

against the Joseph A. Schiavone Corporation and The Schiavone Corporation under Section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. § 9607(a), for past response costs incurred at the Jack's Creek/Sitkin Smelting Superfund Site in Mifflin County, Pennsylvania. The Partial Consent Decree requires Joseph A. Schiavone Corporation and The Schiavone Corporation, collectively, to pay \$685,000.00 to the United States.

The Department of Justice will accept written comments on the proposed Partial Consent Decrees for thirty (30) days from the date of publication of this notice. Please address comments to the Assistant Attorney General, Environmental and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, DC 20044-7611 and refer to *United States v. American Scrap Company*, DOJ Ref. No. 90-11-2-911/1.

Copies of the proposed Partial Consent Decrees may be examined at the Office of the United States Attorney, Middle District of Pennsylvania, 228 Walnut Street, Harrisburg, PA 17108, and at EPA Region III, 1650 Arch Street, Philadelphia, PA 19103-2029. Copies of the proposed Partial Consent Decrees may also be obtained by mail from the U.S. Department of Justice, Consent Decree Library, P.O. Box 7611, Washington, DC 20044-7611, or by faxing a request to Tonia Fleetwood, facsimile No. (202) 514-0097, phone confirmation No. (202) 514-1547. When requesting copies, please enclose a check to cover the twenty-five cents per page reproduction costs payable to the "Consent Decree Library" in the amount of \$5.75 (for the Ohio Brass Decree) or \$5.75 (for the Schiavone Decree), and reference *United States v. American Scrap Company*, DOJ Ref. No. 90-11-2-911/1.

**Robert D. Brook,**

*Assistant Chief, Environmental Enforcement Section, Environment and Natural Resources Division, U.S. Department of Justice.*

[FR Doc. 02-9377 Filed 4-17-02; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Resource Conservation and Recovery Act and the Clean Air Act

Pursuant to 28 CFR § 50.7, notice is hereby given that, on April 3, 2002, a proposed consent decree in *United States v. Cooley, Inc.*, Civil Action No. 02-156, was lodged with the United

States District Court for the District of Rhode Island.

In this action the United States sought civil penalties and injunctive relief with respect to violations of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. 6901 *et seq.*, and the Clean Air Act ("CAA"), 42 U.S.C. 7401 *et seq.*, at the facility operated by Cooley, Inc. ("Cooley") in Pawtucket, Rhode Island. The complaint alleges that Cooley violated a number of RCRA requirements including, *inter alia*, the storage of hazardous waste without a permit, the failure to keep containers of hazardous waste on good condition, the failure to conduct weekly inspections, the failure to provide proper training of employees, and the failure to properly label hazardous waste containers. The complaint also alleges that Cooley violated the CAA by making certain modifications to its Pawtucket facility without obtaining a permit and by failing to comply with certain recordkeeping requirements relating to its usage of volatile organic compounds. Under the terms of the consent decree, Cooley has agreed to comply with the applicable provisions of RCRA and the CAA, to pay a penalty of \$325,000, and to implement a Supplemental Environmental Project ("SEP") involving a project whereby waste plastics will be used to produce flooring material.

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 Donald G. Frankel, Trial Attorney, Department of Justice, One Gateway Center, Suite 616, Newton, Massachusetts 02458 and should refer to *United States v. Cooley, Inc.*, D.J. Ref. 90-7-1-06423.

The consent decree may be examined at the Office of the United States Attorney, Westminster Square Building, 10 Dorrance Street, Providence, Rhode Island 02903 (contact Michael Iannotti at 401-528-5477), and at U.S. EPA-New England, 1 Congress Street, Suite 1100, Boston, Massachusetts 02114-2023 (contact Hugh Martinez at 617-918-1867). 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 a request to Tonia Fleetwood, Fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy, please enclose a check in the amount of \$15.25

(25 cents per page reproduction cost) payable to the U.S. Treasury.

**Ronald G. Gluck,**

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

[FR Doc. 02-9375 Filed 4-17-02; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Clean Air Act ("CAA")

Consistent with the policy set forth in the Department of Justice regulations at 28 CFR 50.7, notice is hereby given that on April 4, 2002, a proposed Consent Decree was lodged with the United States District Court for the Eastern District of Michigan, in *United States et al. v. Rouge Steel Co.*, Civil Action Nos. 00-75452 and 0075454, consolidated. The proposed Consent Decree settles claims asserted by the United States, on behalf of the U.S. Environmental Protection Agency, pursuant to section 113(b) of the Clean Air Act, 42 U.S.C. 9613(b), and the federally enforceable State Implementation Plan ("SIP"), at the Rouge Steel manufacturing facility in Dearborn, Michigan. The United States' case was consolidated with an action filed by Wayne County, Michigan, which the Michigan Department of Environmental Quality ("MDEQ") subsequently joined. The proposed Consent Decree also settles the County and MDEQ CAA claims. The Consent Decree also settles claims asserted by the United States under Sections 3004(n) and 3005 of the Resource Conservation and Recovery Act, 42 U.S.C. 6924(n) and 6925.

The Consent Decree requires Rouge Steel to pay a total of \$458,000 in civil penalties, of which \$396,000 is for alleged violations of SIP emission limits at the company's facility. To ensure ongoing compliance with applicable limits, the Decree also requires Rouge Steel to perform certain demonstration tests at its various emission sources.

