

May 6, 2005, proposed Consent Decrees in *United States v. Brook Village Associates Limited Partnership and United States v. Centerdale Manor Associates*, Civil Action No. 05-CV-195, were lodged with the United States District Court for the District of Rhode Island. The proposed Consent Decrees resolve the United States' claims under Sections 106 and 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9606 and 9607(a), and Section 7003 of the Resource Conservation and Recovery Act, 42 U.S.C. 6973, against Brook Village and Centerdale Manor relating to natural resource damages and response costs that have been or will be incurred at or from a Site known as the Centerdale Manor Restoration Project Superfund Site located in North Providence, Rhode Island. These settlements are based in part upon Brook Village's and Centerdale Manor's limited ability to pay. The Brook Village Consent Decree requires Brook Village to pay a total of \$1,451,936 as follows: \$1,129,331.12 to the United States Environmental Protection Agency ("EPA"), which will be placed in a Superfund special account; \$68,450 to the Department of the Interior ("DOI") for natural resource damages and assessment costs; \$150,000 to an escrow account to cover Brook Village's ongoing obligations under previous enforcement orders; \$104,154.88 to the State of Rhode Island; and 75% of any future insurance recoveries shall be paid to EPA. The Centerdale Manor Consent Decree requires Centerdale Manor to pay \$2,311,364 as follows: \$1,920,004.88 to EPA, which will be placed in a Superfund special account; \$68,450 to DOI for natural resource damages and assessment costs; \$150,000 to an escrow account to cover Centerdale Manor's ongoing obligations under previous enforcement orders; \$172,909.12 to the State; and 100% of any future insurance recoveries shall be paid to EPA. The Brook Village and Centerdale Manor Consent Decrees provide covenants not to sue and contribution protection to Brook Village and Centerdale Manor and to current and former general and limited partners, and their officers, directors, heirs, successors and assigns, but only to the extent that the alleged liability of such persons is based solely on their status as and in their capacity as a partner, officer, director, heir, successor, or assign of Brook Village or Centerdale Manor. The Consent Decrees also provide a covenant not to sue and contribution protection to the Rhode

Island Housing and Mortgage Finance Corporation.

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, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Centerdale Manor*, and/or *United States v. Brook Village*, D.J. Ref. 90-11-3-07101.

The proposed Consent Decree may be examined at the Office of the United States Attorney, Fleet Center, 50 Kennedy Plaza, 8th Floor, Providence, Rhode Island 02903 and at U.S. EPA, Region 1, One Congress Street, Boston, MA. 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 proposed Consent Decrees 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), fax no. (202) 514-0097, phone confirmation no. (202) 514-1547. For a copy of the proposed Consent Decree including the signature pages and attachments, please enclose a check in the amount of \$14.00 (25 cents per page reproduction cost) payable to "U.S. Treasury."

Bruce S. Gelber,

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

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act

Notice is hereby given that on April 1, 2005, an electronic version of a proposed consent decree was lodged in *United States v. Helena Chemical Company*, Civil Action No. 1:05-985 (D.S.C.). The consent decree settles the United States' claims against Helena Chemical Company under section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9607, in connection with the Helena Chemical Superfund Sites: The Helena Superfund Site located on Highway 321 South, approximately one mile south of

Fairfax, Allendale County, South Carolina and the Helena Superfund Site located at 2405 North 71st Street in Tampa, Hillsborough County, Florida (the "Sites"). The proposed decree is a final consent decree for past and future costs incurred at both sites. Under the terms of the consent decree, Defendant, Helena Chemical Company, will pay to the United States the sum of \$998,500.00 plus interest for past costs incurred by the United States in connection with remedial action at both sites to be paid in six installments within 630 days of entry of the Lodged consent decree. Defendant also agrees to pay all future oversight costs incurred by the United States in connection with remedial actions at both sites.

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. Helena Chemical Company*, Civil Action No. 1:05-985 (D.S.C.) and DOJ #90-11-3-07136.

The consent decree may be examined at the Office of the United States Attorney for the District of South Carolina, 1441 Main Street, Columbia, South Carolina 29201. During the public comment period, the consent decree may 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, 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, 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 \$6.75 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Ellen M. Mahan,

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

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DEPARTMENT OF JUSTICE

Notice of Lodging of Partial Consent Decree Under the Clean Water Act

Notice is hereby given that on May 3, 2005, a proposed Partial Consent Decree