

**DEPARTMENT OF THE INTERIOR****Bureau of Land Management**

[MT-921-03-1320-EL-P; MTM 92544]

**Notice of Invitation—Coal Exploration License Application MTM 92544****AGENCY:** Bureau of Land Management, Interior.**ACTION:** Notice of invitation.

**SUMMARY:** Members of the public are hereby invited to participate with Kiewit Mining Group, Inc., in a program for the exploration of coal deposits owned by the United States of America in the following-described lands located in Prairie County, Montana, encompassing 240.00 acres:

T. 11 N., R. 49 E., P. M. M.  
 Sec. 21: NE $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$   
 Sec. 22: NE $\frac{1}{4}$ SE $\frac{1}{4}$   
 Sec. 27: NW $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$   
 Sec. 28: SW $\frac{1}{4}$ NE $\frac{1}{4}$

**SUPPLEMENTARY INFORMATION:** Any party electing to participate in this exploration program shall notify, in writing, both the State Director, Bureau of Land Management, PO Box 36800, Billings, Montana 59107-6800, and Kiewit Mining Group, Inc., PO Box 3, Decker, Montana 59025. Such written notice must refer to serial number MTM 92544 and be received no later than June 16, 2003 or 10 calendar days after the last publication of this Notice in *The Terry Tribune*, Terry, Montana, or *The Miles City Star*, Miles City, Montana, newspapers, whichever is later. This Notice will be published once a week for two (2) consecutive weeks in *The Terry Tribune*, Terry, Montana and *The Miles City Star*, Miles City, Montana.

The proposed exploration program is fully described, and will be conducted pursuant to an exploration plan to be approved by the Bureau of Land Management. The exploration plan, as submitted by Kiewit Mining Group, Inc., is available for public inspection at the Bureau of Land Management, Montana State Office, 5001 Southgate Drive, Billings, Montana, during regular business hours (9 a.m. to 4 p.m.), Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** Robert Giovanini, Mining Engineer, or Connie Schaff, Land Law Examiner, Branch of Solid Minerals (MT-921), Bureau of Land Management, Montana State Office, PO Box 36800, Billings, Montana 59107-6800, telephone (406) 896-5084 or (406) 896-5060, respectively.

Dated: April 15, 2003.

Randy D. Heuscher,

Chief, Branch of Solid Minerals.

[FR Doc. 03-12062 Filed 5-14-03; 8:45 am]

BILLING CODE 4310-SS-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 the case of *United States of America, Plaintiff v. Charles E. Corbett, Jr., Defendant*, Civil Action No. 4:03-0166-25 (D.S.C.), was lodged with the United States District Court for the District of South Carolina, Florence Division, on May 2, 2003. This proposed Consent Decree concerns a complaint filed by the United States of America against Charles E. Corbett, Jr., pursuant to sections 301(a) and 309(b) and (d) of the Clean Water Act, 33 U.S.C. 1311(a) and 1319(b) and (d), to obtain injunctive relief from, and impose civil penalties against, the Defendant for unauthorized discharge of dredged or fill material into waters of the United States in connection with the development of a portion of a 4.724 acre site adjacent to Gravelly Gully Circle on Highway 544 near the City of Conway, Horry County, South Carolina.

The proposed Consent Decree prohibits any further discharge of pollutants into waters of the United States and requires the payment of civil penalties in the amount of \$5,000.

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 Joseph P. Griffith, Jr., Assistant United States Attorney, P.O. Box 978, Charleston, South Carolina, 29402 and refer to *United States of America v. Charles E. Corbett, Jr.*

The proposed Consent Decree may be examined at the Clerk's office, United States District Court for the District of South Carolina, Florence Division, 401 W. Evans Street, Florence, South Carolina 29501. In addition, the proposed Consent Decree may be viewed on the World Wide Web at <http://www.usdoj.gov/enrd/home.html>.

Joseph P. Griffith Jr.,

Assistant United States Attorney, 151 Meeting Street, Ste. 200, P.O. Box 978, Charleston, S.C. 29402, (843) 266-1667 (tel), (843) 727-4443 (fax), [joseph.griffith@usdoj.gov](mailto:joseph.griffith@usdoj.gov).

[FR Doc. 03-12052 Filed 5-14-03; 8:45 am]

BILLING CODE 4419-15-M

**DEPARTMENT OF JUSTICE****Notice of Lodging of Settlement Stipulation Under the Comprehensive Environmental Response, Compensation and Liability Act**

Notice is hereby given that on April 30, 2003, a proposed Stipulation and Agreement in *United States of America et al. v. The Ed Krewatch Partnership, et al.*, C.A. No. 01-660 (D. Del.), was lodged with the United States District Court for the District of Delaware.

In this action the United States has sought to recover costs incurred by the United States Environmental Protection Agency ("EPA") in 1996-1997, under Section 104(a) of the Comprehensive Environmental Response, Compensation and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9604(a), at the Drum Burial Area of the Krewatch Farm Site. The United States settled its claims against The Ed Krewatch Partnership and Anthony Nero in 2001 and simultaneously sued Gardner Asphalt Corporation ("GAC"), Raymond T. Hyer, Jr. ("Hyer"), and Emulsion Products Company ("Emulsion"). The Stipulation and Agreement will resolve the liability of GAC, Hyer and Emulsion for their liability under Section 107 of CERCLA, 42 U.S.C. 9607.

The Krewatch Farm Site is located near Seaford, Delaware. EPA conducted a removal action at the Drum Burial Area of the Site to remove buried drums and soil which had become contaminated with hazardous substances. In settlement, Hyer and Emulsion have agreed to pay the sum of \$300,000 over a five year period. Upon the District Court's approval of the Stipulation and Agreement, Hyer and Emulsion will receive a covenant not to sue from the United States. GAC will receive its covenant not to sue when the principal amount of the settlement and all accumulated interest have been paid. All defendants will receive contribution protection when the Stipulation and Agreement are approved by the Court. In the event Hyer and Emulsion fail to pay an installment, the United States has the right to seek entry of a judgment against them in the District Court, as soon as 10 days after the payment is due. The only defense to entry of judgment would be that payment has been made.

Upon the District Court's approval of the Stipulation and Agreement, the United States will move to dismiss a declaratory judgment action filed in the United States Bankruptcy Court for the Southern District of Florida, in which the United States has been seeking declaratory rulings that the discharge of