

an additional \$400,000 to maintain over the next ten (10) years.

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, Environmental and Natural Resources Division, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Kentucky Utilities Co.*, DJ #90-5-1-1-07915.

The Decree may be examined at the Office of the United States Attorney, 110 West Vine Street, Room 400, Lexington, Kentucky 40507, and at U.S. EPA Region 4, Atlanta Federal Center, 61 Forsyth Street, SW., Atlanta, Georgia 30303-3104. During the public comment period, the Decree may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the Decree may also be obtained by mail from the Consent Decree Library, PO 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 \$39.75 (25 cents per page reproduction cost) payable to the U.S. Treasury. In requesting a copy exclusive of exhibits, please enclose a check in the amount of \$10.50 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Ellen M. Mahan,**

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

[FR Doc. 05-21882 Filed 11-1-05; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decrees Under the Comprehensive Environmental Response, Compensation, and Liability Act and the Solid Waste Disposal Act

Notice is hereby given that the following proposed consent decrees relating to the Baldwin Park Operable Unit of the San Gabriel Valley Superfund Sites, Areas 1-4, located in and near the cities of Azusa, Irwindale, Baldwin Park, and Covina in Los Angeles County, California ("BPOU"), were lodged on October 26, 2005, with the United States District Court for the

Central District of California: (1) *United States and California Department of Toxic Substances Control ("DTSC") v. Lockheed Martin Corporation, et al.*, Case No. CV05-7519 GPS (AJWx) (C.D. Cal.), (2) *United States and DTSC v. Leach International Corporation*, Case No. CV05-7515 CAS (Ex) (C.D. Cal.), (3) *United States and DTSC v. Allegiance Healthcare Corporation, et al.*, Case No. CV05-7520 DSF (JWJX) (C.D. Cal.), (4) *United States v. Phaestron Instrument and Electronic Company*, Case No. CV05-7522 JFW (SSx) (C.D. Cal.), (5) *United States v. Azusa Land Reclamation Co., Inc., et al.*, Case No. CV05-7518 MMM (JTLx) (C.D. Cal.), (6) *United States v. Aerojet-General Corporation, et al.*, Case No. CV05-7516 PA (JWJx) (C.D. Cal.), and (7) *United States and DTSC v. White & White Properties, et al.*, Case No. CV05-7521 GHK (PLAx) (C.D. Cal.).

The first four consent decrees listed above represent a settlement of claims brought against Lockheed Martin Corporation, Mobil Oil Corporation, The Valspar Corporation, Leach International Corporation, Allegiance Healthcare Corporation, Philip Morris USA Inc., and Phaestron Instrument and Electronic Company pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9601-9675, and section 7003 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 and the Hazardous and Solid Waste Amendments of 1984 (collectively "RCRA"), 42 U.S.C. 6973. In the complaints filed on October 19, 2005, the United States and DTSC sought injunctive relief for performance of response actions under CERCLA section 106, 42 U.S.C. 9606, and RCRA section 7003, 42 U.S.C. 6973, and reimbursement for response costs under CERCLA section 107, 42 U.S.C. 9607, incurred by the United States Environmental Protection Agency ("EPA"), the United States Department of Justice ("DOJ"), and DTSC, in response to releases of hazardous substances at the BPOU. The last three consent decrees listed above represent a settlement of claims brought pursuant to CERCLA against Aerojet-General Corporation, GenCorp, Inc., Azusa Land Reclamation Co., Inc., Fairchild Holding Corp., Hartwell Corporation, Oil & Solvent Process Company, Reichhold, Inc., Winco Enterprises Inc., and entities related to White & White Properties. In the complaints filed on October 19, 2005, the United States and DTSC sought reimbursement for response

costs under CERCLA section 107, 42 U.S.C. 9607, incurred by EPA, DOJ, and DTSC, in response to releases of hazardous substances at the BPOU.

The proposed consent decrees require the Settling Defendants to pay \$14,328,388 to the United States for response costs incurred by EPA and DOJ and 88 percent of the United States' future oversight costs, and to pay \$292,105 to DTSC for response costs incurred by DTSC. The first four proposed consent decrees include a covenant-not-to-sue 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 last three proposed consent decrees include a covenant-not-to-sue 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 decrees. 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, with a copy to Robert Mullaney, U.S. Department of Justice, 301 Howard Street, Suite 1050, San Francisco, CA 94105, and should refer to the BPOU Consent Decrees, D.J. Ref. #90-11-2-354. For the settlements involving RCRA, 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 decrees 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 consent decrees may also be examined on the following Department of Justice Web site: <http://www.usdoj.gov/enrd/open.html>. A copy of the consent decrees 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 \$662.25 (25 cents per page reproduction cost) payable to the U.S. Treasury. (A copy of the decrees, exclusive of

attachments, may be obtained for \$53.00.)

