. 03 CV 11259WGY (D. Mass.), was lodged on July 2, 2003, with the United States District Court for the District of Massachusetts. The proposed Consent Decree resolves claims of the United States, under Sections 106 and 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9606 and 9607(a), against Hathaway-Braleley Wharf Company, Inc. ("Hathaway-Braleley") in connection with the Atlas Tack Corporation Superfund Site ("Site") located in Fairhaven, Massachusetts. The Consent Decree will also resolve claims of the Commonwealth of Massachusetts ("Commonwealth") in connection with the Site under section 107(a) of CERCLA and section 5(a) of the Massachusetts Oil and Hazardous Material Release Prevention and Response Act, M.G.L. c. 21E.

Under the proposed Consent Decree, Hathaway-Braleley will make a payment of \$501,575 to the United States to reimburse the United States for its past and future response costs incurred in connection with the Site and \$51,125 to the Commonwealth to reimburse the Commonwealth for its past and future response costs incurred in connection with the Site. In addition, Hathaway-Braleley has agreed to record an Environmental Restriction and Easement ("ERE") with respect to the two parcels of property, totaling about 6.2 acres (the "Property"), owned by Hathaway-Braleley at the Site. The ERE will impose certain restrictions on the use of a portion of the Property and will also provide certain access rights with respect to the Property.

With respect to natural resource damages, Hathaway-Braleley has agreed to pay \$4,990 to the United States Department of the Interior and \$510 to the National Oceanic and Atmospheric Administration in order to reimburse them for damage assessment costs. In addition, Hathaway-Braleley has agreed to place a Conservation Easement and Restriction on the Property that will require the Property to be kept in its natural state in perpetuity.

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, Environment and Natural Resources Division, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Hathaway-Braleley Wharf Co.*, Civil Action No. 03 CV 11259 (D. Mass.), DOJ No. 90-11-3-06890/1. A copy of the comments should also be sent to Donald G. Frankel, Trial Attorney, Environmental Enforcement Section, Environment and Natural Resources Division, U.S. Department of Justice, One Gateway Center, Suite 616, Newton, Massachusetts 02458.

The proposed Consent Decree may be examined at EPA Region 1, One Congress Street, Suite 1100, Boston, MA 02114-2023 (contact Ronald González at (617) 918-1786), and at the Office of the United States Attorney for the District of Massachusetts, 1 Courthouse Way, Boston, Massachusetts 02210 (contact Bunker Henderson at (617) 748-3272). During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547, referencing *United States v. Hathaway-Braleley Wharf Co.*, Civil Action No. 03 CV 11259WGY (D. Mass.), DOJ No. 90-11-3-06890/1. In requesting a copy, please enclose a check in the amount of \$24 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Ronald G. Gluck,**

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

[FR Doc. 03-18052 Filed 7-16-03; 8:45 am]

**BILLING CODE 4410-15-M**

**DEPARTMENT OF JUSTICE****Notice of Lodging of a Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act**

Notice is hereby given that a proposed consent decree in *United States and State of California v. Oil & Solvent Process Company, Chemical Waste Management, Inc., Fairchild Holding Corporation, and R.H. Peterson Company.*, Consolidated Cases CV 98-0760, CV 97-8230, CV 96-6634 TJH was

lodged on July 3, 2003, with the United States District Court for Central District of California. The proposed Consent Decree would resolve claims against Fairchild Holding Corporation under sections 106 & 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9606 & 9607, as amended, for response costs incurred by the Environmental Protection Agency in connection with the release of hazardous substances at the San Gabriel Valley Superfund Sites, Suburban Operable Unit ("Site") in Los Angeles, California. Under the proposed Consent Decree, the Settling Defendant will pay \$750,000, of which \$37,500 will be paid to the State of California and \$712,500 will be paid to the Hazardous Substances Superfund to reimburse the United States for response costs incurred and to be incurred at 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, PO Box 7611, Washington, DC 20044-7611, and should refer to *United States and State of California v. Oil & Solvent Process Company, Chemical Waste Management, Inc., Fairchild Holding Corporation, and R.H. Peterson Company.*, Consolidated Cases: CV 98-0760, CV 97-8230, CV 96-6634 TJH, DOJ Ref. # 90-11-3-1691.

The Consent Decree may be examined at the Region 9 Office of the Environmental Protection Agency, 75 Hawthorne Street, San Francisco, CA 94105 and the United States Attorney's Office for the Central District of California, Federal Building, 300 North Los Angeles Street, Los Angeles, California 90012 c/o Assistant United States Attorney Suzette Clover. A copy of the consent decree may also be obtained by mail from the Consent Decree Library, Post Office Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$12.00 (25 cents per page reproduction

costs), payable to the United States Treasury.

