

identify whether some or all of the areas proposed in 1973 still meet wilderness recommendation criteria, and if there are other refuge areas could meet the criteria.

Proper conservation, management, and interpretation of the refuge's cultural resources, including archaeological sites and historic buildings, constitute an additional management issue. Additional issues may be identified during public scoping.

#### Public Availability of Comments

Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us to withhold it from public review, we cannot guarantee we will be able to do so.

Dated: May 22, 2009.

**David J. Wesley,**

*Acting Regional Director, Region 1, Portland, Oregon.*

[FR Doc. E9-15271 Filed 6-26-09; 8:45 am]

**BILLING CODE 4310-55-P**

#### DEPARTMENT OF JUSTICE

##### Notice of Lodging of Consent Decree Under the Residential Lead-Based Paint Hazard Reduction Act

Notice is hereby given that on June 18, 2009 a proposed Consent Decree in *United States v. Carmen Neapolitan*, Civil Action No. 4:09CV1396 was lodged with the United States District Court for the Northern District of Ohio.

The consent decree settles claims against the owner of twenty-five residential properties located in or near Youngstown, Ohio. The claims were brought on behalf of the Environmental Protection Agency ("U.S. EPA") and the Department of Housing and Urban Development ("HUD") under the Residential Lead-Based Paint Hazard Reduction Act, 42 U.S.C. 4851 *et seq.* ("Lead Hazard Reduction Act"). The United States alleged in the complaint that the Defendant failed to make one or more of the disclosures or to complete one or more of the disclosure activities required by the Lead Hazard Reduction Act.

Under the Consent Decree, the Defendant will certify that it is complying with residential lead paint notification requirements. The Defendant will submit a plan for window replacement work and will replace all windows known to or

believed to contain lead-based paint in all residential properties owned by Defendant that are not certified lead-based paint free. In addition, Defendant will pay an administrative penalty of \$2,000.

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 U.S. Department of Justice, Washington, DC 20044-7611, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Carmen Neapolitan*, D.J. Ref. #90-5-1-1-09432.

The Proposed Consent Decree may be examined at the Department of Housing and Urban Development, Office of General Counsel, 451 7th St., NW., Room 9262, Washington, DC 20410; at the office of the United States Attorney for the Northern District of Ohio, 801 West Superior Avenue, Suite 400, Cleveland, Ohio 44113 (Attn: Assistant United States Attorney Michelle L. Heyer); and at U.S. EPA Region 5, 77 W. Jackson Blvd., Chicago, IL 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 \$8.00 (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.

**Maureen Katz,**

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

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**BILLING CODE 4410-15-P**

#### DEPARTMENT OF JUSTICE

##### Notice of Lodging of Proposed Amendment to Consent Decree Under the Clean Water Act

Notice is hereby given that on June 23, 2009, a proposed Consent Decree, pertaining to *United States and State of Minnesota v. City of Duluth, Minnesota and the Western Lake Superior Sanitary District*, Civ. No. 09-cv-1590, was lodged with the United States District Court for the District of Minnesota.

In this action, the United States and the State seek civil penalties and injunctive relief for alleged violations of the Federal Water Pollution Control Act (also known as the Clean Water Act), 33 U.S.C. 1251, *et seq.*, applicable provisions of Minn. Stat. section 115 and Minnesota Rules, and certain terms and conditions of a National Pollution Discharge Elimination System/State Disposal System permit that MPCA issued jointly to Duluth and WLSSD, in connection with alleged wastewater discharges, into waters of the United States and the State, from a sanitary sewer system which is jointly owned and operated by Duluth and WLSSD.

The proposed Consent Decree would require the Defendants, by 2016, to complete a variety of programs and capital improvements, which are expected to cost a total of approximately \$130 million, and are intended to eliminate sanitary sewer overflows. The Decree also would require WLSSD and the City each to pay the United States \$106,000 and the State \$94,000 in civil penalties (total civil penalty is \$400,000).

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, and should refer to *United States and State of Minnesota v. City of Duluth, Minnesota and the Western Lake Superior Sanitary Commission*, D.J. Ref. 90-5-1-1-08428. The proposed Consent Decree may be examined at the Office of the United States Attorney for the District of Minnesota, 600 U. S. Courthouse, 300 South Fourth Street, Minneapolis, Minnesota 55415 (contact Asst. U.S. Attorney Fred Siekert (612-664-5697)), and at U.S. EPA Region 5, 7th Floor Records Center, 77 West Jackson Blvd., Chicago, Illinois 60604 (contact Assoc. Regional Counsel