

institution (69 FR 69954, December 1, 2004) were adequate but found that the respondent interested party group response with respect to Italy was inadequate. However, the Commission determined to conduct a full review concerning subject imports from Italy to promote administrative efficiency in light of its decision to conduct a full review with respect to subject imports from Japan. A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements will be available from the Office of the Secretary and at the Commission's Web site.

**Authority:** These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.62 of the Commission's rules.

By order of the Commission.

Issued: March 17, 2005.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 05-5701 Filed 3-22-05; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on March 7, 2005, a proposed Consent Decree in *Kewanee Industries, Inc. v. Browning-Ferris Industries of Ohio, et al.*, Civil Action No. 5:03CV1325, was lodged with the United States District Court for the Northern District of Ohio.

In a Complaint in Intervention also filed in this action on March 7, 2005, the United States sought recovery, under section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9607(a), of response costs incurred in connection with the Krejci Dump Site in Summit County, Ohio ("Site"). The United States' claims were brought on behalf of the U.S. Department of the Interior, which has managed the Site since acquiring it by condemnation in 1980 for inclusion in the Cuyahoga Valley National Recreation Area (now Cuyahoga Valley National Park). Already pending in this action are claims by Kewanee Industries, Inc. ("Kewanee") under section 113(f) of CERCLA for contribution towards response costs incurred by Kewanee in connection with the site.

The proposed Consent Decree resolves Kewanee's claims and (subject to certain reservations set forth in the Consent Decree) the claims filed by the United States against the three original Defendants in this action—Browning-Ferris Industries of Ohio, Gould Electronics, Inc. (through its alleged successor, Nikko Materials USA, Inc. dba Gould Electronics), and Paciv Corporation—and two additional defendants named in the United States' Complaint in Intervention—Garfield Alloys, Inc. and General Electric Company. Under the proposed Decree, the five settling defendants will pay a total of \$300,000 to the United States (of which \$270,000 is for reimbursement of response costs and \$30,000 is for natural resource damages) and \$600,000 to Kewanee.

The Department of Justice will receive comments relating to the proposed consent decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Washington, DC 20044-7611, and should refer to *Kewanee Industries, Inc. v. Browning-Ferris Industries of Ohio, et al.*, D.J. Ref. No. 90-11-3-768/2.

The proposed Consent Decree may be examined at the Office of the United States Attorney, 801 West Superior Avenue, Suite 400, Cleveland, Ohio. 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 each Consent Decree, exclusive of exhibits and defendants' signatures, please enclose a check in the amount of \$7.50 (25 cents per page reproduction cost) payable to the U.S. Treasury. The check should refer to *Kewanee Industries, Inc. v. Browning-Ferris Industries of Ohio, et al.*, D.J. Ref. No. 90-11-3-768/2.

**William D. Brighton,**

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

[FR Doc. 05-5768 Filed 3-22-05; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Between the United States and The GHK Company, L.L.C. and GHK/Potato Hills Limited Partnership Under the Clean Water Act

Under 28 CFR 50.7, notice is hereby given that on March 15, 2005, a proposed consent decree ("Consent Decree") between The GHK Company, L.L.C. and GHK/Potato Hills Limited Partnership, Civil Action No. 05-116-W, was lodged with the United States District Court for the Eastern District of Oklahoma.

The Consent Decree would resolve claims asserted by the United States in a Complaint filed on the same day against The GHK Company, L.L.C. and GHK/Potato Hills Limited Partnership (collectively, "GHK"), seeking injunctive relief and the assessment of civil penalties for the discharge of pollutants without a permit in violation of sections 301 and 404 of the Clean Air Water Act, 33 U.S.C. 1311, 1344(a), and for failure to respond fully to a request for information regarding potential violations, issued by EPA pursuant to section 308 of the Clean Water Act, 33 U.S.C. 1318.

The Complaint filed by the United States alleges that due to construction activity at eight (8) of GHK's natural gas drilling sites, located in Oklahoma's Pushmataha and Latimer Counties, GHK was required to obtain coverage under the National Permit Discharge Elimination System ("NPDES") General Permit for Construction Activities (or obtain an individual NPDES permit) and to develop and implement a stormwater pollution prevention plan (SWPPP). In addition, the United States alleges that GHK was required to obtain a permit under § 404 of the CWA at five (5) natural gas drilling sites, located in Oklahoma's Pushmataha and Latimer Counties, at which GHK discharged dredged or fill material into nearby streams. Finally, the United States alleges that in the course of investigating GHK's construction activities, EPA issued several information requests to GHK, pursuant to CWA § 308, 33 U.S.C. 1318, to which GHK provided an insufficient response.

