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**Thomas A. Mariani, Jr.,**

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

[FR Doc. 06-4371 Filed 5-10-06; 8:45am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

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

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States v. Jay James Jackson et al.*, Civil Action No. 8:0404cv64, was lodged on April 27, 2006 with the United States District Court for the District of Nebraska. This consent decree requires the defendants to reimburse EPA \$700,000 for past response costs and to implement institutional controls.

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, Environmental and Natural Resources Division, P.O. Box 7611, U.S. Department of *States v. Jay James Jackson et al.*, DOJ Ref. 90-11-2-07430.

The proposed consent decree may be examined at the office of the United States Attorney, 1620 Dodge Street, Suite 1400, Omaha, NE 68102-1506 and at U.S. EPA Region 7, 901 N. 5th Street, Kansas City, KS 66101. During the comment period, the consent decree may be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. Copies of the consent decree also may 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, please enclose a check in the amount of \$6.25 (without attachments) or \$8.75 (with attachments) for *United States v. Jay James Jackson, et al.*, (25

cents per page reproduction cost) payable to the U.S. Treasury.

**Robert E. Maher, Jr.,**

*Assistant Section Chief, Environmental Enforcement Section.*

[FR Doc. 06-4375 Filed 5-10-06; 8:45am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Air Act Between the United States, the State of North Dakota, Minnkota Power Cooperative, Inc., and Square Butte Electric Cooperative

In accordance with 28 CFR 50.7, notice is hereby given that on April 25, 2006, a proposed consent decree ("Consent Decree") between the United States, the State of North Dakota, Minnkota Power Cooperative, Inc., ("Minnkota") and Square Butte Electric Cooperative ("Square Butte") was lodged with the United States District Court for the District of North Dakota in Civil Action No. 1:06-CV-034.

The Consent Decree would resolve the civil claims asserted by the United States against Minnkota and Square Butte pursuant to sections 113(b) and 167 of the Clean Air Act, 42 U.S.C. 7413(b) and 7477, for injunctive relief and the assessment of civil penalties for violations of the Prevention of Significant Deterioration provisions of the Act, 42 U.S.C. 7470-92, Title V of the Act, 42 U.S.C. 7661 *et seq.*, and the federally approved and enforceable North Dakota State Implementation Plan (the "SIP").

The United States and the State of North Dakota also filed with the Consent Decree a complaint which alleges, among other things, that Minnkota and Square Butte modified and thereafter operated two coal-fired electricity generating units at the Milton R. Young electricity generating station in Center, North Dakota, without first obtaining a PSD permit authorizing the construction and without installing the best available technology to control emissions of sulfur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), and particulate matter (PM), as required by the Act, applicable federal regulations, and the SIP.

Under the terms of the proposed Consent Decree, Minnkota and Square Butte will install or upgrade pollution controls for SO<sub>2</sub>, NO<sub>x</sub>, and PM for the two electricity generating units at the Milton R. Young facility, at an estimated cost of over \$100 million. Minnkota and Square Butte will also pay \$850,000 in

civil penalties and undertake \$5 million in additional injunctive relief.

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 Deputy Assistant Attorney General, Environmental and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Minnkota Power Cooperative, Inc.*, DOJ Case Number 90-5-2-1-07717.

The proposed Consent Decree may be examined at the office of the United States Attorney for the District of North Dakota, 220 East Rosser Avenue, Suite 372, Bismark, ND 58501, and at U.S. EPA Region VIII, 999 18th Street, Denver, CO 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 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 of the Consent Decree, please reference *United States v. Minnkota Power Cooperative, Inc.*, DOJ Case Number 90-5-2-1-07717, and enclose a check in the amount of \$17.50 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Thomas Mariani,**

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

[FR Doc. 06-4374 Filed 5-10-06; 8:45am]

**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 of America v. County of Sacramento*, Case Number 2:06-CV-00908 GEB-GGH, was lodged with the United States District Court for the Eastern District of California on April 26, 2006.

This proposed Consent Decree concerns a complaint filed by the United States against the County of Sacramento, pursuant to 33 U.S.C. 1311(a) and 1344, to obtain injunctive

relief from and impose civil penalties against 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 requiring the Defendants to restore the impacted areas and perform mitigation and to pay a civil penalty.

