

DEPARTMENT OF THE INTERIOR**Bureau of Reclamation****Notice of Availability of the Injury Assessment Plan for the Upper Columbia River Site, Washington**

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice and request for comments.

SUMMARY: The Bureau of Reclamation, on behalf of the Department of the Interior, as a natural resource trustee, announces the release of the Injury Assessment Plan for the Upper Columbia River Site. The Injury Assessment Plan describes the activities that constitute the natural resource trustees' (Department of the Interior, State of Washington, Confederated Tribes of the Colville Reservation, and the Spokane Tribe of Indians) currently proposed approach to conducting the assessment of natural resources exposed to hazardous substances, including heavy metals, dioxins, and polychlorinated biphenyls.

DATES: Submit written comments on the Injury Assessment Plan on or before September 20, 2012.

ADDRESSES: Send written comments or requests for copies of the Injury Assessment Plan to Deidre Emerson, Upper Columbia River/Lake Roosevelt, c/o Bureau of Land Management, 1103 N. Fancher Road, Spokane Valley, WA 99212; via email to demerson@blm.gov; or via the Web: <http://parkplanning.nps.gov/documents/OpenForReview.cfm?parkID=318&projectID=42954>. You may download the Injury Assessment Plan at <http://parkplanning.nps.gov/documents/List.cfm?projectID=42954>. See the **SUPPLEMENTARY INFORMATION** section for locations where copies of the Injury Assessment Plan are available for public review.

FOR FURTHER INFORMATION CONTACT: Deidre Emerson at 509-536-1222.

SUPPLEMENTARY INFORMATION: The Upper Columbia River Site has been determined to have been contaminated with hazardous substances, including heavy metals, dioxins, and polychlorinated biphenyls along a stretch of the Columbia River from the Canadian/United States border downstream to Grand Coulee Dam in Washington State.

The Injury Assessment Plan (Plan) is being released in accordance with the Natural Resource Damage Assessment Regulations found at Title 43 of the Code of Federal Regulations part 11. The Plan is the second step in the damage assessment, the goal of which is

to restore natural resources injured by the release of hazardous substances. The first step, a pre-assessment screen of various sources of contamination, was completed in 2009.

The Plan has been developed within the authority provided by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C.

Copies of the Plan are available for public review at the following locations:

- Bureau of Land Management, 1103 N. Fancher Road, Spokane Valley, WA 99212
- National Park Service, Kettle Falls Visitor Center, 425 West 3rd St., Kettle Falls, WA 99141
- National Park Service, 1008 Crest Drive, Coulee Dam, WA 99116
- Confederated Tribes of the Colville Reservation, Office of Environmental Trust, Building #2, 12 Belvedere Street, Nespelem, WA 99138
- Spokane Tribal Department of Natural Resources Office, 6290-D Ford-Wellpinit Road, Wellpinit, WA 99040
- Washington Department of Ecology, 4601 North Monroe, Spokane, WA 99205

Public Disclosure

Before including your address, phone number, email 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 in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: July 30, 2012.

Lorri J. Lee,

Regional Director, Pacific Northwest Region.

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DEPARTMENT OF JUSTICE**Notice of Lodging of Fourth Amendment to Consent Decree Under the Clean Air Act**

Notice is hereby given that on July 31, 2012, a proposed Fourth Amendment to the Consent Decree entered in the case of *United States, et al. v. Phillips 66 Company, et al.*, Civil Action No. H-05-0258, was lodged with the United States District Court for the Southern District of Texas.

Under the original Consent Decree, ConocoPhillips Company ("COPC") agreed to implement innovative

pollution control technologies to reduce emissions of nitrogen oxides, sulfur dioxide, and particulate matter from refinery process units at nine refineries owned and operated by COPC. COPC also agreed to adopt facility-wide enhanced benzene waste monitoring and fugitive emission control programs.

Subsequently, the Court entered First, Second, and Third Amendments to the Consent Decree. In addition, in 2007, a new owner (WRB Refining) of two of the refineries (the Wood River and Borger Refineries) was added as a defendant. Finally, on June 1, 2012, Phillips 66 Company ("Phillips 66") was substituted for COPC as a defendant because Phillips 66 acquired ownership and operation of seven refineries and acquired operation, but not ownership, of the Wood River and Borger Refineries.

The proposed Fourth Amendment exclusively involves the refinery located in Trainer, Pennsylvania ("Trainer Refinery"). Under the proposed Fourth Amendment, an entity known as Monroe Energy, LLC ("Monroe Energy") will assume all outstanding, uncompleted Consent Decree obligations at the Trainer Refinery because Phillips 66 sold the Trainer Refinery to Monroe Energy in June 2012. Simultaneously, Phillips 66 will be released from liability for all obligations at the Trainer Refinery.

In the proposed Fourth Amendment, the United States is joined by Co-Plaintiff the Commonwealth of Pennsylvania.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Fourth Amendment. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either emailed to 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, et al. v. Phillips 66 Company, et al.*, D.J. Ref. No. 90-5-2-1-06722/1.

During the public comment period, the Fourth Amendment may be examined on the following Department of Justice Web site: http://www.usdoj.gov/enrd/Consent_Decrees.html. A copy of the Fourth Amendment 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 emailing a request to "Consent Decree Copy" (EESCDCopy.ENRD@usdoj.gov), fax number (202) 514-0097; phone confirmation number (202) 514-5271. If