**Ellen M. Mahan,**

*Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division, United States Department of Justice.*

[FR Doc. 05-21880 Filed 11-1-05; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Air Act

Under 28 CFR 50.7, notice is hereby given that on October 17, 2005, a proposed Consent Decree ("Decree") in *United States v. Lucite International, Inc.*, Civil Action No. 05-2773 Ma V, was lodged with the United States District Court for the Western District of Tennessee.

In this action, the United States sought penalties and injunctive relief from Defendant with respect to Clean Air Act violations at its methyl methacrylate and acrylic sheeting facility on Fite Road in Memphis, Tennessee. The Complaint against Defendant alleges violations of following provisions: New Source Performance Standards (NSPS) applicable to Sulfuric Acid Plants, at 40 CFR Part 60, Subpart H; National Emissions Standards for Hazardous Air Pollutants at 40 CFR Part 63, Subparts A, F and G; and Protection of Stratospheric Ozone under Section 608 of the Act, as implemented by regulations at 40 CFR Part 82, Subpart F. The Complaint further alleges that many of these violations resulted in corresponding violations of Defendant's Title V Permit and of Tennessee's State Implementation Plan. The Decree resolves the claims alleged in the Complaint and requires Defendant to pay \$1.8 million plus interest in civil penalties, and to install NSPS compliant controls at an estimated cost of approximately \$16 million. In addition, the Decree provides for implementation of a Supplemental Environmental Project valued at \$1.3 million, to reroute emissions from two sources, resulting in the reduction of emissions from those sources to a level that is only 10% of previously permitted emissions.

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. Lucite International, Inc.*, D.J. Ref. 90-5-2-1-08272.

The Decree may be examined at the Office of the United States Attorney, 167 North Main St., Suite 800, Memphis, Tennessee 38013, and at U.S. EPA Region 4, 61 Forsyth Street, SW., Atlanta, Georgia 30303. During the public comment period, the Decree may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.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 \$13.50 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Ellen M. Mahan,**

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

[FR Doc. 05-21886 Filed 11-1-05; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to CERCLA

Notice is hereby given that on October 17, 2005, the United States lodged a proposed Consent Decree between the United States, the State of Arkansas, the Signature Combs plaintiffs, and Oakley-Keesee Ford, Inc. ("Oakley-Keesee") with the United States District Court for the Eastern District of Arkansas in *United States et al. v. Oakley-Keesee Ford*, Nos. 3:98CV00362, 3:98CV00363, consolidated with *Signature Comb, Inc. et al. v. Oakley-Keesee Ford*, No. 3:02CV00125 (SMR).

The proposed Consent Decree resolves the claims of the United States, the State of Arkansas, and the Signature Combs plaintiffs against Oakley-Keesee under sections 106(b) and 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act, ("CERCLA"), 42 U.S.C. 9606, 9607, regarding the Gurley Pit and South 8th Street Superfund Sites located in Crittenden County, Arkansas. Under the proposed decree, Oakley-Keesee has agreed to pay the plaintiffs \$260,000 within 30 days of the effective date of the Consent Decree as follows: (1) \$150,000 will be paid to the Superfund in partial reimbursement of the United States' past and future response costs at

the Sites; (2) \$100,000 will be paid to the superfund in penalties for the defendant's failure to comply with the Unilateral Administrative Order to perform the remedial action at the South 8th Street Site; and (3) \$10,000 will be paid to the State in partial reimbursement of State's past and future response costs at the Sites. Oakley-Keesee also has agreed to pay the Signature Combs plaintiffs \$300,000 in partial reimbursement of response costs expended by the Signature Combs plaintiffs related to the Sites.

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 Acting Assistant Attorney General, Environment and Natural Resources Division, United States Department of Justice, PO Box 7611, Ben Franklin Station, Washington, DC 20044-7611, and should refer to *United States et al. v. Oakley-Keesee Ford*, DJ No. 90-11-2-196/2.

The proposed Consent Decree may be examined during the public comment period 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) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$8.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Dated: October 19, 2005.

**Thomas A. Mariani, Jr.,**

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

[FR Doc. 05-21883 Filed 11-1-05; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Water Act

Under 28 CFR 50.7, notice is hereby given that on October 19, 2005, a proposed consent decree in *United States v. Seven-Up/RC Bottling Company of Southern California, Inc.*, Case No. CV-05-7514 AHM (CTX), was lodged with the United States District Court for the Central District of Columbia.