The Department of Justice will receive written comments relating to the proposed Consent Decree for thirty (30) days from the date of publication of this notice. Comments should be directed to the Assistant Attorney General, Environment and Natural Resources Division, U.S. Department of Justice, Washington, DC 20530, and should refer to *United States et al. v. Rouge Steel Co.* DOJ Reference # 90-5-2-1-2211/1.

The proposed Consent Decree may be examined at the Office of the United States Attorney for the Eastern District of Michigan, 211 West Fort Street, Suite

2001, Detroit, Michigan 48266 (contact Peter A. Caplan, (313) 226-3800), and at the offices of the U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590 (contact Gaylene Vasaturo, (312) 886-1811). Copies may also be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044-7611. In requesting copies, please refer to the case name and DOJ reference number and enclose a check in the amount of \$11.25 (25 cents per page reproduction cost) payable to the Consent Decree Library.

**William D. Brighton,**

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

[FR Doc. 02-9398 Filed 4-17-02; 8:45 am]

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## DEPARTMENT OF JUSTICE

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

Notice is hereby given that a proposed consent decree in *United States v. Royal Recovery Systems, Inc. and Elliot Packer*, Civ. No. 02-1148 (WGB), was lodged on March 21, 2002 with the United States District Court for the District of New Jersey. The Consent Decree concerns hazardous waste contamination at the Royal Recovery Systems, Inc. Superfund Site (the "Site"), located in Newark, Essex County, New Jersey. The Consent Decree, which takes into account the Settling Defendants' limited ability to pay, would resolve the liability of Elliot Packer and Royal Recovery Systems, Inc. against whom the United States filed a complaint on behalf of the United States Environmental Protection Agency ("EPA") for reimbursement of past response costs incurred by the United States in connection with the Site. EPA incurred approximately \$342,000 in past response costs relating to this Site. Under the terms of the Consent Decree, the Settling Defendants would be obligated to pay the United States \$70,000 plus interest. In addition to this amount, Defendant Packer may be required to pay the United States an additional sum of up to \$40,000 in three years.

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. Royal Recovery Systems, et al.*, DOJ Ref. #90-11-3-06154.

The proposed consent decree may be examined at the office of the United States Attorney for the District of New Jersey, 502 Federal Building, 970 Broad Street (contact Assistant United States Attorney Susan Cassell); and the Region II Office of the Environmental Protection Agency, 290 Broadway, New York, New York 10007-1866 (contact Assistant Regional Counsel, Muthu Sundram). A copy of the proposed consent decree may be obtained by mail from the Consent Decree Library, P.O. Box 7611, Washington, DC 20044-7611 or by faxing a request to Tonia Fleetwood, fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$6.00 (25 cents per page reproduction costs) for the Consent Decree, payable to the U.S. Treasury.

**Ronald Gluck,**

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

[FR Doc. 02-9376 Filed 4-17-02; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons

**AGENCY:** Department of Justice.

**ACTION:** Policy guidance document.

**SUMMARY:** The United States Department of Justice (DOJ) is publishing for public comment policy guidance on Title VI's prohibition against national origin discrimination as it affects limited English proficient persons. This policy guidance is intended to supplant the policy guidance published January 19, 2001.

**DATES:** Comments must be submitted on or before May 20, 2002. DOJ will review all comments and will determine what modifications, if any, to this policy guidance are necessary.

**ADDRESSES:** Interested persons should submit written comments to Ms. Merrily Friedlander, Chief, Coordination and Review Section, Civil Rights Division, Department of Justice, 950 Pennsylvania

Avenue, NW-NYA, Washington, DC 20530; Comments may also be submitted by facsimile at 202-307-0595.

#### FOR FURTHER INFORMATION CONTACT:

Christine Stoneman or Sebastian Aloat at the Civil Rights Division, 950 Pennsylvania Avenue, NW-NYA, Washington, DC 20530. Telephone 202-307-2222; TDD: 202-307-2678.

Arrangements to receive the policy in an alternative format may be made by contacting the named individuals.

**SUPPLEMENTARY INFORMATION:** The purpose of this policy guidance is to further clarify the responsibilities of recipients of federal financial assistance from the U.S. Department of Justice (DOJ) ("recipients"), and assist them in fulfilling their responsibilities to limited English proficient (LEP) persons, pursuant to DOJ regulations implementing Title VI of the Civil Rights Act of 1964. The policy guidance explains that to avoid discrimination against LEP persons on the ground of national origin, recipients must take reasonable steps to ensure that LEP persons have meaningful access to the programs, services, and information those recipients provide, free of charge.

Guidance on recipients' obligations to take reasonable steps to ensure access to programs and activities by persons with limited English proficiency was originally published on January 16, 2001 and became effective immediately. See 66 FR 3834. That document, like the following guidance, was based on policy guidance issued by the Department of Justice entitled "Enforcement of Title VI of the Civil Rights Act of 1964—National Origin Discrimination Against Persons with Limited English Proficiency." 65 FR 50123 (August 16, 2000).

On January 18, 2002, the January 16, 2001 guidance document was republished for additional public comment. See 67 FR 2671. Over 75 comments were received, and the following guidance was developed after review and consideration of those comments. Prior comments on the original guidance need not be re-submitted.

On March 14, 2002, the Office of Management and Budget (OMB) issued a Report To Congress titled "Assessment of the Total Benefits and Costs of Implementing Executive Order No. 13166: Improving Access to Services for Persons with Limited English Proficiency." The Report made several recommendations designed to minimize confusion and ensure that funds dedicated to LEP services best advance meaningful access for LEP individuals.