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**Bruce S. Gelber,**

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

[FR Doc. 07-5028 Filed 10-11-07; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Additional Time To Comment Regarding Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act and the Resource Conservation and Recover Act

On August 23, 2007, notice was published in the **Federal Register** that on August 10, 2007, a proposed Consent Decree (the "Consent Decree") in *United States v. BFI Waste Systems of North America, Inc. et al.*, Civil Action No. 07 C 4499, was lodged with the United States District Court for the Northern District of Illinois. 72 FR 48301 (August 23, 2007). However, the **Federal Register** notice displayed on erroneous e-mail address as an option where comments on the Consent Decree could be directed. A correction was published in the **Federal Register** providing the correct e-mail address after the error was discovered. 72 FR 52203 (September 12, 2007). The period of time for members of the public to comment on the proposed Consent Decree closed on September 24, 2007. To make sure that members of the public have had sufficient time to transmit comments by e-mail to the Department of Justice, the comment period is hereby extended, as described further below.

In this action the United States sought, pursuant to Sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9606 and 9607, injunctive relief and the recovery of cost incurred by the United States in responding to a release or threat of release of hazardous substances at or from the Wauconda Sand and Gravel Superfund Site (the "Site") located in Lake County, Illinois, at or near to the

Village of Wauconda. Under the proposed Consent Decree, the settling defendants will complete the connection of over 400 homes to the Village of Wauconda's municipal water works, expand the Village's municipal water works to accommodate the increased demand, perform operation and maintenance at the Site, and conduct groundwater monitoring activities. The proposed Consent Decree also requires the Settling Defendants to pay past and future response costs incurred by the United States relating to the Site. In addition, the proposed Consent Decree also includes a covenant not to sue under Sections 106 and 107 of CERCLA and under Section 7003 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. 6973.

The Department of Justice will receive for an additional period of time ending fourteen (14) 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 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. BFI Waste Systems of North America, Inc. et al.*, D.J. Ref. No. 90-11-2-153/1.

The Consent Decree may be examined at the Office of the United States Attorney, 219 South Dearborn Street, Chicago, Illinois 60604, and at U.S. EPA Region 5, 77 West Jackson Blvd., Chicago, Illinois 60604. During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site, to [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 \$37.00 (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. In requesting a copy exclusive of exhibits and defendants' signatures, please enclose a check in the amount of

\$18.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**William D. Brighton,**

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

[FR Doc. 07-5031 Filed 10-11-07; 8:45 am]

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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 October 3, 2007, a proposed Consent Decree is *United States and State of Oklahoma v. BNSF Railway Company*, Case No. 5:07-cv-1080, was lodged with the United States District Court for the Western District of Oklahoma.

The proposed Consent Decree resolves claims alleged by the United States, on behalf of the United States Environmental Protection Agency ("EPA"), and the United States Department of the Interior ("DOI"), against the BNSF Railway Company, under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9601 *et seq.* The claims were alleged in a Complaint filed with the Court on September 25, 2007 which sought to recover response costs incurred and to be incurred and natural resource damages at the Double Eagle Superfund Site in Oklahoma City, Oklahoma. The proposed Consent Decree also resolves similar claims alleged by the State of Oklahoma in the Complaint. The proposed Consent Decree provides that the BNSF Railway Company, which sent approximately 50,000 gallons of waste diesel fuel for disposal at the Site, will pay the United States and the State of Oklahoma \$300,000 in response costs and natural resource damages. The Consent Decree represents a settlement with the BNSF Railway Company as a *de minimis* party pursuant to section 122 of CERCLA, 42 U.S.C. 9622.

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, 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 and State of Oklahoma v. BNSF*

*Railway Company*, D.J. Ref. No. 90–11–2–857/2.

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 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 no. (202) 514–1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$7.75 (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.

**Thomas A. Mariani, Jr.,**

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

[FR Doc. 07–5048 Filed 10–11–07; 8:45 am]

**BILLING CODE 4410–15–M**

## DEPARTMENT OF JUSTICE

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

Notice is hereby given that a proposed consent decree in *United States v. City of Hastings, et al.*, Civil Action No. 8:07–cv–00365–LES–FG3 was lodged on September 14, 2007 with the United States District Court for the District of Nebraska. The United States filed this action pursuant to the Comprehensive Environmental Response, Compensation and Liability Act seeking clean up of groundwater contamination and recovery of costs incurred at the North Landfill Subsite (“Subsite”), one of the six subsites of the Hastings Ground Water Contamination Superfund Site located in Adams County, Nebraska.

The Consent Decree resolves the United States’ claims by requiring the defendants the City of Hastings, Dravo Corporation, and Dutton-Lainson Company to implement the final remedial design/remedial action for the ground water operable unit and to pay the United States’ past and future costs related to the Subsite. Under the Decree, the U.S. Navy will make an initial payment to the defendants of \$250,000 and after the clean up is completed, pay

the defendants 25% of their Response Costs in excess of \$1,000,000.

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, 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. City of Hastings, et al.* DOJ Ref. #90–11–2–1260/7.

The proposed consent decree may be examined at the office of the United States Attorney, 1620 Dodge Street, Omaha, Nebraska 68102, and at the Region VII Office of the Environmental Protection Agency, 901 North Fifth Street, Kansas City, Kansas 66101. During the public comment period, the proposed consent decree may also be examined on the Department of Justice Web site, at [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy of the proposed 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 number (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 \$42.25 (or \$12.00, for a copy that omits the exhibits and signature pages) (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.

**Robert E. Maher, Jr.**

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

[FR Doc. 07–5030 Filed 10–11–07; 8:45 am]

**BILLING CODE 4410–15–M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Air Act

Notice is hereby given that on October 2, 2007, a proposed Consent Decree in *United States et al. v. Evergreen Pulp, Inc.*, Civil Action No. C 07–05067 SBA, was lodged with the United States District Court for the Northern District of California.

In this action the United States, the California Air Resources Board (ARB) and the North Coast Air Quality

Management District (NCAQMD) sought civil penalties and injunctive relief under the Clean Air Act and state law against Evergreen Pulp, Inc. at its wood pulp mill located in Samoa, California. The Consent Decree requires Evergreen Pulp, Inc. to: (1) Pay a civil penalty of \$300,000 to the United States; (2) pay a civil penalty of \$300,000 to ARB; (3) pay a civil penalty of \$300,000 to NCAQMD; and (4) install air pollution control equipment.

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 7611, U.S. Department of Justice, Washington, DC 20044–7611, with a copy to Ann Hurley, U.S. Department of Justice, 301 Howard Street, Suite 1050, San Francisco, CA 94105, and should refer to *United States et al. v. Evergreen Pulp, Inc.*, D.J. Ref. #90–5–2–17–08786.

The Consent Decree may be examined at U.S. EPA Region 9, Office of Regional Counsel, 75 Hawthorne Street, San Francisco, California. 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 \$11.75 (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 Friedman,**

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

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