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 Edmund F. Brennan, Assistant United States Attorney, and refer to *United States of America v. County of Sacramento*, Case Number 2:06-CV-00908-GEB-GGH.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the Eastern District of California, 501 I Street, Sacramento, California. In addition, the proposed Consent Decree may be viewed at <http://www.usdoj.gov/enrd/open.html>.

**Edmund F. Brennan,**

*Assistant U.S. Attorney.*

[FR Doc. 06-4376 Filed 5-10-06; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Judgment Pursuant to Federal Water Pollution Control Act

Notice is hereby given that on April 28, 2006, a proposed Consent Judgment in *United States and State of New York v. County of Suffolk, et al.*, Civil Action No. CV-06-1978, was lodged with the United States District Court for the Eastern District of New York.

The United States and the State of New York sued the County of Suffolk, Suffolk County Department of Public Works, and Charles J. Bartha, Commissioner of the Suffolk County Department of Public Works (collectively, "Suffolk") under section 309(b) and (d) of the Federal Water Pollution Control Act, 33 U.S.C. 1319(b) and (d), and under State law for alleged violations of Suffolk's Industrial Waste Pretreatment Program (IPP) and its State Pollutant Discharge Elimination System (SPDES) Permits. The Consent Judgment resolves these claims and requires Suffolk to pay a civil penalty of \$300,000, to fund a supplemental environmental project in the amount of \$700,000, and to comply with its IPP and SPDES Permits.

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 Judgment. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, U.S. Department of Justice, Washington, DC 20530, and should refer to *United States, et al v. County of Suffolk, et al.*, DJ No. 90-5-1-1-5065/1.

The proposed Consent Judgment may be examined at the Office of the United States Attorney, Eastern District of New York, One Pierrepont Plaza, 14th Fl., Brooklyn, New York 11201, and at the United States Environmental Protection Agency, Region II, 290 Broadway, New York, New York 10007-1866. During the public comment period, the proposed Consent Judgment 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 Judgment may 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. If requesting a copy of the proposed Consent Judgment, please so note and enclose a check in the amount of \$17.00 (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.*

[FR Doc. 06-4373 Filed 5-10-06; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-59,063]

#### **McLeodUSA Telecommunications Services; A Subsidiary of McLeodUSA, Inc.; Springfield, MO; Dismissal of Application for Reconsideration**

Pursuant to 29 CFR 90.18(C) an application for administrative reconsideration was filed with the Director of the Division of Trade Adjustment Assistance for workers at McLeodUSA Telecommunications Services, a subsidiary of McLeodUSA, Inc., Springfield, Missouri. The application did not contain new information supporting a conclusion that the determination was erroneous, and also did not provide a justification

for reconsideration of the determination that was based on either mistaken facts or a misinterpretation of facts or of the law. Therefore, dismissal of the application was issued.

TA-W-59,063; McLeodUSA

*Telecommunications Service, A Subsidiary of McLeodUSA, Inc., Springfield, Missouri. (May 3, 2006).*

Signed at Washington, DC this 4th day of May 2006.

**Erica R. Cantor,**

*Director, Division of Trade Adjustment Assistance.*

[FR Doc. 06-4416 Filed 5-10-06; 8:45 am]

**BILLING CODE 4510-30-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### **Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance**

In accordance with section 223 of the Trade Act of 1974, as amended, (19 U.S.C. 2273), the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers (TA-W) number and alternative trade adjustment assistance (ATAA) by (TA-W) number issued during the periods of April 2006.

In order for an affirmative determination to be made and a certification of eligibility to apply for directly-impacted (primary) worker adjustment assistance to be issued, each of the group eligibility requirements of section 222(a) of the Act must be met.

I. Section (a)(2)(A) all of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

B. The sales or production, or both, of such firm or subdivision have decreased absolutely; and

C. Increased imports of articles like or directly competitive with articles produced by such firm or subdivision have contributed importantly to such workers' separation or threat of separation and to the decline in sales or production of such firm or subdivision; or

II. Section (a)(2)(B) both of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm,