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**William D. Brighton,**

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

[FR Doc. 06-9166 Filed 11-9-06; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Proposed Second Agreement Regarding Alleged Non-Compliance with Consent Decree in United States v. Cummins Engine Company, Inc.

Notice is hereby given of a proposed Second Agreement Regarding Alleged Non-Compliance with Consent Decree ("Agreement") in the case of *United States v. Cummins Engine Company, Inc.*, Civil Action No. 98-02546, in the United States District Court for the District of Columbia.

The Agreement resolves matters involving Cummins' alleged failure to comply with a 1999 Consent Decree settling claims under Title II of the Clean Air Act, 42 U.S.C. 7521 *et seq.* (the "Act"), regarding the alleged use of illegal emission-control "defeat devices" on Cummins' 1998 and prior heavy-duty diesel engines ("HDDEs"). The United States contends that Cummins violated several provisions of the Consent Decree's Section IX (Additional Injunctive Relief/Offset Projects). Specifically, the United States contends that Cummins: Used in its Averaging, Banking and Trading ("AB&T") program credits from 192 model year 2003 and 130 model year 2004 compressed natural gas engines that were subsidized as part of a Consent Decree Offset Project, leading to the improper generation of 243.5 megagrams (Mg) of NO<sub>x</sub> + NMHC and 13.9 Mg of PM urban bus credits; and failed to timely complete work on, or to timely submit an adequate completion report for, several work plans for offset projects approved by EPA under the Consent Decree.

The Agreement provides that these violations will be resolved by Cummins' retiring of all the credits improperly generated plus a premium and Cummins' payment of a penalty of \$2,170,000 to the United States.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Agreement. 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. Cummins Engine Company, Inc.*, D.J. Ref. 90-5-2-1-2136A, Second Agreement.

During the public comment period, the Agreement may be examined on the following Department of Justice Web site, [http://www.uddoj.gov/enrd/Consent\\_Decrees.html](http://www.uddoj.gov/enrd/Consent_Decrees.html). A copy of the Agreement 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 Decree from the Consent Decree Library, please enclose a check in the amount of \$2.75 (25 cents per page reproduction cost for 11 pages) payable to the U.S. Treasury.

**Karen Dworkin,**

*Assistant Chief, Environmental Enforcement Section.*

[FR Doc. 06-9165 Filed 11-9-06; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to Clean Water Act

Notice is hereby given that on October 31, 2006, a proposed consent decree in *United States, et al. v. Greater Lawrence Sanitary District*, Civil Action No. 06-11975-PBS, was lodged with the United States District Court for the District of Massachusetts.

The proposed consent decree will settle the United States' and Commonwealth of Massachusetts' claims for violations of the Clean Water Act, 33 U.S.C. 1251 *et seq.*, and the Massachusetts Clean Waters Act, Mass. Gen. Laws c. 21, §§ 26, *et seq.*, related to the failure by the Greater Lawrence Sanitary District (GLSD) to comply with its wastewater treatment discharge permit at its combined sewer overflow outfalls. Pursuant to the proposed consent decree, GLSD will pay \$254,000 as civil penalty for such violations and institute necessary improvements at its wastewater treatment plant at an estimated cost of \$18 million.

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 of the Environment and Natural Resources Division, Department of Justice,

Washington, DC 20530, and should refer to *United States, et al. v. Greater Lawrence Sanitary District*, Civil Action No. 06-11975-PBS, D.J. Ref. 90-5-1-1-08171.

The proposed consent decree may also be examined at the Office of the United States Attorney, District of Massachusetts, John Moakley Courthouse, 1 Courthouse Way, Room 9200, Boston, MA, at U.S. EPA Region 1, One Congress Street, Boston, MA. 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/ConsentDecrees.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. If requesting a copy of the proposed consent decree (without attachments), please so note and enclose a check in the amount of \$8.00 (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.

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. If requesting a copy of the proposed consent decree (without attachments), please so note and enclose a check in the amount of \$8.00 (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.

**Ronald Gluck,**

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

[FR Doc. 06-9168 Filed 11-9-06; 8:45 am]

**BILLING CODE 4410-15-M**

## OFFICE OF NATIONAL DRUG CONTROL POLICY

### Paperwork Reduction Act; Proposed Collection; Comment Request

**AGENCY:** Office of National Drug Control Policy.

**ACTION:** 60 day notice.

**SUMMARY:** The Office of National Drug Control Policy (ONDCP) intends to submit the following information collection request to the Office of Management and Budget for review and approval. ONDCP seeks public comment.

*Abstract:* ONDCP will conduct face-to-face interviews and acquire urine samples from booked arrestees to obtain information concerning drug use; drug and alcohol treatment; and drug market participation and arrests. The use and manufacture of methamphetamines are of particular interest. Participation is voluntary.