

EPA \$1,149,902 of its past costs at this Site, plus interest from January 7, 2003, and will perform the Operable Unit Two remedial action. The Operable Unit Two remedial action includes the treatment and stabilization of a hot spot area, the installation of a landfill cap over the fill area, improvement of the existing groundwater recovery system, and institutional controls. The cost of the performance of the Operable Unit Two remedial action will be financed in part from proceeds of a previous settlement with *de minimis* potentially responsible parties relating to the Site and in part by the defendants participating in this Consent Decree.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, written comments relating to the proposed 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 v. 3M Company, et al.*, DOJ Ref. #09-11-12-495/1. In addition, because the Consent Decree includes a covenant not to sue the settling defendants under Section 7003 of the Resource Conservation and Recovery Act, 42 U.S.C. 6973, the United States will provide an opportunity for a public meeting in the affected area, if requested within the thirty (30) day public comment period. See 42 U.S.C. 6973(d).

The proposed Consent Decree may be examined at the Office of the United States Attorney for the District of New Jersey, 970 Broad Street, Room 400, Newark, New Jersey 07102, and at the U.S. Environmental Protection Agency, Region II, office, 290 Broadway, New York, New York 10007. 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, with or without appendices, may also be obtained by mail from the Consent Decree Library, PO 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 enclose a check in the amount of \$29.75 (25 cents per page reproduction costs) for the Consent Decree, without appendices, or \$107.00 (25 cents per page reproduction costs) for the Consent Decree, with

appendices, payable to the U.S. Treasury.

**Ronald G. Gluck,**

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

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## DEPARTMENT OF JUSTICE

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

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a consent decree resolving the liability of Hyponex Corporation in *United States of America v. Hyponex Corp.*, Civil Action No. 92-1940 (D.N.J.), was lodged with the United States District Court for the District of New Jersey on July 6, 2004.

The proposed consent decree concerns alleged violations of the Clean Water Act, 33 U.S.C. 1311, resulting from the unauthorized discharge of dredged or fill materials into waters of the United States at a location in Hampton Township, Sussex County, New Jersey (the "Site"). The consent decree enjoins Hyponex Corporation from discharging dredged or fill material into waters of the United States at the Site. The consent decree further requires that Hyponex Corporation: (a) Implement a restoration plan to restore wetlands damaged by the unauthorized discharges at the Site and to enhance other wetlands at the Site; (b) pay a civil penalty of \$50,000; (c) place a conservation easement on over 1,000 acres of land at the Site, which includes all wetlands at the Site, and transfer that property to an organization approved by the Corps of Engineers for the purpose of permanently protecting and managing the transferred property in an undeveloped state, consistent with the function and values of the wetlands at the Site; and (d) pay \$125,000 to establish a fund to be used by the holder of the conservation easement for the purpose of overseeing the preservation and maintenance of the 1,000-plus acre period. The consent decree also requires that Hyponex Corporation dismiss with prejudice all claims and counterclaims which have been or could have been asserted against the United States with regard to the Site.

The Department of Justice will receive written comments relating to the proposed consent decree for a period of thirty (30) days from the date of publication of this notice. Comments should be addressed to the Assistant Attorney General, Environment and

Natural Resources Division, United States Department of Justice, Attention: Michael J. Zevenbergen, Attorney, Environmental Defense Section, Seattle Field Office, c/o NOAA/Damage Assessment, 7600 Sand Point Way NE, Seattle, WA 98115, and should refer to *United States of America v. Hyponex Corp.*, DJ Reference No. 90-5-1-1-3685.

The proposed consent decree may be examined at the Clerk's Office, United States District Court, Martin Luther King Federal Building and Courthouse, 50 Walnut Street, Newark, NJ 07102.

