

the defendant is responsible for costs to be incurred at the Spring River Subsite of the Cherokee County Superfund Site. The decree provides that defendant will perform the remedy selected by EPA for the Crestline Subsite and reimburse EPA for all of the agency's unreimbursed costs at that subsite. In addition, the defendant will pay EPA a portion of anticipated future costs at the Spring River Subsite.

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, and either e-mailed 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 v. Cyprus Amax Minerals Company*, Civil Action No. 6:07-CV-1109, D.J. Ref. 90-11-2-08539.

The decree may be examined at the Office of the United States Attorney, 301 N. Main St., Suite 1200, Wichita, KS 67202. 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/Consent&_Decrees.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), 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 \$40.50 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if by e-mail or fax, forward a check in that amount to the Consent Decree Library at the stated address.

Robert E. Maher, Jr.,

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

[FR Doc. 07-2164 Filed 5-2-07; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to Comprehensive Environmental Response, Compensation, and Liability Act

Notice is hereby given that on April 16, 2007, a proposed Consent Decree in *United States v. ExxonMobil Corporation, et al.*, Civil Action No.

1:07-cv-00060-PB, was lodged with the United States District Court for the District of New Hampshire. And on April 20, 2007, the same proposed Consent Decree was lodged with the United States District Court for the District of New Hampshire in *State of New Hampshire v. ExxonMobil Corporation et al.*, Civil Action No. 1:07-cv-00080-PB.

The proposed Consent Decree will settle the United States' claims on behalf of the U.S. Environmental Protection Agency ("EPA") and the claims of the State of New Hampshire brought against defendants ExxonMobil Corporation, Cumberland Farms, Inc., FirstGroup America, Inc., Hexion Specialty Chemicals, Inc., Waste Management of New Hampshire, Inc., Waste Management Disposal Services of Massachusetts, Inc., Waste Management of Massachusetts, Inc., Clean Harbors of Braintree, Inc., Fluor Enterprises, Inc., Sears, Roebuck and Company, Greased Lightning, Inc., Fafard Real Estate and Development Corporation, Drake Petroleum Company, Inc., P.J. Keating Company, Triumvirate Environmental, Inc., Boston & Maine Corporation, Colonial Gas Company (d/b/a Keyspan Energy Delivery New England), United Parcel Service, GenCorp, Inc., Laidlaw Transit, Inc., DBT Corporation, 1400 Motors, Inc., Pike Industries, Inc., City of Providence, Rhode Island, Covanta Haverhill, Inc., Fort James Corporation, Coca-Cola Enterprises, Inc., Regan Ford, Inc., Marble Motor Company, A & B Automotive, Inc., Air Products and Chemicals, Inc., Balise Motor Sales Company, Aggregate Industries—Northeast Region, Inc., Windham Equity Company, City of Boston, Massachusetts, City of Gloucester, Massachusetts, Peabody Municipal Light Plant, City of Peabody, Massachusetts, Colonial Cadillac-Oldsmobile, Inc., Continental Paving, Inc., Daley Oil Company, Dampolo Automotive, Inc., Colonial South Chevrolet, Inc., Enzo's Nahant Garage, Garelick Farms, L.L.C., General Electric Company, Inc., Haffner's Service Station, H.J. Nassar Motor Company, Inc., Hughes Motor Company, Jaffarian's Service, Inc., Arvo's Gulf, McKenna & O'Keefe, Merchants Automotive Group, Inc., Murphy's Waste Oil Service, Inc., Massachusetts Water Resources Authority, New England Detroit Diesel-Allison, Inc., Massachusetts Electric Company, New England Power Company, Butler Realty Trust (d/b/a Noyes Citgo Service Station), Pelletier Brothers' Garage, Plymouth & Brockton Street Railway Company, Plymouth Rock Transportation Corporation, Pratt

& Whitney, a Division of United Technologies, Inc., Daniel J. Quirk, Inc. (d/b/a Quirk Chevrolet), D.J. Quirk Ford, Inc., R.B. Strong Excavating & Sewerage Contracting, Inc., Reynolds Auto Repair, Rick Starr Enterprises, Inc. (d/b/a Rick Starr Toyota, Rick Starr Volkswagen BMW, Rick Starr Pontiac Cadillac, Rick Starr Toyota Pontiac, and Rick Starr Ford), Rietzl Corporation, Ruland Manufacturing Company, Signature Flight Support Corporation, Silva's Garage, Smith Motor Sales of Haverhill, Inc., Sudbay Pontiac, Cadillac, Buick, Inc., Towers Front End Service, Town of Andover, Massachusetts, Town of Ipswich, Massachusetts, Town of Marshfield, Massachusetts, Vachon Motor Sales, Inc. (d/b/a Vachon Mazda), Vachon Imports, Inc. (d/b/a Vachon Mitsubishi), Gene Brown Motors (d/b/a Volvo Villate), WNA Comet East, Inc., Woodworth Chevrolet-Cadillac-Buick, Inc. Yeo Chevrolet, Inc., Henry's Auto Parts, Inc., James M. Scanzini (d/b/a Criterion Systems), John E. Power (d/b/a Power's Auto Service), Larry's Service, Mel's Auto Services, Inc., Micromatic Products Company, Inc., S & H Petroleum Corporation, Truck Services, Inc., Wayside Service Center, Hampshire Realty Trust, Sun Realty Trust, and Mark O. Henry (collectively referred to as "Settling Defendants") pursuant to Sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9606 and 9607, with respect to the Beede Waste Oil Superfund Site in Plaistow, New Hampshire. The State of New Hampshire also brought claims pursuant to New Hampshire RSA 147-A:9 and 147-B:10 and also alleged claims against five federal agencies.

