

Georgia, Cherry St. Galleria, 4th Floor, 433 Cherry St., Macon, GA 31201 ((478) 752-3511), and at U.S. EPA Region 4, Atlanta Federal Center, 61 Forsyth Street, SW., Atlanta, Georgia 30303 (contact Bonnie Sawyer, Esq. (404) 562-9539). During the public comment period, the Partial 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 Partial Consent Decree may also be obtained by mail from the Consent Decree Library, U.S. Department of Justice, P.O. Box 7611, 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 refer to *United States v. American Cyanamid, et al.*, (M.D. Ga.) (Partial Consent Decree with Olin and Hexion/Borden, DOJ Ref. No. 90-11-3-07602), and enclose a check in the amount of \$6.00 (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 state address.

**Henry S. Friedman,**

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

[FR Doc. 06-5017 Filed 5-31-06; 8:45 am]

**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. Cardinal Fencing, Inc. and Frank O. Bonner*, Civ. Action # 5:06cv1268 (N.D. Ohio), was lodged with the United States District Court for the Northern District of Ohio on May 22, 2006.

This proposed Consent Decree concerns a complaint filed by the United States against Cardinal Fencing, Inc. and Frank O. Bonner, pursuant to Section 301(a) of the Clean Water Act, 33 U.S.C. 1311(a), to 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 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 Laurel A. Bedig, U.S. Department of Justice, Environment & Natural Resources Division, Environmental Defense Section, P.O. Box 23986, Washington, DC 20026-3986 and refer to *United States v. Cardinal Fencing, Inc. and Frank O. Bonner*, DJ # 90-5-1-1-16125.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the Northern District of Ohio, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio 44113. In addition, the proposed Consent Decree may be viewed at <http://www.usdoj.gov/enrd/open.html>.

Dated: May 23, 2006.

**Scott Schachter,**

*Assistant Chief, Environmental Defense Section, Environmental & Natural Resources Division.*

[FR Doc. 06-5019 Filed 5-31-06; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

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

In accordance with 28 CFR 50.7, notice is hereby given that on May 16, 2006, a proposed Consent Decree in *United States v. Newly Weds Foods, Inc.*, Civil Action No. 06 C 2706, was lodged with the United States District Court for the Northern District of Illinois.

In a Complaint filed on the same day as the lodging of the proposed Consent Decree, the United States sought injunctive relief and civil penalties for violations of the industrial refrigerant repair, record-keeping, and reporting regulations at 40 CFR 82.152-82.166 (Recycling and Emission Reduction) promulgated by the Environmental Protection Agency ("EPA") under Subchapter VI of the Act (Stratospheric Ozone Protection), 42 U.S.C. 7671-7671q, at one or more of Newly Weds' eight United States facilities, which are located in Chicago, Illinois; Watertown, Massachusetts; Bethlehem, Pennsylvania; Cleveland, Tennessee; Horn Lake, Mississippi; Springdale, Arkansas; Gerald, Missouri; and Modesto, California. In the proposed Consent Decree, Newly Weds agrees to (1) retrofit or retire all thirty-nine of its industrial process refrigeration equipment systems at the eight United States facilities that are designed to hold more than 50 pounds of ozone depleting refrigerants at full charge with systems

that use only non-ozone depleting refrigerants by July 1, 2008 and (2) pay a \$125,000 penalty to the United States.

The Department of Justice will receive comments relating to the proposed Consent Decree for a period of thirty days from the date of this publication. 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. Newly Weds Foods, Inc.*, D.J. Ref. 90-5-2-1-07985.

The Consent Decree may be examined at the Office of the United States Attorney for the Northern District of Illinois, 219 South Dearborn Street, Chicago, Illinois 60604, and at U.S. EPA Region 5, 77 West Jackson Blvd., Chicago, IL 60604. 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/open.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. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$7.50 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**William D. Brighton,**

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

[FR Doc. 06-5015 Filed 5-31-06; 8:45 am]

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## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on May 3, 2006, a proposed Consent Decree in *United States v. Portland Terminal Railroad Company*, Case No. 03-1763 was lodged with the United States District Court for the District of Oregon.

In this action the United States sought recovery of response costs incurred and to be incurred in connection with the clean up of the United States Postal Service's Processing and Distribution Center in Portland, Oregon. The Postal Service facility is the former location of a rail yard owned and operated by the