**Letitia J. Grishaw,**

*Chief, Environmental Defense Section, Environment and Natural Resources Division, Department of Justice.*

[FR Doc. 04-18400 Filed 8-10-04; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response Compensation and Liability Act ("CERCLA")

Pursuant to section 122(d) of CERCLA, 42 U.S.C. 9622(d), and 28 CFR 50.7 notice is hereby given that on August 2, 2004, a proposed Consent Decree in *United States v. Izzo Group, Inc., and Pasco Izzo, Sr.*, Civ. No. 1:04-CV-11689 (GAO), was lodged with the United States District Court for the District of Massachusetts.<sup>1</sup>

In this action the United States, on behalf of the United States Environmental Protection Agency ("EPA"), seeks cost recovery with respect to the Cohen Property Superfund Site ("Site"), located in the City of Taunton, Massachusetts, pursuant to the Comprehensive Environmental Response, Compensation and Liability Act against Izzo Group, Inc., and Pasco Izzo, Sr. (the "Settling Parties"). Under the terms of the proposed settlement, the Settling Parties will pay \$100,000, plus interest, to reimburse the United States for costs incurred by EPA at the site. This settlement amount is based on the Settling Parties' limited ability to pay the full amount of EPA's unreimbursed response costs. The proposed settlement also provides for payment of approximately \$2 million by the United States, on behalf of the United States Department of Defense, in reimbursement of EPA's response costs incurred at the Site.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, written comments relating to the

proposed 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 v. Izzo Group, Inc.*, et al., DOJ Ref. #90-11-21245/1.

The proposed Consent Decree may be examined at the Office of the United States Attorney for the District of Massachusetts, Office of the United States Attorney, 1 Courthouse Way, Suite 9200, Boston, MA, 02210, and at the U.S. Environmental Protection Agency, Region I, 1 Congress Street, Suite 1100, Boston, MA 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 be also be obtained by mail from the Consent Decree Library, 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 enclose a check in the amount of \$5.25 (25 cents per page reproduction costs) for the Consent Decree payable to the U.S. Treasury.

**Ronald G. Gluck,**

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

[FR Doc. 04-18397 Filed 8-10-04; 8:45 am]

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## DEPARTMENT OF JUSTICE

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

Under 28 CFR 50.7, notice is hereby given that on July 29, 2004, a proposed Consent Decree in *United States v. Mallinckrodt, Inc. et al.*, Civil Action No. 4:02CV1488 was lodged with the United States District Court for the Eastern District of Missouri.

In this action the United States sought response costs relating to response actions by the Environmental Protection Agency ("EPA") at the Great Lakes Container Corporation Superfund Site in St. Louis, Missouri. The Site is a former drum reclamation facility contaminated primarily with lead and polychlorinated biphenyls ("PCBs"). The settling defendant, Indopco, Inc., f/k/a National Starch and Chemical

Corporation ("National Starch"), sent drums to the facility and thereby contributed small or unknown amounts of lead to the Site. In the proposed consent decree, the settling defendant has agreed to reimburse EPA \$45,713.12 in past response costs. In return, the United States covenants not to sue National Starch for its liability related to lead contamination at the Site.

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 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. Mallinckrodt, Inc. et al.* Consent Decree D.J. Ref. 90-11-3-07280.

The Consent Decree may be examined at the Office of the United States Attorney, Eastern District of Missouri, 111 10th Street, St. Louis, MO 63102 and at U.S. EPA Region VII, U.S. EPA, Region VII, 901 N. 5th Street, Kansas City, KS 66101. (913) 551-7559. During the public comment period, the Consent Decree may also be examined on the following Department of Justice website, <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 \$4.75 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Catherine R. McCabe,**

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

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## DEPARTMENT OF JUSTICE

### Office of Justice Programs

#### Agency Information Collection Activities: Proposed Collection; Comments Requested

**ACTION:** 60-Day Notice of Information Collection Under Review: National Survey of Supervised Visitation and Safe Exchange Programs.

The Department of Justice (DOJ), Office of Justice Programs, Office on Violence Against Women, has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for "sixty days" until October 12, 2004. This process is conducted in accordance with 5 CFR 1320.10.

If you have comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Cynthia J. Schwimer, Comptroller, (202) 307-0623, Office of Justice Programs, U.S. Department of Justice, 810 Seventh Street NW., Washington, DC 20531.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

#### Overview of This Information Collection

- (1) *Type of Information Collection:* New collection.
- (2) *Title of the Form/Collection:* National Survey of Supervised Visitation and Safe Exchange Programs.
- (3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: None. U.S. Department of Justice, Office of Justice,