

**DEPARTMENT OF THE INTERIOR****National Park Service****Notice of Inventory Completion: University of Oregon Museum of Natural History, Eugene, OR, and U.S. Department of Defense, Army Corps of Engineers, Portland District, Portland, OR; Correction**

**AGENCY:** National Park Service, Interior.

**ACTION:** Notice; correction.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains and associated funerary objects for which the University of Oregon Museum of Natural History, Eugene, OR, and the U.S. Department of Defense, Army Corps of Engineers, Portland District, Portland, OR, have joint responsibility. The human remains and associated funerary objects were removed from archeological sites on U.S. Army Corps of Engineers land located within the John Day Dam project area in Morrow County, OR, and Benton County, WA.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains and associated funerary objects. The National Park Service is not responsible for the determinations in this notice.

This notice corrects the number of human remains and associated funerary objects reported in a notice of inventory completion published in the **Federal Register** on October 8, 2003 (FR Doc. 03-25535, pages 58139-5140).

In June 2004, representatives of the cultural resources staff of the Confederated Tribes of the Umatilla Reservation, Oregon examined the faunal collections from sites 45 BN 64 (Eye site), 45 BN 77, 45 BN 81, and 35 MW 10 (Tom's Camp site), for human remains and associated funerary objects that might have been misidentified. The Collections Director and Physical Anthropologist for the University of Oregon Museum of Natural History examined the materials from the faunal collections that the Confederated Tribes of the Umatilla Reservation, Oregon identified for re-examination. The examination by the Collections Director and Physical Anthropologist identified human remains representing one additional individual and one

associated funerary object from site 45 BN 81 and one associated funerary object from site 35 MW 10. In light of the findings from these examinations, the original notice of inventory is amended to include additions to the minimum number of individuals and associated funerary objects from 45 BN 81 site, and an addition of one associated funerary object for site 35 MW 10 (Tom's Camp).

The October 8, 2003 notice is corrected by substituting the following paragraphs:

The following paragraph is substituted for paragraph 11:

In 1963, human remains representing a minimum of two individuals were removed from site 45 BN 81 on Blalock Island, Benton County, WA, in the Columbia River within the John Day Dam project area. No known individuals were identified. The 72 associated funerary objects are 11 glass beads, 14 shell beads, 1 piece of copper, 1 copper button, 1 large maul, 3 points, 1 graver, 1 knife, 3 scrapers, 2 chert fragments, 23 flakes, 12 identified bones and 1 piece of charcoal.

The following paragraph is substituted for paragraph 13:

In 1967, human remains representing a minimum of two individuals were removed from the Tom's Camp site (35 MW 10), 3 miles west of the former town of Boardman, Morrow County, OR, on the south bank of the Columbia River, in the John Day Dam project area. No known individuals were identified. The one associated funerary object is a dentalium shell bead.

The following paragraph is substituted for paragraph 16:

Officials of the Army Corps of Engineers, Portland District have determined that, pursuant to 25 U.S.C. 3001(9-10), the human remains described above represent the physical remains of 21 individuals of Native American ancestry. Officials of the Army Corps of Engineers, Portland District also have determined that, pursuant to 25 U.S.C. 3001(3)(A), the 954 objects described above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony. Lastly, officials of the Army Corps of Engineers, Portland District have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and associated funerary objects and the Confederated Tribes of the Umatilla Indian Reservation, Oregon.

Representatives of any other Indian tribe that believes itself to be culturally

affiliated with the human remains and associated funerary objects should contact Mr. Bert Rader, NAGPRA Coordinator, Environmental Resources Branch, U.S. Department of Defense, U.S. Army Corps of Engineers, Portland District, P.O. Box 2946, Portland, OR 97208-2946, telephone (503) 808-4766, before September 26, 2005. Repatriation of the human remains and associated funerary objects to the Confederated Tribes of the Umatilla Indian Reservation, Oregon may proceed after that date if no additional claimants come forward.

The Army Corp of Engineers, Portland District is responsible for notifying the Confederated Tribes of the Umatilla Indian Reservation, Oregon that this notice has been published.

Dated: July 26, 2005

**Sherry Hutt,**

*Manager, National NAGPRA Program.*

[FR Doc. 05-16883 Filed 8-24-05; 8:45 am]

BILLING CODE 4312-50-S

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

In accordance with Departmental Policy, 28 U.S.C. 50.7, notice is hereby given that on August 18, 2005, a proposed Consent Decree in *United States v. Cosmed Group, Inc.*, Civil Action No. 05353ML, was lodged with the United States District Court for the District of Rhode Island.

