

States Attorney for the Southern District of Indiana, U.S. Courthouse—5th Floor, 46 East Ohio Street, Indianapolis, IN 46204 (contact Asst. U.S. Attorney Thomas Kieper (317)–26–6333)), and at U.S. EPA Region 5, 7th Floor Records Center, 77 West Jackson Blvd., Chicago, Illinois 60604 (contact Assoc. Regional Counsel Larry Johnson (312)–886–6609)). During the public comment period, the proposed consent decree may also be examined on the following Department of Justice Web site <http://www.usdoj.gov/enrd/open.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) 514–1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$12.50 (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.

**William Brighton,**

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

[FR Doc. 06–8297 Filed 9–26–06; 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 September 1, 2006, a proposed Consent Decree (“Decree”) in *United States v. Ford Motor Company*, Civil Action No. 4:06–1311 was lodged with the United States District Court for the Eastern District of Missouri.

In this action the United States sought civil penalties and injunctive relief for alleged violations of the industrial refrigerant repair, testing, record-keeping, and reporting regulations at 40 CFR part 82, subpart F, 82.150–82.166, (“Recycling and Emission Reduction”), promulgated pursuant to Subchapter VI of the Clean Air Act (“Stratospheric Ozone Protection”), 42 U.S.C. 7671–7671q. The alleged violations relate to one industrial process refrigeration appliance, which leaked chlorofluorocarbons, at Defendant’s assembly plant located in Hazelwood, Missouri.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Decree. Comments should

be addressed to the Assistant Attorney General, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044–7611, and should refer to *United States v. Ford Motor Company*, D.J. Ref. 90–5–2–1–08127.

The Decree may be examined at the Office of the United States Attorney, Eastern District of Missouri, 111 South Tenth Street, Room 20.333, St. Louis, Missouri 63102, and at U.S. EPA Region VII 901 North Fifth Street, Kansas City, Kansas 66101. During the public comment period, the 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 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 \$5.50 (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 R. Maher, Jr.,**

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

[FR Doc. 06–8296 Filed 9–26–06; 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 on September 12, 2006 a proposed Consent Decree in *United States v. Mallinckrodt et. al*, Civil Action No. 4:02CV1488, was lodged with the United States District Court for the Eastern District of Missouri. In this action the United States sought recovery of response costs incurred by the Environmental Protection Agency at the Great Lakes Container Corporation Superfund Site located in St. Louis, Missouri. The Consent Decree settles claims under CERLA against Lafarge Road Marking, Inc., f/k/a CenterLine Industries, Inc., f/k/a Traffic Paint Mfg., Inc. CHEMCENTRAL H.Q. Corporation, f/k/a Missouri Solvents & Chemical Company, Croda Inks Corporation, and

Engineered Lubricants Co. The Consent Decree requires each Settling Defendant to pay the EPA Hazardous Substance Superfund \$45,713.12 for reimbursement of past response costs.

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, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044–7611, and should refer to *United States v. Mallinckrodt, et. al*. D.J. Ref. 90–11–3–07280. The Consent Decree may be examined at the Office of the United States Attorney, Thomas F. Eagleton U.S. Courthouse, 111 South 10th Street, 20th Floor, St. Louis, MO 63102, and at U.S. EPA Region VII, 901 North 5th Street, Kansas City, Kansas 66025. 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 \$4.00 (without attachments) or \$5.50 (with attachments) for *United States v. Mallinckrodt, et. al*. (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Robert Maher,**

*Assistant Section Chief, Environmental Enforcement Section.*

[FR Doc. 06–8299 Filed 9–26–06; 8:45 am]

**BILLING CODE 4410–15–M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Between the United States and Seaboard Foods LP

Under 28 CFR 50.7, notice is hereby given that on September 15, 2006, a proposed consent decree (“Consent Decree”) between the United States and Seaboard Foods LP (“Seaboard”) was lodged with the United States District Court for the Western District of Oklahoma (Civil Action Number: 06–cv–00989–R).

The Consent Decree would resolve claims asserted by the United States in

a Complaint filed on the same day against Seaboard seeking injunctive relief and the assessment of civil penalties for violations of the Clean Water Act (CWA), 33 U.S.C. 1311 *et seq.*, and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9601 *et seq.*, at Seaboard's concentrated animal feeding operations (CAFOs) in the states of Oklahoma, Colorado, Kansas, and Texas.

Specifically, the Complaint alleges that, due to construction activity at its Dorman South Sow Farm Site, located in Beaver County, Oklahoma, Seaboard was required to obtain coverage under the National Permit Discharge Elimination System ("NPDES") General Permit for Construction Activities (or obtain an individual NPDES permit) and to develop and implement a stormwater pollution prevention plan. In the course of these construction activities, as well as construction activities at one or more of its other CAFO facilities, Seaboard allegedly disturbed greater than five acres and discharged pollutants, including eroded soil, sediment, and other substances associated with earth-disturbing activities, into waters of the United States, without a permit, as required by the Clean Water Act.

