

with the cultural items may contact the Grand Rapids Public Museum.

DATES: Representatives of any Indian tribe that believes it has a cultural affiliation with the cultural items should contact the Grand Rapids Public Museum at the address below by March 21, 2013.

ADDRESSES: Marilyn Merdzinski, Director of Education & Interpretation, Grand Rapids Public Museum, 272 Pearl St. NW., Grand Rapids, MI 49501, telephone (616) 929-1801.

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent to repatriate cultural items in the possession of the Grand Rapids Public Museum that meet the definition of unassociated funerary objects under 25 U.S.C. 3001.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American cultural items. The National Park Service is not responsible for the determinations in this notice.

History and Description of the Cultural Item(s)

At an unknown date, one unassociated funerary object was removed from a mound at an unknown location in Kentucky and acquired by the Grand Rapids Public Museum from a source with the initials "K.S.I." (likely Kent Scientific Institute, the former name of the Grand Rapids Public Museum). The object is a stone human effigy vessel that was identified in the museum records as a "[w]aterbottle of sundried (probably Peruvian Indian make) clay for burial with dead S (W?), KY." Digital images of the object were reviewed by the Chickasaw Nation Preservation and Repatriation Department and a professor at Murray State University. It was determined that this vessel was identical to a human effigy vessel from Wickcliffe Mounds, KY, and likely affiliated with the Chickasaw Nation. In the Great Chickasaw Cession of 1818, lands were ceded in western Kentucky to the U.S. Government and traditional tribal hunting and trading routes covered a large portion of Kentucky. Therefore, it is conceivable that this stone human effigy vessel is culturally affiliated with the Chickasaw Nation.

In May and November of 1912, one lot of unassociated funerary objects was removed from an unknown location

near Tupelo in Lee County, MS, by W. C. Wyman. At an unknown date, the lot of unassociated funerary objects was sold to Dr. Ruth Herrick by an unknown person. In 1974, the lot of unassociated funerary objects was bequeathed to the Grand Rapids Public Museum by Dr. Ruth Herrick. The lot of unassociated funerary objects is identified in the Grand Rapids Public Museum's records as "large beads, glass, shell, and bone, early trade beads." Digital images of these objects were reviewed by the Chickasaw Nation Preservation and Repatriation Department, who determined that these objects are likely affiliated with the Chickasaw Nation.

At an unknown date, 1 lot of unassociated funerary objects was removed from an unknown location near Tupelo in Lee County, MS, by an unknown individual. At an unknown date, the lot of unassociated funerary objects was acquired by Dr. Ruth Herrick. In 1974, the lot of associated funerary objects was bequeathed to the Grand Rapids Public Museum by Dr. Ruth Herrick. The lot of unassociated funerary objects is identified in the Grand Rapids Public Museum's records as "animal bone and shell beads, identified by donor and G. Olson." Digital images of these objects were reviewed by the Chickasaw Nation Preservation and Repatriation Department, who determined that these objects are likely affiliated with the Chickasaw Nation. Documented evidence of Chickasaw occupation in northern Mississippi supports cultural affiliation of the two lots of unassociated funerary objects from Lee County, MS, with the Chickasaw Nation.

Determinations Made by the Grand Rapids Public Museum

Officials of the Grand Rapids Public Museum have determined that:

- Pursuant to 25 U.S.C. 3001(3)(B), the 3 cultural items described above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony and are believed, by a preponderance of the evidence, to have been removed from a specific burial site of a Native American individual.

- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the unassociated funerary objects and the Chickasaw Nation.

Additional Requestors and Disposition

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the unassociated funerary

objects should contact Marilyn Merdzinski, Director of Education & Interpretation, Grand Rapids Public Museum, 272 Pearl St. NW., Grand Rapids, MI 49501, telephone (616) 929-1801 March 21, 2013. Repatriation of the unassociated funerary objects to the Chickasaw Nation may proceed after that date if no additional claimants come forward.

The Grand Rapids Public Museum is responsible for notifying the Chickasaw Nation that this notice has been published.

Dated: January 25, 2013.

Melanie O'Brien,

Acting Manager, National Native American Graves Protection and Repatriation Act Program.

[FR Doc. 2013-03655 Filed 2-15-13; 8:45 am]

BILLING CODE 4312-50-P

DEPARTMENT OF JUSTICE

Notice of Lodging 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. Smith Farm Enterprises, L.L.C.*, Civil Action No. 2:13-CV-00024-RGD-LRL, was lodged with the United States District Court for the Eastern District of Virginia on January 16, 2013.