**W. Benjamin Fisherow,**

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

[FR Doc. 03-18048 Filed 7-16-03; 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 Departmental Policy, 28 U.S.C. 50.7, notice is hereby given that on June 26, 2003, a proposed Consent Decree in *United States v. Tifa Realty, Inc. and Tifa Ltd.*, Civil Action No. 03-3056 (JCL) was lodged with the United States District Court for the District of New Jersey.

In this action the United States, on behalf of the United States Environmental Protection Agency ("EPA"), sought cost recovery with respect to the Asbestos Dump Superfund Site, located in Long Hill Township, Morris County, New Jersey ("the Site"), under the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA") against Tifa Realty, Inc. and Tifa Ltd. ("Tifa"). Under the terms of the proposed settlement, Tifa will pay approximately \$965,000 to reimburse the United States for costs incurred by EPA at the Site. This settlement amount is based on Tifa's limited ability to pay the full amount of EPA's unreimbursed response costs. The proposed settlement also provides for payment of \$1 million by the United States, on behalf of the United States Navy and the Army Corps of Engineers, to satisfy a claim for contribution under CERCLA by Tifa. This settlement amount of behalf of the Navy and Corps will also partially reimburse EPA's response costs incurred at 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 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, DC 20044-7611, and should refer to *United States v. Tifa Realty, Inc. and Tifa Ltd.*, D.J. Ref. 90-11-3-07175.

The Consent Decree may be examined at the Office of the United States Attorney, 970 Broad Street, 7th Floor, Newark, New Jersey 07102, and at U.S.

EPA Region II, 290 Broadway, 17th Floor, New York, New York 10007-1866. During the public comment period, the Consent Decree, may also be examined on the following Department of Justice website, <http://www.usdoj.gov/enrd/open.html>. 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 or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax number (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$8.75 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Ronald Gluck,**

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

[FR Doc. 03-18053 Filed 7-16-03; 8:45 am]

**BILLING CODE 4410-15-M**

**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Proposed Consent Decree**

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States v. Tuckahoe Turf Farms, Inc. and Tuckahoe Land Investment Co.*, Civ. No. 03-157-PS (D. Maine), was lodged with the United States District Court for the District of Maine on June 26, 2003. This proposed Consent Decree concerns a complaint filed by the United States of America against Tuckahoe Turf Farms, Inc. and Tuckahoe Land Investment Co., pursuant to subsections 309(b) and (d) of the Clean Water Act, 33 U.S.C. 1319(b), (d), to obtain injunctive relief and impose civil penalties against the Defendants for unlawfully discharging dredged or fill materials into waters of the United States at two sites located in Berwick, York County, Maine.

The proposed Consent Decree requires the Defendants to pay a civil penalty for their unauthorized discharges into waters of the United States. The proposed Consent Decree further requires the Defendants to develop and complete a wetland restoration project to restore and replace ecological functions and values lost as a result of their allegedly unlawful discharge activities. In addition, the Defendants have agreed to establish and maintain a supplemental environmental project ("SEP"), which consists of a conservation easement to preserve

wetland and upland buffer habitat in and around the vicinity of the sites.

The Department of Justice will receive written comments relating to this proposed Consent Decree 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, Attention: Joshua M. Levin, PO Box 23986, Washington, DC 20026-3986. Please refer to the matter of *United States v. Tuckahoe Turf Farms, Inc.*, DJ Reference No. 90-5-1-1-16745.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the District of Maine, 156 Federal Street, Portland, Maine 04101. In addition, the proposed Consent Decree may be viewed on the World Wide Web at <http://www.usdoj.gov/enrd/enrd-home.html>.

**Scott A. Schachter,**

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

[FR Doc. 03-18049 Filed 7-16-03; 8:45 am]

**BILLING CODE 4410-15-M**

**DEPARTMENT OF JUSTICE**

**Bureau of Alcohol, Tobacco, Firearms and Explosives**

**Agency Information Collection Activities: Proposed Collection; Comments Requested**

**ACTION:** 30-Day Notice of Information Collection Under Review: Extension of a currently approved collection, Manufacturers of Ammunition, Records and Supporting Data of Ammunition Manufactured and Disposed of.

The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** Volume 68, Number 75, page 19226 on April 18, 2003, allowing for a 60-day comment period.

The purpose of this notice is to allow for an additional 30 days for public comment until August 18, 2003. This process is conducted in accordance with 5 CFR 1320.10.