

the two wing dams, Mormon Island Auxiliary Dam, and the eight dikes. Retrofitting and increasing the flood control capacity of the Folsom Dam and its appurtenant structures are currently being studied. Locating and extracting adequate borrow materials for embankment modifications will be a major component of the project. Reclamation has determined that an EIS is warranted to examine the potential impacts for implementation of the Folsom CAS Project on the natural and human environment.

Potential Modification Alternatives to the Folsom Dam and appurtenant structures are being identified to reduce risks associated with:

1. Major Flood Events
2. Earthquakes
3. Seepage and Piping through

Embankments

Folsom Dam and Embankment

Hydrologic Alternatives include, but are not limited to:

1. Embankment Raise Options
2. Auxiliary Spillway on the Left

Abutment Options

Folsom Dam and Embankment

Seismic and Static Alternatives include, but are not limited to:

1. Mormon Island Auxiliary Dam
2. Concrete Dam Seismic Options
3. Folsom Dam and Embankment

Static Alternatives

If special assistance is required at the scoping meetings, please contact Mr. Shawn Oliver, Bureau of Reclamation, at (916) 989-7256. Please notify Mr. Oliver as far in advance of the meetings as possible to enable Reclamation to secure the needed services. If a request cannot be honored, the requestor will be notified.

Reclamation's policy is to make comments, including names and home addresses of respondents, available for public review. Individual respondents may request that we withhold their name and/or home address from public disclosure, which Reclamation will honor to the extent allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. Reclamation will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public disclosure in their entirety.

Dated: August 25, 2005.

Michael Nepstad,

Deputy Regional Environmental Officer, Mid-Pacific Region.

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DEPARTMENT OF JUSTICE

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

Notice is hereby given that on September 19, 2005, a proposed Consent Decree ("Consent Decree") in *United States v. Eliskim, Inc. et al.*, Civil Action No. 1:05CV2196 was lodged with the United States District Court for the Northern District of Ohio, Eastern Division.

In this action, the United States, on behalf of the United States Environmental Protection Agency ("EPA"), sought to recover response costs from Eliskim, Inc. ("Eliskim") and the City of Geneva, Ohio ("City") pursuant to Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 107. The response costs were incurred in response to releases and threatened releases of hazardous substances from the True Temper Sports Superfund Site located in the City of Geneva, Ohio (the "Site"). The Consent Decree would require Eliskim and the City to pay respectively \$56,500 and \$12,500 toward the response costs incurred by EPA, which are presently estimated to be \$118,000. The Consent Decree would resolve Eliskim's liability for: (1) Past response costs at the Site; and (2) costs, penalties, and fees pursuant to an Administrative Order by Consent at the Site. To the extent provided by the Consent Decree, certain specified benefits of the settlement would also extend to Eliskim's parent corporation, American Household, Inc. Finally, the Consent Decree would grant the City a *de minimis* covenant not to sue pursuant to Section 122(g) of CERCLA, 42 U.S.C. 9622(g).

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, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Eliskim, Inc., et al.*, No. 1:05CV2196 (N.D. Ohio), D.J. Ref. 90-11-2-1310/1.

The Consent Decree may be examined at the Office of the United States Attorney, 801 West Superior Avenue, Suite 400, Cleveland, Ohio 44113-1852, and at U.S. EPA Region 5, 77 West Jackson Boulevard, 14th Floor, Chicago, Illinois. During the public comment

period, the 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 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 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 \$17.25 (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.

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DEPARTMENT OF JUSTICE

Amended Notice of Lodging of Settlement Agreement Pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act and the Comprehensive Environmental Response, Compensation, and Liability Act

In accordance with 28 CFR 50.7 and 42 U.S.C. 9622(i), notice is hereby given that on September 13, 2005, a Settlement Agreement was lodged with the United States District Court for the District of Puerto Rico in *United States v. Tropical Fruit, S.E., et al.*, Civil Action No. 97-1442-DRD. On October 25, 2001, the Court entered a Consent Decree between the United States, on behalf of the U.S. Environmental Protection Agency ("EPA"), and Defendants pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act ("FIFRA"), 7 U.S.C. 136 *et seq.*, and the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9601 *et seq.*, with respect to a Farm located in Rural Zone Boca, Guayanilla, Puerto Rico. The Consent Decree required Defendants to pay \$35,000 in penalties and CERCLA response costs and to comply with extensive injunctive relief measures, including the creation of a no-spray buffer zone on the northern and a portion of the western perimeter of the Farm which will vary in width up to 173 feet. In December 2004, the United States filed a Motion to Enforce the Consent Decree and for stipulated penalties in that the United States alleged that Defendants violated certain provisions of the Consent Decree