In this action the United States, on behalf of the United States Environmental Protection Agency ("EPA"), filed a complaint against Cosmed Group, Inc. ("Cosmed") alleging various violations of the Clean Air Act and the Illinois State Implementation Plan, concerning Cosmed's current or former facilities in Coventry, RI, South Plainfield, NJ, Baltimore, MD, Waukegan, IL, Grand Prairie, TX, and San Diego, CA. Under the terms of the proposed settlement, Cosmed will pay a civil penalty of \$500,000 million and fund Supplemental Environmental Projects providing environmental and public health benefits in and around Camden, NJ, Lake County, IL, Dallas, TX, and San Diego, CA at a cost of \$1 million.

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. Cosmed Group, Inc.*, D.J. Ref. 90-5-2-1-08115.

The Consent Decree may be examined at the Office of the United States Attorney, District of Rhode Island, 50 Kennedy Plaza, 8th Floor, Providence, Rhode Island 02903, and at the United States Environmental Protection Agency, Region 1 (New England Region), One Congress Street, Boston, Massachusetts 02114. 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](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 \$23.75 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Ronald Gluck,**

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

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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 August 8, 2005, a proposed Consent Decree in *United States v. Standard Detroit Paint Co., et al.*, Civil Action No. 04-71442 was lodged with the United States District Court for the Eastern District of Michigan.

In this action the United States sought reimbursement of response costs incurred for response actions taken at or in connection with the release or threatened release of hazardous substances at the Standard Detroit Paint Co. Site in Detroit, Michigan ("the Site"). The Consent Decree resolves the United States' claims against the defendants on an inability to pay basis. The defendants will pay the following amounts: (1) Bruce Goel—\$10,000; (2) SDPC, Inc.—\$40,000; (3) Standard Detroit Realty Co.—50% of proceeds from transfer of all real property

(estimated value to U.S.—\$225,000); and (4) Riverside Organics—\$14,000. Additionally, Riverside Products, the newly formed successor to Riverside Organics, shall submit a hazardous substance management plan to U.S. EPA for approval and shall comply with such management plan so long as it continues operations at 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 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 shall refer to *United States v. Standard Detroit Paint Co., et al.*, D.J. Ref. 90-11-3-08271.

The Consent Decree may be examined at the Office of the United States Attorney, 211 W. Fort Street, Suite 2001, Detroit, MI and at U.S. EPA Region 5, 77 West Jackson Blvd., Chicago, IL. 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](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 \$5.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**William D. Brighton,**

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

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BILLING CODE 4410-15-M

**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980**

Notice is hereby given that on August 2, 2005 a proposed Consent Decree in *United States v. Union Pacific Railroad Company*, an action under Sections 107 and 113 of the comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA"), as amended, 42 U.S.C. 9607 and 9613, was lodged with the

United States District Court for the District of Utah, Case No. 2:05CV00650 BD (D. Utah).

In this action, the United States sought the recovery of costs incurred and to be incurred by the United States in response to releases or threatened releases of hazardous substances at and from the Eureka Mills NPL Site located in Eureka, Utah (the "Site"). The United States alleged that the Union Pacific Railroad Company was liable under CERCLA Sections 106 and 107(a)(1) and (2), 42 U.S.C. 906 and 9607(a)(1) and (2), as a past owner of a portion of the Site at the time of disposal and as a present owner of a portion of the Site upon which hazardous substances have been released, for those response costs set forth in CERCLA Section 107(a)(4)(A)-(D), 42 U.S.C. 9607(a)(4)(A)-(D).

The settlement between the United States and the Union Pacific Railroad Company provides that the Union Pacific Railroad Company will implement the remedy for the Upper Eureka Gulch portion of the Site selected by the Environmental Protection Agency ("EPA") for which the United States has alleged that the Union Pacific Railroad Company was responsible under CERCLA. The Union Pacific Railroad Company will also undertake certain quarry operations on-Site to produce rock and other borrow material needed by EPA for the 2005 and 2006 construction season. EPA estimates that the value of the work to be done by Union Pacific Railroad Company to be excess of \$4.3 million. In addition, the Union Pacific Railroad Company will pay \$270,690.00 into a special account to compensate EPA for anticipated future response costs.

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. Union Pacific Railroad Company*, DJ#90-11-3-07993/4.

The Consent Decree may be examined at U.S. EPA Region 8, 999 18th Street, Suite 500, Denver, Colorado, 80202. 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