

the two wing dams, Mormon Island Auxiliary Dam, and the eight dikes. Retrofitting and increasing the flood control capacity of the Folsom Dam and its appurtenant structures are currently being studied. Locating and extracting adequate borrow materials for embankment modifications will be a major component of the project. Reclamation has determined that an EIS is warranted to examine the potential impacts for implementation of the Folsom CAS Project on the natural and human environment.

Potential Modification Alternatives to the Folsom Dam and appurtenant structures are being identified to reduce risks associated with:

1. Major Flood Events
2. Earthquakes
3. Seepage and Piping through Embankments

Folsom Dam and Embankment Hydrologic Alternatives include, but are not limited to:

1. Embankment Raise Options
2. Auxiliary Spillway on the Left Abutment Options

Folsom Dam and Embankment Seismic and Static Alternatives include, but are not limited to:

1. Mormon Island Auxiliary Dam Seismic Alternatives
2. Concrete Dam Seismic Options
3. Folsom Dam and Embankment Static Alternatives

If special assistance is required at the scoping meetings, please contact Mr. Shawn Oliver, Bureau of Reclamation, at (916) 989-7256. Please notify Mr. Oliver as far in advance of the meetings as possible to enable Reclamation to secure the needed services. If a request cannot be honored, the requestor will be notified.

Reclamation's policy is to make comments, including names and home addresses of respondents, available for public review. Individual respondents may request that we withhold their name and/or home address from public disclosure, which Reclamation will honor to the extent allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. Reclamation will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public disclosure in their entirety.

Dated: August 25, 2005.

**Michael Nepstad,**

*Deputy Regional Environmental Officer, Mid-Pacific Region.*

[FR Doc. 05-20051 Filed 10-5-05; 8:45 am]

BILLING CODE 4310-MW-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 September 19, 2005, a proposed Consent Decree ("Consent Decree") in *United States v. Eliskim, Inc. et al.*, Civil Action No. 1:05CV2196 was lodged with the United States District Court for the Northern District of Ohio, Eastern Division.

In this action, the United States, on behalf of the United States Environmental Protection Agency ("EPA"), sought to recover response costs from Eliskim, Inc. ("Eliskim") and the City of Geneva, Ohio ("City") pursuant to Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 107. The response costs were incurred in response to releases and threatened releases of hazardous substances from the True Temper Sports Superfund Site located in the City of Geneva, Ohio (the "Site"). The Consent Decree would require Eliskim and the City to pay respectively \$56,500 and \$12,500 toward the response costs incurred by EPA, which are presently estimated to be \$118,000. The Consent Decree would resolve Eliskim's liability for: (1) Past response costs at the Site; and (2) costs, penalties, and fees pursuant to an Administrative Order by Consent at the Site. To the extent provided by the Consent Decree, certain specified benefits of the settlement would also extend to Eliskim's parent corporation, American Household, Inc. Finally, the Consent Decree would grant the City a *de minimis* covenant not to sue pursuant to Section 122(g) of CERCLA, 42 U.S.C. 9622(g).

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. Eliskim, Inc., et al.*, No. 1:05CV2196 (N.D. Ohio), D.J. Ref. 90-11-2-1310/1.

The Consent Decree may be examined at the Office of the United States Attorney, 801 West Superior Avenue, Suite 400, Cleveland, Ohio 44113-1852, and at U.S. EPA Region 5, 77 West Jackson Boulevard, 14th Floor, Chicago, Illinois. 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 \$17.25 (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. 05-20041 Filed 10-5-05; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Amended Notice of Lodging of Settlement Agreement Pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act and the Comprehensive Environmental Response, Compensation, and Liability Act

In accordance with 28 CFR 50.7 and 42 U.S.C. 9622(i), notice is hereby given that on September 13, 2005, a Settlement Agreement was lodged with the United States District Court for the District of Puerto Rico in *United States v. Tropical Fruit, S.E., et al.*, Civil Action No. 97-1442-DRD. On October 25, 2001, the Court entered a Consent Decree between the United States, on behalf of the U.S. Environmental Protection Agency ("EPA"), and Defendants pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act ("FIFRA"), 7 U.S.C. 136 *et seq.*, and the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9601 *et seq.*, with respect to a Farm located in Rural Zone Boca, Guayanilla, Puerto Rico. The Consent Decree required Defendants to pay \$35,000 in penalties and CERCLA response costs and to comply with extensive injunctive relief measures, including the creation of a no-spray buffer zone on the northern and a portion of the western perimeter of the Farm which will vary in width up to 173 feet. In December 2004, the United States filed a Motion to Enforce the Consent Decree and for stipulated penalties in that the United States alleged that Defendants violated certain provisions of the Consent Decree

including the requirement that Defendants remove or relocate mango trees and banana trees from the buffer zone area, and replace them with plaintain trees which would not be sprayed.

