

The draft EIS/study is expected to be completed and available for public review in August, 2002. After public and interagency review of the draft document, comments will be considered and a final EIS followed by a Record of Decision will be prepared.

Dated: December 11, 2001.

**Sandra Corbett,**

*Superintendent, Boston Support Office.*

[FR Doc. 02-6041 Filed 3-12-02; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Bureau of Reclamation

#### Increasing the Storage Capacity of Gerber Reservoir, Klamath Project, OR

**AGENCY:** Bureau of Reclamation, Interior.

**ACTION:** Notice of Intent to prepare a draft environmental impact statement.

**SUMMARY:** Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, as amended, the Bureau of Reclamation (Reclamation) proposes to prepare a draft environmental impact statement (EIS) on increasing the storage capacity of Gerber Reservoir, Klamath Project, Oregon.

Reclamation will develop several alternatives to increase the storage capacity of Gerber Reservoir while improving water quality, consistent with protecting fish and wildlife. This potential increase in water supply is needed to help meet the growing water needs in the Klamath River basin, to improve water quality, to facilitate the efforts of the State of Oregon to resolve water rights claims in the Upper Klamath River basin, including facilitation of Klamath tribal water rights claims, and to reduce conflicts over water between the Upper and Lower Klamath River basins.

**FOR FURTHER INFORMATION CONTACT:** Mr. Gary Baker, Program Manager, Klamath Basin Area Office, 6600 Washburn Way, Klamath Falls, OR 97603; telephone (541) 883-6935.

#### SUPPLEMENTARY INFORMATION:

##### Background

Reclamation is studying the feasibility of increasing the storage capacity of Gerber Reservoir, a feature of the Klamath Project. The Klamath Project is a Federal reclamation project in southern Oregon and northern California. Reclamation is undertaking this feasibility study under the authority of Section 2 of the Klamath Basin Water Supply Enhancement Act of 2000 (Pub. L. 106-498) (hereafter referred to as the

Enhancement Act). The Enhancement Act authorizes and directs the Secretary of the Interior to engage in feasibility studies of increasing the storage capacity and/or yield of Klamath Project facilities, including Gerber Reservoir.

Reclamation's Technical Service Center engineers in Denver, Colorado, completed a preliminary evaluation in May 1999 to increase the height of Gerber Dam to raise the maximum surface level of the reservoir by up to 3 feet. Reclamation then initiated an appraisal study in October 2000. After the Enhancement Act was enacted, Reclamation discontinued the appraisal study and proceeded directly to a feasibility study. The feasibility study now underway will evaluate the May 1999 study in detail and will consider a range of increased surface levels for the reservoir to increase the storage capacity. Alternatives will be bounded by engineering, economic, and/or environmental considerations.

#### Public Scoping Process

Scoping for this project began in June 2001 and continued into early fall. News releases and scoping information packets announced public open houses and invited public comments from individuals and groups throughout the Klamath Basin Project area. Later, other news releases and information packets cancelled the informal open houses and extended the date to provide written scoping comments. The extension would allow the written scoping comments to be included in a scoping summary. As a result of the comments received, Reclamation developed a report entitled, "Scoping Summary, Feasibility Study of Increasing the Storage Capacity of Gerber Reservoir, Klamath Project, Oregon, January 2002." (Summary). During the spring of 2002, Reclamation will solicit public review and comments on the Summary to ensure that significant issues have not been overlooked.

Dated: February 25, 2002.

**Frank Michny,**

*Environmental Officer.*

[FR Doc. 02-6021 Filed 3-12-02; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Amendments to Consent Decree

Notice is hereby given that on February 21, 2002, amendments to the consent Decree filed in *United States v. Marine Shale Processors, Inc.*, Civ. No. CV90-1240, were lodged with the

United States District Court for the Western District of Louisiana. The original Consent Decree was filed on February 19, 1998, and was modified by an Order of the Court dated February 23, 1999, and again on June 13, 2001.

In this action against Marine Shale Processors, Inc., ("MSP") the United States sought to recover civil penalties and enjoin violations of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. 6901 *et seq.*, the Clean Water Act, 33 U.S.C. 1251 *et seq.*, and the Clean Air Act, 42 U.S.C. 7413. The United States also sought relief under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9604, 9606, and 9607. MSP operated a facility in Morgan City, Louisiana that treated hazardous waste by combustion.

These amendments would extend: (1) The date for the purchase of the facility from MSP, and (2) the date by which Earthlock may make a Continuation Election. Under these proposed amendments, on or before March 22, 2002, Earthlock must either make a Continuation Election, seek a Vacating Order, or seek an extension until April 22, 2002 in which to make its decision. If Earthlock seeks an extension until April 22, and subsequently seeks a Vacating Order, Earthlock would be required to pay the sum of \$50,000 to Plaintiffs.

The Department of Justice will receive comments relating to these amendments until noon on March 21, 2002. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. Marine Shale Processors, Inc.*, D.J. Ref. 90-11-2-204. Comments may be sent via telecopier to Darlene Lyons, fax number (202) 514-2583, phone confirmation no. (202) 514-1605.

The consent decree amendments may be examined at the Office of the United States Attorney, Hale Boggs Federal Building, 501 Magazine Street, New Orleans, LA 70130, at U.S. EPA Region VI, 1445 Ross Avenue Dallas, TX 75202-2733, and at the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611. A copy of the consent decree amendments may be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611. A copy of the proposed Consent Decree may also be obtained by faxing a request to Tonia Fleetwood, Department of Justice Consent Decree Library, fax no. (202)