

The proposed Consent Decree requires the Settling Defendants to pay \$1,025,000 to the United States for response costs incurred by the U.S. Environmental Protection Agency ("EPA") and the U.S. Department of Justice ("Department of Justice" or "DOJ"), and to pay \$75,000 to the California Department of Toxic Substances Control ("DTSC") for response costs incurred by DTSC. The proposed Consent Decree includes a covenant not to sue the Settling Defendants under Sections 106 and 107 of CERCLA, 42 U.S.C. 9606, 9607, and under Section 7003 of RCRA, 42 U.S.C. 6973.

The proposed consent Decree also requires the Settling Federal Agencies to pay \$490,000 to EPA for response costs incurred by EPA DOJ, and to pay \$105,000 to DTSC for response costs incurred by DTSC. The Consent Decree includes a covenant not to sue the Settling Federal Agencies under CERCLA Section 107, 42 U.S.C. 9607.

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, or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, with a copy to Robert Mullaney, U.S. Department of Justice, 301 Howard Street, Suite 1050, San Francisco, CA 94105, and should refer to *United States, et al., v. Azusa Pipe and Tube Bending Corp., et al.*, D.J. Ref. 90-11-2-354/22. 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 Consent Decree may be examined at U.S. EPA Region 9, Office of Regional Counsel, 75 Hawthorne Street, San Francisco, California. During the public comment period, the Decree may also be examined on the following Department of Justice Web site: 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), fax number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$91.25 (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. In requesting a copy exclusive of exhibits, please enclose a check in the amount of \$9.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Henry Friedman,

Assistant 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, et al. v. Costello, et al.*, No. 06-cv-329 (D. Md.), was lodged with the United States District Court for the District of Maryland on June 26, 2007.

This proposed Consent Decree concerns a complaint filed by the United States and the State of Maryland against William Costello, Janice Costello, Scott C. Mielke, and The Permit Coordinators, Inc., pursuant to Section 301(a) of the Clean Water Act, 33 U.S.C. 1311(a); Section 10 of the Rivers and Harbors Act, 33 U.S.C. 403; and Section 16-202(a) of the Environment Article of the Annotated Code of Maryland (collectively, "the statutes"), to obtain injunctive relief from and to impose civil penalties against the Defendants for violating the statutes by discharging pollutants without a permit into waters of the United States and the State of Maryland. The proposed Consent Decree resolves these allegations by requiring Defendants William and Janice Costello to restore the impacted areas, to pay a civil penalty, and to make a payment to the State of Maryland's Wetland Compensation fund. It also requires Defendant The Permit Coordinators, Inc. to pay civil penalties and to make a payment to the State of Maryland's Wetland Compensation Fund. In the event that Defendant The Permit Coordinators, Inc. fails to make the required payments, both Defendant Scott C. Mielke and Defendant The Permit Coordinators, Inc. would be jointly and severally liable for the unpaid amounts.

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

Michael Schon, Trial Attorney, Environmental Defense Section, P.O. Box 23986, Washington, DC 20026, and refer to *United States, et al. v. Costello, et al.*, DJ #90-5-1-1-17683.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the District of Maryland. In addition, the proposed Consent Decree may be viewed at http://www.usdoj.gov/enrd/Consent_Decrees.html.

Russell Young,

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

[FR Doc. 07-3269 Filed 7-5-07; 8:45 am]

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DEPARTMENT OF JUSTICE

Amended Notice of Lodging of Settlement Agreement Under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA")

This Notice amends and replaces the original notice published on June 21, 2001, 72 Fed. Reg. 34277. Consistent with Section 122(d) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA") 42 U.S.C. 9622(d), and 28 CFR 50.7, notice is hereby given that on May 24, 2007, a proposed Settlement Agreement with Dean R. Soulliere et al. in *United States v. Dean R. Soulliere and Colleen A. Soulliere*, and Soulliere and Jackson, Inc., d/b/a One Hour Martinizing, No. 8:07-cv-00203 (D. Nebraska), was lodged with the United States District Court for the District of Nebraska.

In this action, the United States sought to establish the amount of the defendant's liability, pursuant to Section 107 of CERCLA, 42 U.S.C. 9607, for the costs incurred and to be incurred by the United States in responding to the release and/or threatened release of hazardous substances at and from the 10th Street Superfund Site in the south-central portion of the City of Columbus in Platte County, Nebraska. Under the proposed Settlement Agreement, Defendants shall pay to the United States and EPA the amount of \$100,000.00 to the United States Department of Justice in reimbursement of costs incurred by the United States at the Site.

The Department of Justice will receive for a period of thirty (30) day from the date of this publication comments relating to the Settlement Agreement. Comments should be addressed to the Assistant Attorney General,