

**DEPARTMENT OF JUSTICE****Notice of Lodging of Stipulated Order Under the Clean Water Act**

Notice is hereby given that on May 8, 2007, a proposed Stipulated Order in *United States and State of Hawaii v. City and County of Honolulu*, Case No. CV 07-00235 HG-KS (D. Hawaii), relating to the City and County of Honolulu's (CCH) sanitary sewage collection system, was lodged with the United States District Court for the District of Hawaii.

The proposed Stipulated Order is a settlement of claims for injunctive relief brought against CCH pursuant to the Clean Water Act, 33 U.S.C. 1251-1387, for the unauthorized discharge of pollutants into waters of the United States. The proposed Stipulated Order requires CCH to: (1) Construct replacement force mains; (2) assess the condition of specific force mains and a pump station and implement necessary repairs; and (3) submit site-specific spill contingency plans for designated force mains.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Stipulated Order. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov), or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, with a copy to Robert Mullaney, U.S. Department of Justice, 301 Howard Street, Suite 1050, San Francisco, CA 94105, and should refer to *United States and State of Hawaii v. City and County of Honolulu*, D.J. Ref. 90-5-1-1-3825/1.

The Stipulated Order may be examined at U.S. EPA Region 9, Office of Regional Counsel, 75 Hawthorne Street, San Francisco, California. During the public comment period, the Stipulated Order may also be examined on the following Department of Justice Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy of the Stipulated Order 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 \$9.75 (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.

**Henry Friedman,**

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

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**BILLING CODE 4410-15-M**

**DEPARTMENT OF JUSTICE****Notice of Lodging of Consent Decree Under the Clean Water Act**

Notice is hereby given that on April 30, 2007, a proposed Consent Decree in *United States v. Hudson Sand and Gravel, Inc., et al.*, Civil Action No. 07-CV-00128-SM, was lodged with the United States District Court for the District of New Hampshire.

In this action, the United States sought a civil penalty and injunctive relief for violations of the Clean Water Act, 33 U.S.C. 1251, *et seq.*, and its implementing regulations, in connection with a sand and gravel mining operation located off Pettingill Road in the town of Londonderry, New Hampshire owned and/or operated by the settling defendants. Specifically, the United States alleged that the settling defendants discharged stormwater from the property into waters of the United States without an appropriate permit, in violation of 33 U.S.C. 1311 and 1318, and that the settling defendants discharged pollutants into waters of the United States without a permit from the United States Army Corps of Engineers, in violation of 33 U.S.C. 1344. The Consent Decree requires the settling defendants to implement injunctive relief, including obtaining a proper stormwater permit for the property and delineating all wetlands on the property and undertaking appropriate restoration, if necessary. The Decree also requires the settling defendants to pay \$250,000 civil penalty.

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, and either e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto: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. Hudson Sand and Gravel, Inc., et al.*, D.J. Ref #90-5-1-1-08363.

The Consent Decree may be examined at the Office of the United States Attorney for the District of New

Hampshire, 55 Pleasant Street, Room 352, Concord, New Hampshire 03301, and at U.S. EPA Region 1, 1 Congress Street, Suite 1100, Boston, Massachusetts 02114 (contact John Kilborn). During the public comment period, the Consent Decree also may be examined on the following Department of Justice Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy 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 from the Consent Decree Library, please enclose a check in the amount of \$11.00 (25 cents per page reproduction cost) payable to the U.S. Treasury, or, if by email 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. 07-2411 Filed 5-16-07; 8:45 am]

**BILLING CODE 4410-15-M**

**DEPARTMENT OF JUSTICE****Notice of Lodging of a Settlement Agreement Under the Comprehensive Environmental Response, Compensation, and Liability Act**

Notice is hereby given that on April 19, 2007, a proposed Settlement Agreement in *In Re Keystone Environmental Services, Inc.* Bankruptcy Petition: 04-24279, was lodged with the United States Bankruptcy Court for the Eastern District of Pennsylvania.

In this bankruptcy proceeding brought under Chapter 7 of Title 11 of the United States Code, 11 U.S.C. 101 *et seq.*, the United States filed a general unsecured claim pursuant to the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9601 *et seq.*, for approximately \$2 million in unreimbursed environmental response costs incurred by the United States at the Malvern Superfund Site, located in Chester County, Pennsylvania, and at the Spectron Superfund Site, located in Cecil County, Maryland. Under the Settlement Agreement, the Debtor will make a payment of \$440,000, of which the United States will receive \$233,200. The remainder will be paid to the