

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

Notice is hereby given that on May 25, 2007, a proposed Consent Decree in *United States v. Brown*, Civil Action No. 4:05-3586-RBH (D.S.C.), was lodged with the United States District Court for the District of South Carolina. The proposed Consent Decree resolves the United States' claim under Section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9607(a), relating to response costs incurred at the Henry Wood Superfund Site, located near Hemingway, Williamsburg County, South Carolina. The Consent Decree requires Hardy D. Brown to pay \$140,000 to the United States in partial reimbursement of response costs EPA 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, Environmental and Natural Resource Division, and either e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Brown*, D.J. Ref. 90-11-3-08257.

The proposed Consent Decree may be examined at the Office of the United States Attorney, 1441 Main Street, Suite 500, Columbia, DC 29201 and at U.S. EPA Regional IV, 61 Forsyth Street, SW., Atlanta, GA 30303. 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/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.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](mailto:tonia.fleetwood@usdoj.gov)), Fax no. (202) 514-0097, Phone confirmation no. (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$4 (25 cents per page reproduction cost) payable to the "U.S. Treasury" or, if by e-mail or Fax, forward a check in that

amount to the Consent Decree Library at the stated address.

**Henry S. Friedman,**

*Assistant Section Chief, Environmental Enforcement Section, Environmental 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**

In accordance with Department of Justice policy, notice is hereby given that on May 22, 2007, a proposed consent decree ("Consent Decree") in *United States v. Capital Tax Corporation, et al.*, Civil Action No. 04-cv-04138, was lodged with the United States District Court for the Northern District of Illinois.

The Consent Decree would resolve claims against two of the four defendants—Steve Pedi and Frank Pedi ("Pedi Defendants")—for (i) unreimbursed past response cost incurred by the United States related to the removal action at the National Lacquer and Paint Superfund Site ("Site") in Chicago, Illinois; (ii) penalties and punitive damages for failure to comply with Environmental Protection Agency orders related to the Site; and (iii) fraudulent transfers of real property. Under the Consent Decree, the Pedi Defendants would pay a total of \$330,000 in past response costs by December 31, 2007. This amount was determined based on Steve Pedi's ability to pay a judgment as calculated by a Department of Justice financial analyst.

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, and either e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box No. 7611 Washington, DC 20044-7611, and should refer to *United States v. Capital Tax Corporation, et al.*, Civil Action No. 04-cv-04138, D.J. Ref. 90-11-2-08218.

The Consent Decree may be examined at the Office of the United States Attorney, 219 S. Dearborn Street, Suite 500, Chicago, Illinois 60604, and at U.S. EPA Region 5, 77 W. Jackson Blvd., Chicago, IL 60604-4590. 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/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.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 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 \$7.75 (31 pages at 25 cents per page reproduction cost) payable to the U.S. Treasury.

**William D. Brighton,**

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**DEPARTMENT OF JUSTICE****Notice of Lodging of Consent Decrees Under the Comprehensive Environmental Response, Compensation, and Liability Act**

Notice is hereby given that on May 21, 2007, proposed Consent Decrees in *United States and the State of Indiana v. General Motors Corp., et al.*, Civil Action No. 3:07CV239RL ("Generator Consent Decree"), and in *United States v. David N. Lindsay*, Civil Action No. 3:07CV240RL ("Lindsay Consent Decree") were lodged with the United States District Court for the Northern District of Indiana, South Bend Division.

In these related actions, the United States sought to recover response costs that it had incurred at or in connection with the Lakeland Disposal Service, Inc., Superfund Site in Kosciusko County, Indiana (the "Site"), against alleged generators of hazardous waste disposed of at the Site ("Generator Consent Decree") and against Mr. David Lindsay, an alleged former owner and operator of the Site ("Lindsay Consent Decree"), pursuant to Section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9607(a). The United States also sought injunctive relief, pursuant to Section 106 of CERCLA, 42 U.S.C. 9606, against alleged generators of hazardous waste disposed of at the Site ("Generator Consent Decree"), requiring that the alleged generators take action to abate conditions at or near the Site that may present an imminent and substantial endangerment to the public health or welfare or the environment because of actual and threatened releases of