This proposed Consent Decree concerns a complaint filed by the United States against Smith Farm Enterprises, L.L.C., pursuant to Section 309 of the Clean Water Act, 33 U.S.C. 1319, to obtain injunctive relief and recover civil penalties from the Defendant for alleged violations of the Clean Water Act by discharging pollutants into waters of the United States without and in violation of required Clean Water Act permits. The proposed Consent Decree resolves these allegations by requiring the Defendant to restore impacted areas, perform mitigation and pay a civil penalty.

The Department of Justice will accept written comments relating to this proposed Consent Decree for thirty (30) days from the date of publication of this Notice. Please address comments to David J. Kaplan, Senior Attorney, United States Department of Justice, Environment and Natural Resources Division, P.O. Box 7611, Washington, DC 20044-7611, and refer to *United States v. Smith Farm Enterprises, L.L.C.*, DJ #90-5-1-7-19117.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the Eastern District of Virginia, Walter E. Hoffman

United States Courthouse, 600 Granby Street, Norfolk, VA 23510. In addition, the proposed Consent Decree may be viewed at http://www.justice.gov/enrd/Consent_Decrees.html.

Cherie L. Rogers,

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

[FR Doc. 2013-03688 Filed 2-15-13; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Oil Pollution Act of 1990 and the Clean Water Act

On February 12, 2013, the Department of Justice lodged a proposed consent decree with the United States District Court for the District of Kansas in the lawsuit entitled *United States v. Coffeyville Resources Refining & Marketing L.L.C.*, Civil Action No. 11-CV-1291-JTM-JPO.

The United States of America, on behalf of the United States Environmental Protection Agency (EPA) and the United States Coast Guard, filed a Complaint in this action asserting the following claims against Defendant Coffeyville Resources Refining & Marketing, L.L.C. ("CRRM" or "Defendant") that included claims (1) for penalties and injunctive relief under Sections 301 and 311 of the Clean Water Act ("CWA"), 33 U.S.C. 1311, 1321, relating to a June 30 and July 1, 2007 discharge of approximately 2,145 barrels of crude oil, diesel fuel, and oily water from several sources within CRRM's Coffeyville, Kansas petroleum Refinery; and (2) for reimbursement of removal costs, interest, administrative costs and attorneys' fees under Section 1002(a) of the Oil Pollution Act of 1990 ("OPA"), 33 U.S.C. 2702(a), incurred by the United States Oil Spill Liability Trust Fund ("OSLTF") in responding to the 2007 oil discharge.

The proposed Consent Decree settles these claims. Under the settlement, CRRM will undertake measures designed to prevent future oil discharges and pay a penalty of \$566,244. It will also reimburse the OSLTF \$1,746,256 in response costs

incurred with respect to the 2007 discharge.

The publication of this notice opens a period for public comment on the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Coffeyville Resources Refining & Marketing L.L.C.*, D.J. Ref. No. 90-5-2-1-07459/4. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	Send them to:
By email ...	pubcomment-ees.enrd@usdoj.gov .
By mail	Assistant Attorney General U.S. DOJ—ENRD P.O. Box 7611 Washington, DC 20044-7611.

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department Web site: http://www.usdoj.gov/enrd/Consent_Decrees.html. We will provide a paper copy of the Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Please enclose a check or money order for \$8.25 (25 cents per page reproduction cost) payable to the United States Treasury.

Robert E. Maher, Jr.,

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

[FR Doc. 2013-03675 Filed 2-15-13; 8:45 am]

BILLING CODE 4410-15-P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Settlement Under the Clean Air Act

On February 13, 2013, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the District of Kansas in the lawsuit entitled *United States v. Koch Nitrogen Company, LLC*, Civil Action No. 13-cv-02078.

The Complaint states claims on behalf of the United States against Koch Nitrogen Company, LLC, for its violations of the Risk Management Program requirements of the Clean Air Act and 40 CFR part 68 at three of its chemical processing facilities near Ft. Dodge, IA, Dodge City, KS, and Marshalltown, IA. Koch Nitrogen Company, LLC, will resolve its liability by paying a \$380,000 civil penalty, and will receive a covenant-not-to-sue from the United States.

The publication of this notice opens a period for public comment on the consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Koch Nitrogen Company, LLC*, D.J. Ref. No. 90-5-2-1-09892. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	Send them to:
By email ...	pubcomment-ees.enrd@usdoj.gov .
By mail	Assistant Attorney General U.S. DOJ—ENRD P.O. Box 7611 Washington, DC 20044-7611.

During the public comment period, the consent decree may be examined and downloaded at this Justice Department Web site: http://www.usdoj.gov/enrd/Consent_Decrees.html. We will provide a paper copy of the consent decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Please enclose a check or money order for \$2.50 (25 cents per page reproduction cost) payable to the United States Treasury.

Robert E. Maher, Jr.,

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

[FR Doc. 2013-03733 Filed 2-15-13; 8:45 am]

BILLING CODE 4410-15-P