

Environmental Protection Agency ("U.S. EPA") in a September 1999 Record of Decision ("ROD"). The City of Waukegan, IL (the "City") will perform the operation and maintenance ("O&M") portion of the remedy relating to soil cleanup at the Site using funds in an escrow account established by the Performing Settling Defendants. The Owner Settling Defendants, the City and Larsen Marine Service, Inc., are obligated to provide the access agreements and institutional controls required to implement the selected remedy. The Buyout Settling Defendant, Elgin Joliet & Eastern Railway Co., will pay GM and North Shore 10% of the cost of the remedial action, pursuant to a separate agreement among the Settling Defendants. The total cost of the remedial action is estimated to be approximately \$27 million.

The Performing Settling Defendants will pay U.S. EPA's and the State of Illinois' (the "State's") Interim Response Costs, primarily oversight costs paid or incurred between September 2002 and the effective date of the Consent Decree. In addition, the Performing Settling Defendants will pay all U.S. EPA's Future Response Costs excluding the first \$1.35 million of Future Oversight Costs.

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, United States Department of Justice, Washington, DC 20530, and should refer to *United States, et al., v. City of Waukegan, Illinois, et al.*, Civil No. 04-C-5172 (N.D. Ill.), and DOJ Reference No. 90-11-3-07051. 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 consent decree may be examined at: (1) The Office of the United States Attorney for the Northern District of Illinois, 219 South Dearborn Street, 5th Floor, Chicago, IL 60604, (312-252-1994); and (2) the United States Environmental Protection Agency (Region 5), 77 West Jackson Blvd., Chicago, IL 60604-3507 (contact: Susan Tennenbaum (312-886-0273)). A copy of the proposed consent decree may be obtained by mail from the Consent Decree Library, U.S. Department of Justice, P.O. Box 7611, Washington, DC 20044-7611. In requesting a copy, please refer to the referenced case and DOJ Reference Number and enclose a check in the amount of \$23.50 for the

consent decree only (94 pages, at 254 cents per page reproduction costs), or \$123.00 for the consent decree and all appendices (492 pages), made payable to the Consent Decree Library.

**W. Benjamin Fisherow,**

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

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## 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 of America v. Yellowstone Mountain Club, LLC, et al.*, No. CV 04-58-BU-RWA, (D. Mt.) was lodged with the United States District Court for the District of Montana on August 9, 2004.

This proposed Consent Decree concerns a complaint filed by the United States against Yellowstone Mountain Club, LLC, Yellowstone Development, LLC, Blixseth Group, Inc. and The Ranches of Yellowstone Club, LLC pursuant to section 309(b) and (d) of the Clean Water Act ("CWA"), 33 U.S.C. 1319 (b) and (d), to obtain injunctive relief from and impose civil penalties against the Defendants for violating the Clean Water Act by discharging pollutants without a permit into waters of the United States. The proposed Consent Decree resolves these allegations by requiring the Defendants to restore impacted areas, perform mitigation and to 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 Leif Johnson, Assistant United States Attorney, P.O. Box 1478, Billings, Montana 59103 and refer to *United States of America v. Yellowstone Mountain Club, LLC, et al.* and DJ # 90-5-1-1-16831.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the District of Montana, Butte Division, 303 Federal Building, 400 North Main St., Butte, Montana 59701. In addition, the proposed Consent Decree may be

viewed at <http://www.usdoj.gov/enrd/open.html>.

**Scott Schachter,**

*Assistant Chief, Environmental Defense Section, Environment & Natural Resources Division.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-39,573]

#### Cooper Wiring Devices—Georgetown, SC; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on August 29, 2001, applicable to workers of Cooper Wiring Devices, Assembly Department, Georgetown, South Carolina. The notice was published in the **Federal Register** on September 11, 2001 (66 FR 47241). The certification was amended on March 8, 2002 to include all workers of the Georgetown, South Carolina location of the subject firm. The notice was published in the **Federal Register** on April 22, 2002 (67 FR 19590).

At the request of a company official, the Department reviewed the certification for workers of the subject firm. The workers were engaged in the production of wiring devices.

New information shows that Mr. Tony Johnson was retained at the subject firm beyond the August 29, 2003 expiration date of the certification. Mr. Johnson completed the close-down process until his termination on November 30, 2003.

Based on these findings, the Department is amending the certification to extend the August 29, 2003 expiration date for TA-W-39,573 to read November 30, 2003.

The intent of the Department's certification is to include all workers of Cooper Wiring Devices, Georgetown, South Carolina, who were adversely affected by a shift in production to Mexico.

The amended notice applicable to TA-W-39,573 is hereby issued as follows:

All workers of Cooper Wiring Devices, Georgetown, South Carolina, who became totally or partially separated from employment on or after June 27, 2000, through November 30, 2003, are eligible to