The United States and Defendants have reached a proposed agreement to resolve the United States' Motion to Enforce the Consent Decree and its request for stipulated penalties, which Settlement Agreement requires Defendants, *inter alia*, to remove or relocate the mango trees they were required to remove or relocate under the Decree by April 1, 2006, which schedule will allow Defendants to transplant the mango trees elsewhere at the Farm, and to replace them with bananas or plaintains. The Settlement Agreement authorizes the Farm to plant, in two perimeter areas, an extra row of neem trees as a barrier instead of planting bananas or plaintains. The Settlement Agreement allows Defendants to apply low-toxicity pesticides in limited circumstances and under application restrictions in buffer zone areas to address an outbreak of Sigatoka Negra. The Settlement Agreement also requires the Farm to pay a stipulated penalty of \$50,000 over a one year period, plus interest.

The Department of Justice will receive, for a period of fifteen (15) days from the date of this publication, written comments relating to the proposed Settlement Agreement. Comments should be addressed to the Assistant Attorney General, Environmental and Natural Resources Division, Post Office Box 7611, United States Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Tropical Fruit, S.E., et al.*, DOJ Ref. #90-1-1700/1. The United States published notice of the proposed Settlement Agreement on September 22, 2005 (70 Fed. Reg. 55627), but did not specify that the comment period was for a period of 15 days.

The proposed Settlement Agreement may be examined at the office of the United States Attorney, Federal Building 452, Carlos Chardon Avenue, Hato Rey, PR 00918, and at two offices of the Environmental Protection Agency, Region II: EPA, 290 Broadway, 17th floor, New York, NY 10007-1866 or EPA, Caribbean Environmental Protection Division, Centro Europa Building, Suite 417, 1492 Ponce de Leon, Stop 22, Santurce, Puerto Rico, 00907-4127. During the public comment period, the Settlement Agreement may also be examined on the following Department of Justice Website, <http://www.usdoj.gov/enrd/>

[open.html](http://open.html). A copy of the proposed Settlement Agreement 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 no. (202) 514-1547, referencing DOJ No. 1-1700/1. For a copy of the proposed Settlement Agreement including the signature pages and attachments, please enclose a check (there is a 25 cent per page reproduction cost) in the amount of \$3.50 payable to the U.S. Treasury.

**Ronald G. Gluck,**

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

[FR Doc. 05-20142 Filed 10-5-05; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

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

Pursuant to 28 CFR 50.7, notice is hereby given that on September 21, 2005, a proposed Consent Decree in *United States v. United States Steel Corp.*, C.A. No 1:05CV2220 was lodged with the United States District Court for the Northern District of Ohio.

In this action, the United States seeks civil penalties and injunctive relief against United States Steel Corp. ("U.S. Steel"), as a successor to certain liabilities of USS/KOBE Steel Company, for violation of the Clean Air Act, 42 U.S.C. 7401 *et seq.*, and provisions of the Ohio State Implementation Plan governing the emission of fugitive dust or particulate matter, and for violation of the Clean Water Act, 33 U.S.C. 1251 *et seq.*, and a National Pollutant Discharge Elimination System ("NPDES") permit. The alleged violations occurred at a steel manufacturing facility located in Lorain, Ohio. The State of Ohio seeks to intervene in the action as a plaintiff asserting similar claims for relief.

The proposed Consent Decree requires U.S. Steel: (i) To comply with particulate emission limits in a permit issued by the Ohio Environmental Protection Agency pursuant to Title V of the Clean Air Act, (ii) to perform a stack test to verify compliance with applicable particulate emission limits; (iii) to comply with effluent limits in the NPDES permit applicable to the Lorain facility of United States Steel Corp., (iv) to pay a civil penalty of \$100,025, divided evenly between the United

States and the State of Ohio, and (v) to perform a Supplemental Environmental Project involving the removal from service and disposal of up to 13 transformers containing polychlorinated biphenyls, at a cost not to exceed \$294,500.

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, Environment and Natural Resources Division, U.S. Department of Justice, P.O. Box 7611, Washington, DC 20044-7611; and refer to *United States v. United States Steel Corp.*, DOJ Ref.#90-5-2-1-06709.

The proposed settlement agreement may be examined at the United States Environmental Protection Agency (Region 5), 77 West Jackson Blvd., Chicago, IL 60604-3507 (contact: Christine Liszewski (312-886-4670)). During the 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 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 of the proposed Consent Decree from the Consent Decree Library, please enclose a check in the amount of \$9.75 (25 cents per page reproduction cost for 39 pages) payable to the U.S. Treasury for a copy of the Consent Decree without attachments. For a copy of the Consent Decree with attachments, please enclose \$35.00 (25 cents per page reproduction cost for 140 pages).

**William D. Brighton,**

*Assistant Section Chief, Environmental Enforcement Section.*

[FR Doc. 05-20040 Filed 10-5-05; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of a Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, the Clean Water Act, and the Park System Resources Protection Act

Notice is hereby given that a proposed Consent Decree in *United States of America v. Washington Golf and*