

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 \$8.50 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Ronald Gluck,**

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

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## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on November 4, 2005, a proposed Amended Consent Decree in *United States v. Tecumseh Products Company*, Civil Action No. 03-C-401 (E.D. Wisc.) was lodged with the United States District Court for the Eastern District of Wisconsin.

In this action, the United States seeks the implementation of response actions at, and the reimbursement, pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601, *et seq.*, ("CERCLA"), of costs incurred by the United States in responding to a release or threat of release of hazardous substances in, the Upper River section of the Sheboygan River and Harbor Superfund Site in Sheboygan County, Wisconsin (the "Site"). The United States alleges that Tecumseh Products Company ("Tecumseh") arranged for disposal of hazardous substances in the Upper River portion of the Site and therefore is liable for the reimbursement of response costs and the performance of response actions under CERCLA.

On May 12, 2004, the United States District Court for the Eastern District of Wisconsin approved and entered a Consent Decree that requires Tecumseh to: (1) Implement those components of the

remedy set forth in a May 12, 2004 U.S. EPA Record of Decision that address the Upper River section of the Site: (2) pay at least \$2.1 million towards the United States' past site past response costs, which total approximately \$3.42 million; and (3) pay all future Upper River response costs incurred by the United States.

Under the proposed Amended Consent Decree, a third party, designated a "Work Party," would become party to the Amended Consent Decree and would be jointly and severally liable for completing the cleanup of the Upper River Section of the Site. Tecumseh, however, will continue to be liable for completion of the remedy. The Work Party has signed the Amended Consent Decree, and under the Decree's terms, the Work Party has voluntarily subjected itself to the jurisdiction of this Court and agreed to be bound by the terms of the Amended Consent Decree.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed Amended Consent Decree. Comments should be addressed to the 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. Tecumseh Products Company*, DOJ Ref. #90-11-2-06440.

The proposed Amended Consent Decree may be examined at the office of the United States Attorney for the Eastern District of Wisconsin, 530 Federal Building, 517 East Wisconsin Avenue, Milwaukee 53202, and at U.S. EPA Region 5, 77 West Jackson Boulevard, Chicago, IL 60604. During the public comment period, the proposed Amended 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 Librar, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, or by faxing a request to Tonia Fleetwood, fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$24.50 (25 cents per page reproduction costs) (Amended Consent Decree only) or \$75.25 (Amended Consent Decree and

all appendices), 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

[AAG/A Order No. 012-2005]

### Privacy Act of 1974; Removal of a System of Records Notice

Pursuant to the provisions of the Privacy Act of 1974 (5 U.S.C. 552a), the Department of Justice (DOJ) is removing the published notice of a Privacy Act system of records: The Deputy Attorney General's (DAG) "Honor Program Applicant System, JUSTICE/DAG-004," last published on October 21, 1985 at 50 FR 42605.

This system notice is unnecessary because the records are adequately covered by a Government-wide system of records notice published by the Office of Personnel Management (OPM): "OPM/GOVT-5, Recruiting, Examining, and Placement Records," last published in the **Federal Register** on April 27, 2000 (65 FR 24731, 24741). We note that the National Archives and Records Administration's General Records Schedule (GRS) is revised periodically, and that GRS 1, covering these records, has been updated since OPM published its notice. The Department of Justice maintains these records in accordance with the current disposition schedule for GRS 1. The GRS may be viewed at [http://www.archives.gov/records\\_management/ardor/index.html](http://www.archives.gov/records_management/ardor/index.html).

Therefore, the notice of "Honor Program Applicant System, JUSTICE/DAG-004" is removed from the Department's Privacy Act system of records, effective on the date of publication of this notice in the **Federal Register**.

Dated: November 7, 2005.

**Paul R. Corts,**

*Assistant Attorney General for Administration.*

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## DEPARTMENT OF JUSTICE

[AAG/A Order No. 014-2005]

### Privacy Act of 1974; System of Records

**AGENCY:** Department of Justice, Tax Division.