Pursuant to the Consent Decree, approximately 30 Settling Defendants, referred to in the Consent Decree as Performing Settling Defendants, will finance and perform the selected remedy at the Site, estimated to cost \$48 million, and will receive approximately \$23 million from other settling parties and from the Beede Superfund Special Account to offset the cost of the work. In addition, the Performing Settling Defendants will reimburse the United States and the State of New Hampshire for all interim and future costs, and oversight costs up to \$9.3 million (U.S. oversight costs capped at \$7.2 million and New Hampshire oversight costs capped at \$2.1 million). The owners of the Site property, who are Settling Defendants, will convey the Site property by deed to an entity designated by the Performing Settling Defendants. The remaining Settling Defendants are

de minimis parties and shall pay a total of approximately \$8 million toward financing the work at the Site. The Consent Decree also resolves the claims against the five agencies of the United States: the Department of the Air Force, the Department of the Army, the Department of the Navy, the Federal Aviation Administration, and the United States Postal Service (“Settling Federal Agencies”). Pursuant to the Consent Decree, the Settling Federal Agencies shall pay approximately \$14 million toward financing the work 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 proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed 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 v. ExxonMobil Corporation, et al.*, Civil Action No. 1:07-cv-00060-PB, D.J. Ref. 90-11-3-07039/11.

The proposed Consent Decree may be examined at the Office of the United States Attorney, District of New Hampshire, 53 Pleasant Street, Concord, New Hampshire 03301, and at the United States Environmental Protection Agency, Region I, 1 Congress Street, Suite 1100, Boston, Massachusetts 02114-2023. 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/Consent_Decrees.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), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. If requesting a copy by mail from the Consent Decree Library, please enclose a check in the amount of \$184.75 (\$0.25 per page reproduction cost) payable to the United States Treasury or, if requesting by e-mail or fax, forward a check in that amount to the consent Decree Library at the stated address. If requesting a copy exclusive of exhibits and/or defendants’ signatures, please enclose a check in the amount of \$32.75 (\$0.25 per page

reproduction cost) payable to the United States Treasury.

Maureen Katz,

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

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Air Act (CAA)

In accordance with Seciton 113(g) of the CAA, 42 U.S.C. 7413(g), and 28 CFR 50.7, notice is hereby given that on April 26, 2007, the proposed Consent Decree in *United States v. Rhodia Inc.*, Civil Action No. 2:07CV134 WL, was lodged with the United States District Court for the Northern District of Indiana.

In this action, the United States asserts claims against Rhodia Inc. (Rhodia) under Sections 42 U.S.C. 7475-7477 and 7503, and 42 U.S.C. 7411 of the Clean Air Act (the Act) relating to violations of the New Source Review permitting and control technology requirements, as well as the New Source Performance Standards at six Rhodia sulfuric acid plans in Hammond, Indiana; Baytown and Houston, Texas; Martinez and Dominguez, California; and Baton Rouge, Louisiana.

The Consent Decree requires Rhodia to pay a civil penalty of \$2,000,000 of which \$1,000,000 will be paid to the United States and the rest will be divided amongst the City of Hammond, Indiana; the State of Indiana; the State of Louisiana; and the Bay Area Air Quality Management District of California. The Consent Decree further requires Rhodia to meet certain emission limits for sulfur dioxide and acid mist, and to comply with the NSPS, Subpart H requirements, including performance testing and monitoring.

For a period of thirty (30) days from the date of this publication, the Department of Justice will receive comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and National Resources Division, and either e-mailed 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 v. Rhodia Inc.*, D.J. Ref. 90-5-2-1-08500.

The proposed Consent Decree may be examined at the Office of the United States Attorney, 5400 Federal Plaza,

Suite 1500, Hammond, IN 46230, and at U.S. EPA Region V, 77 W. Jackson Blvd., Chicago, IL 60604. 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/Consent_Decrees.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), fax no. (202) 514-0097, phone confirmation no. (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$29.00 (25 cents per page reproduction cost) payable to the “U.S. Treasury” or, if by e mail or fax, forward a check in that amount to the Consent Decree Library at the stated address.

William D. Brighton,

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

[FR Doc. 07-2162 Filed 5-2-07; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Air Act

Notice is hereby given that on April 19, 2007, a proposed Consent Decree in *United States v. Shan Industries, LLC*, Civil Action No. 2:07-1839 (JLL) was lodged with the United States District Court for the District of New Jersey.

In this action the United States sought civil penalties and injunctive relief relating to alleged violations of the Clean Air Act, 42 U.S.C. 7401, *et seq.*, and the National Emissions Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks, 40 CFR Part 63, Subpart N, and the National Emissions Standards for Halogenated Solvent Cleaning, 40 CFR Part 63, Subpart T, arising out of Shan Industries, LLC’s ownership and operation of its Accurate Forming facility, located in Hamburg, New Jersey. Shan uses trichloroethylene and hexavalent chromium to degrease and electroplate “deep drawn” metal parts used in such products as writing implements and automotive fuel filters. The Consent Decree resolves the claims alleged in the Complaint that Shan violated the Act and the pertinent regulations in its operations, and failed to comply with certain design, testing, operating, monitoring and reporting