

improvements that would allow USBWC to meet its mandate for flood protection while minimizing potential impacts and taking advantage of environmental improvement opportunities. Potential consequences of the MPM Alternative were evaluated relative to the No Action Alternative, which is continuation of current O&M activities. A Draft PEIS was released for a 45-day public review period on August 10, 2007. Comments on the Draft PEIS were received from four federal agencies, four California State agencies, the County of San Diego, the City of Imperial Beach, and two individual reviewers. Oral comments were also received from three presenters during a public hearing held in the City of Imperial Beach, California on August 30, 2007. The Notice of Availability of the Final PEIS was published in the **Federal Register** on May 14, 2008.

**Finding:** Because of its potential to improve biological resources and environmental conditions, the MPM Alternative was identified as the preferred option for long-term improvement to the Tijuana River FCP. In implementing the MPM Alternative, the USBWC will continue to improve functionality and maintenance of the Tijuana River FCP to meet its mandate for flood control while supporting regional initiatives for improvement of environmental conditions, including improved water quality and wildlife habitat development, both within the floodway and downstream from the Tijuana River FCP.

**Availability:** Copies of the Record of Decision may be obtained by request at the above address. Electronic copies may also be obtained from the USBWC Home Page at: <http://www.ibwc.gov>.

Dated: July 10, 2008.

**Susan Daniel,**  
General Counsel.

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Order To Amend the Consent Decree Under the Clean Air Act

Notice is hereby given that on July 10, 2008, a proposed Order to amend the Consent Decree in *United States v. Premier Industries, Inc.*, Civil Action No. ED CV 07-01092 (SGL) (OPx), was lodged with the United States District Court for the Central District of California.

The proposed Order modifies the Consent Decree entered by the Court in

this matter in January 2008. The Consent Decree resolved the United States' claims against Premier under Section 113(b) of the Clean Air Act ("CAA"), 42 U.S.C. 7413(b), for alleged violations of the CAA and the federally approved California State Implementation Plan, including South Coast Air Quality Management District Rule 1175, at an expandable polystyrene foam block manufacturing facility it owned in Chino, CA ("Facility"). The proposed Order allows the Defendant to utilize, under prescribed operating parameters, two Newly-Identified EPS Beads ("NIEPS Bead") which EPA has approved for use at the Facility. The proposed Order also establishes a process whereby Defendant can request approval, from EPA and without further action by the Court, to use additional NIEPS Bead.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication, comments relating to the proposed Order. 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. Premier Industries, Inc.*, D.J. Ref. 90-5-2-1-08413.

The proposed Order may be examined at the Office of the United States Attorney, 300 North Los Angeles Street, Los Angeles, CA 90012, and at U.S. EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105. During the public comment period, the proposed Order 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 Order 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. When requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$2.25 for the proposed Order (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 Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. E8-16243 Filed 7-15-08; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Settlement Agreement Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)

Notice is hereby given that on July 9, 2008, a proposed Settlement Agreement Regarding the Coeur d'Alene "Box" Site was filed with the United States Bankruptcy Court for the Southern District of Texas in *In re ASARCO LLC, et al.*, Case No. 05-21207 (Bankr. S.D. Tex.). The Coeur d'Alene "Box" Site consists of Operable Units 1 and 2 of the Bunker Hill Mining and Metallurgical Complex Superfund Site in Idaho. The proposed settlement provides the United States and the State of Idaho a joint allowed general unsecured claim of \$10 million and provides the United States an additional separate allowed general unsecured claim of \$6.8 million. In addition, the proposed settlement provides for the transfer to the United States of certain properties (the "Page Properties," as defined in the settlement) and for their contemporaneous transfer to the State of Idaho pursuant to 42 U.S.C. 9604(j) for the purpose of performing remedial action within the Site.

For thirty (30) days after the date of this publication, the Department of Justice will receive comments relating to the Settlement Agreement. 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. In either case, comments should refer to *In re Asarco LLC*, Case No. 05-21207 (Bankr. S.D. Tex.), D.J. Ref. No. 90-11-3-08633. Commenters may request an opportunity for a public meeting in the affected area, in accordance with Section 7003(d) of RCRA, 42 U.S.C. 6973(d).

The proposed Settlement Agreement may be examined at: the Office of the United States Attorney for the Southern District of Texas, 800 North Shoreline Blvd., #500, Corpus Christi, TX 78476-2001; and the Region 10 Office of the