

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 \$71.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**William D. Brighton,**

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

[FR Doc. 05-20537 Filed 10-12-05; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act

Under 28 CFR 50.7, notice is hereby given that on September 28, 2005, a proposed consent decree in *United States v. Key Investment Company et al.*, Civil Action No. 98-5162, was lodged with the United States District Court for the Eastern District of Pennsylvania.

In this action the United States is seeking response costs pursuant to the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9601 *et seq.*, in connection with the North Penn Area Six Superfund Site ("Site"), which consists of a contaminated groundwater plume and a number of separate parcels of property within and adjacent to the Borough of Lansdale, Montgomery County, Pennsylvania. The proposed consent decree will resolve the United States' claims against Westside Industries L.P., Westside Industries Group LLC, Peter Borgman, Byron Lavan, and Peter Lowenthal ("Settling Defendants") in connection with the Site. Under the terms of the proposed consent decree, Settling Defendants will make a cash payment to the United States of \$83,000.00 to address their liability for past response costs incurred by the United States at Settling Defendants' property and will receive a covenant not to sue by the United States with regard to the Site.

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, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United*

*States v. Key Investment Company et al.*, D.J. Ref. 90-11-2-06024/2.

The proposed consent decree may be examined at the Office of the United States Attorney, 615 Chestnut Street, Suite 1250, Philadelphia, PA 19106, and at U.S. EPA Region III, 1650 Arch Street, Philadelphia, PA 19103. 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) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$8.50 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Robert Brook,**

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

[FR Doc. 05-20535 Filed 10-12-05; 8:45 am]

**BILLING CODE 4410-15-M**

## 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 v. Moniteau County*, No. 03-4094-CV-C-SOW was lodged with the United States District Court for the Western District of Missouri on October 3, 2005.

This proposed Consent Decree concerns a complaint filed by the United States against Moniteau County, Missouri and the Commissioners of Moniteau County, pursuant to Sections 301 and 404 of the Clean Water Act, 33 U.S.C. 1311 and 1344, to obtain injunctive relief from the defendants for violating the Clean Water Act by discharging pollutants without a permit into waters of the United States. The proposed Consent Decree resolves these allegations by enjoining Moniteau County from further violations, requiring it to take certain affirmative measures to avoid future violations, requiring restoration and mitigation with regard to an impacted area, and requiring an environmental project.

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 Charles M. Thomas, Office of the United States Attorney for the Western District of Missouri, 400 East 9th Street, Room 5510, Kansas City, Missouri 64106 and refer to *United States v. Moniteau County*.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the Western District of Missouri, United States Courthouse, 400 East 9th Street, Kansas City, Missouri 64016 or the Clerk's Office, 310 U.S. Courthouse, 131 W. High Street, Jefferson City, Missouri 65101. In addition, the proposed Consent Decree may be viewed at <http://www.usdoj.gov/enrd/open.html>.

**Mary Edgar,**

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

[FR Doc. 05-20540 Filed 10-12-05; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Settlement Agreement Pursuant to The Comprehensive Environmental Response Compensation and Liability Act (CERCLA)

Pursuant to Section 122(d) of CERCLA, 42 U.S.C. 9622(d), and 28 CFR 50.7, notice is hereby given that on September 26, 2005, a proposed Settlement Agreement with Mossberg Industries, Inc. ("Mossberg") was lodged with the United States Bankruptcy Court for the Northern District of Indiana in Mossberg's bankruptcy case, *In re: Mossberg Industries, Inc.*, No. 03-12993.

Mossberg is a potentially responsible party at the Second Operable Unit at the Peterson/Puritan, Inc. Superfund Site located in Cumberland and Lincoln, Rhode Island ("Peterson/Puritan OU2"), a landfill that operated from the 1950's to the 1980's. The Settlement Agreement provides that the United States will have an allowed general unsecured claim in the amount of \$768,000 in connection with Peterson/Puritan OU2. The United States, on behalf of the Environmental Protection Agency, has provided Mossberg with a covenant not to sue, pursuant to Sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, with respect to Peterson/Puritan OU2.

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