The Consent Decree provides for the payment of a civil penalty of \$325,000 and embodies a comprehensive plan for remedial work to be performed at 32 sites under the operational control and ownership of GHK and GHK/Potato Hills in the Latimer and Pushmataha counties in the State of Oklahoma. In addition, the Consent Decree requires GHK to implement a stormwater

corporate compliance program to ensure compliance with the Clean Water Act at all of its drilling sites in the future.

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 Assistance 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. GHK Company, L.L.C. and GHK/Potato Hills Limited Partnership*, D.J. Ref. No. 90-5-1-1-07654.

The Consent Decree may be examined at the Office of the United States Attorney, Eastern District of Oklahoma, 1200 West Okmulgee Street, Muskogee, OK 74401, and at U.S. EPA Region VI, 1445 Ross Avenue, Dallas, TX 75202-2733. 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 \$19.75 (25 cents per page reproduction cost) payable to the U.S. Treasury.

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

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

[FR Doc. 05-5770 Filed 3-22-05; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Amendment Under the Clean Air Act

Under 28 C.F.R. § 50.7, notice is hereby given that on March 11, 2005, a First Amendment to the August 2001 Consent Decree in the matter of *United States, et al. v. Marathon Ashland Petroleum LLC*, Civil Action No. 4:01-CV-40119-PVG, was lodged with the United States District Court for the Eastern District of Michigan.

The First Amendment to the August 2001 Consent Decree ("First Amendment") amends a consent decree entered among the United States, as Plaintiff, the County of Wayne, the State of Louisiana, and the State of Minnesota, as Plaintiff-Intervenors, and Marathon Ashland Petroleum LLC

("MAP"), as Defendant. In the August 2001 Consent Decree, MAP agreed, to undertake, *inter alia*, numerous projects to reduce emissions of air pollutants at seven refineries that MAP owns and operates. The proposed First Amendment exclusively involves MAP's refinery in Texas city, Texas. Under the First Amendment, MAP will: (1) Receive an exemption from compliance with the sulfur dioxide emissions limits of the New Source Performance Standards, 40 CFR 60.104(a)(1), at two of MAP's heaters at the Texas City Refinery during limited periods between March 1, 2005, and February 28, 2006, provided that MAP meets certain requirements during those limited periods; (2) accept a permanent reduction of the emissions limitation at the Refinery's fluidized catalytic cracking unit ("FCCU") from 25 ppm to 20 ppm on 365-day rolling average basis, at 0% oxygen; (3) advance by six months the NSPS compliance date of a new sulfur recovery plant that MAP will be installing at the Refinery; (4) advance by five months the NSPS compliance date of six heaters and boilers at the Refinery that currently are not subject to NSPS; (5) limit total sulfur dioxide emissions from the Texas City Refinery to those set forth in MAP's current Texas state permit; and (6) spend no less than \$100,000 to install diesel retrofit technologies on no less than seven sanitation trucks owned and operated by Texas City, Texas.

The Department of Justice will receive for a period of fifteen (15) 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, et al. v. Marathon Ashland Petroleum LLC*, D.J. Ref. No. 90-5-2-1-07247.

The First Amendment may be examined at the Office of the United States Attorney, 211 W. Fort St., Suite 2300, Detroit, Michigan 48226, and at U.S. EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733. During the public comment period, the First Amendment 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 number (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 \$2.75 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Robert D. Brook,**

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

[FR Doc. 05-5769 Filed 3-22-05; 8:45 am]

**BILLING CODE 4410-IS-M**

## DEPARTMENT OF JUSTICE

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

Under 42 U.S.C. section 9622(d)(2) and 28 CFR 50.7, notice is hereby given that on March 2, 2005, a proposed Consent Decree in *United States v. Waste Management of Wisconsin, Inc.*, Civil Action Number 3:05cv00128, was lodged with the United States District Court for the Western District of Wisconsin.

The consent decree resolves claims against Waste Management of Wisconsin, Inc. ("WMWI") on behalf of the Environmental Protection Agency ("EPA") under sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9606 and 9607, for response action to be taken and response costs to be incurred in responding to the release and threatened release of hazardous substances at the City Disposal Corporation Landfill Superfund Site ("Site") in the Town of Dunn, Dane County, Wisconsin.

WMWI has been performing the remedial action for the site under a unilateral administrative order issued by EPA. Under the consent decree, WMWI will complete performance of the Site remedy and will reimburse the United States for response costs the United States will incur at the site. The consent decree also provides for disbursement to WMWI, if specified conditions are met, of approximately \$1.97 million credited to the site from the proceeds of a prior, separate settlement in *In re U.E. Systems, Inc.*, et al., No. 91-32791 (Bankr. N.D. Ind.). The *U.E. Systems* settlement required that amounts recovered therein "shall reduce the liability of the non-settling potentially responsible parties \* \* \* by the amount of the credit." The proposed consent decree with WMWI will implement that provision of the *U.E. Systems* settlement while also providing the United States with full recovery of