In addition, the United States alleges that Seaboard had releases of ammonia emissions in excess of 100 pounds per day at its Choate Sow Farm, located in Kingfisher County, Oklahoma, as well as at one or more other facilities owned by Seaboard. The Complaint alleges that Seaboard failed to timely notify the U.S. Environmental Protection Agency's National Response Center, as required by section 103(a) of CERCLA, 42 U.S.C. 9603(a), regarding these releases.

The Consent Decree provides for the payment of a civil penalty of \$205,000 and requires Seaboard to implement stormwater discharge and erosion measures at 16 farms, as well as to establish and maintain buffer strips surrounding sensitive wetland areas at 17 farms—which are located in Kingfisher, Beaver, or Texas County, Oklahoma. In addition, for five years after entry, the Consent Decree requires Seaboard to apply for and comply with the terms of the Construction General Permit at any new or existing Seaboard facility where there is construction that disturbs greater than one acre, regardless of whether the construction is likely to result in a discharge to a water of the United States.

The Consent Decree acknowledges that Seaboard has certified its compliance with the requirements set forth in section 103(a) of CERCLA, 42

U.S.C. 9603(a) and section 304 of the Emergency Planning and Community Right to Know Act ("EPCRA"), 42 U.S.C. 11004, to report continuous releases of certain air emissions from listed facilities in Oklahoma, Texas, Kansas and Colorado. As such, the Consent Decree resolves the civil claims of the United States under section 109(c) of CERCLA, 42 U.S.C. 9609(c), and section 325 of EPCRA, 42 U.S.C. 11045, through the date of lodging, for Seaboard's failure to notify the National Response Center, in violation of section 103 of CERCLA, 42 U.S.C. 9603, and for Seaboard's failure to notify the state emergency response commissions and local emergency planning committees, in violation of section 304 of EPCRA, 42 U.S.C. 11004, at each of the listed facilities.

Finally, the Consent Decree notes that EPA issued a Monitoring Request to Seaboard Farms, Inc. (now Seaboard Foods LP) and Mission Funding, LLC on April 2, 2002, pursuant to section 114 of the Clean Air Act, 42 U.S.C. 7414, directing it to undertake, complete, and report upon the monitoring, measuring, and estimating of certain air pollutants. The Consent Decree resolves any civil claims of the United States under section 113(b) of the CAA, 42 U.S.C. 7413(b), for failure to comply with this Request, and states that entry of the Decree will serve to withdraw the Request. In this regard, the lodging of this Decree on or before September 15, 2006, serves to validate a separate Order of the U.S. EPA Environmental Appeals Board which directly addresses the monitoring of air pollutants from Seaboard's facilities, entitled *Consent Agreement and Proposed Final Order for Animal Feeding Operations—Seaboard Foods LP* (August 21, 2006).

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, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Seaboard Food LP*, Civil Action No. 06-cv-00989-R; D.J. Ref. No. 90-5-1-1-07570.

The Consent Decree may be examined at the Office of the United States Attorney, Western District of Oklahoma, 210 Park Avenue, Suite 400, Oklahoma City, OK 73102, and at U.S. EPA Region VI, 1445 Ross Avenue, Dallas, TX 75202-2733. 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 \$15.25 (61 pages at 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.*

[FR Doc. 06-8287 Filed 9-26-06; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Between the United States and Seaboard Foods LP and PIC USA, Inc.

Under 28 CFR 50.7, notice is hereby given that on September 15, 2006, a proposed consent decree ("Consent Decree" between the United States and Seaboard Foods LP and PIC USA, Inc. was lodged with the United States District Court for the Western District of Oklahoma (Civil Action Number: 06-cv-00990-R).

The Consent Decree would resolve claims asserted by the United States in a Complaint filed on the same day against Seaboard Food LP and PIC USA, Inc. (collectively, "Defendants") seeking injunctive relief and assessment of civil penalties for violations of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. 6901 *et seq.*, at certain concentrated animal feeding operations in Oklahoma that are now owned and/or operated by Seaboard Foods LP and were, at the relevant time, owned and/or operated by PIC USA, Inc.

Specifically, the Complaint alleges that on June 26, 2001, EPA issued an Administrative Order pursuant to RCRA 7003(b), 42 U.S.C. 6973(b), Order No. RCRA-06-2001-0908, to Seaboard Farms, Inc. (now Seaboard Foods LP) and PIC International Group, Inc., concerning the following farms: (a) Lacey (a.k.a. Bryan Sow & Norris Farms), located in Kingfisher County, Oklahoma; (b) Lacey 3 (a.k.a. Watson), located in Kingfisher County,