

Johnson County

Townsend, George, House, 61872 NE 136,
Tecumseh, 06000996

Sarpy County

Gordon, William E., House, 711 Bellevue
Blvd. S, Bellevue, 06000997

NEW YORK**Herkimer County**

Italian Community Bake Oven, NY 167, Little
Falls, 06001003

Onondaga County

Cosman Family Cemetery, Lattintown Rd.,
Middle Hope, 06001002

Otsego County

Fly Creek Historic District, (Industrial
Development in the Oaks Creek Valley,
Otsego County, New York MPS), NY 28,
NY 80, Cty Rd. 26, Cemetery Rd., Goose St.
Allison Rd., Bissell Rd., Fly Creek,
06001004

Rockland County

Andre, Maj. John, Monument, 42 Andre Hill,
Tappan, 06001001 Washington County
Dayton-Williams House, 65 Dayton Hill Rd.,
Middel Granville, 06001000

PENNSYLVANIA**Lancaster County**

Ephrata Commercial Historic District,
Portions of W. Main, E. Main, N. State, S.
State Sts., and Washington Ave., Ephrata,
06001005

Philadelphia County

Presser Home for Retired Music Teachers,
101-121 W. Johnson St., Philadelphia,
06001006

SOUTH DAKOTA**Corson County**

Sitting Bull Monument, SE ¼ of SE ¼ of Sec
13 T18 R29, Mobridge, 06001008

Minnehaha County

Renner Ball Park, ¾ mi. W of 258th St., and
SD 115 intersection, Renner, 06001007

TENNESSEE**Sumner County**

Durham's Chapel School, 5055 Old TN 31 E,
Bethpage, 06001009

VERMONT**Franklin County**

Giroux Furniture Company Building, 10-18
Catherine St., St. Albans, 06001010

VIRGINIA**Chesterfield County**

Dale's Pale Archeological District,
(Prehistoric through Historic Archeological
and Architectural Resources at Bermuda
Hundred MPS), South Shore of James R.,
Chesterfield County Park, Chester,
06001012

Town of Bermuda Hundred Historic District,
(Prehistoric through Historic Archeological
and Architectural Resources at Bermuda
Hundred MPS), Both sides of Bermuda

Hundred and Allied Rds., Chester,
06001011

WASHINGTON**Whitman County**

College Hill Historic District, Roughly
bounded by Stadium Way, B St., Howard
St. and Indiana St., Pullman, 06001013

[FR Doc. E6-17297 Filed 10-17-06; 8:45 am]

BILLING CODE 4312-51-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 October
4, 2006, a proposed Consent Decree in
*United States v. Afton Chemical Corp.,
et al.*, Case No. 3: 06-cv-763 ("*Afton
Chemical*"), was lodged with the United
States District Court for the Southern
District of Illinois.

In *Afton Chemical*, the United States
is seeking recovery of approximately
\$3.5 million in response costs incurred
in connection with a 1999-2000
removal action ("Removal Action") at
Sauget Area 2, Southern Site Q, in
Cahokia, Illinois. The proposed Consent
Decree would resolve the United States'
claims against 21 of the *Afton Chemical*
defendants (the "Settling Defendants").
Under the proposed Consent Decree, the
Settling Defendants would pay
\$2,601,594.20 to the United States. In
exchange, they would receive
contribution protection and a covenant
by the United States not to sue them for
response costs incurred in connection
with the Removal Action. The Settling
Defendants include the following: Afton
Chemical Corporation; Allied Waste
Industries, Inc.; A.O. Smith Corporation;
Barry-Wehmiller Companies, Inc.; BASF
Corporation; BFI Waste Systems of
North America, Inc.; Blue Tee Corp.;
Cyprus Amax Minerals Company; The
Dow Chemical Company; Eagle Marine
Industries, Inc.; Exxon Mobil
Corporation; Flint Group Incorporated;
Fru-Con Construction Corporation; The
Glidden Company; Mallinckrodt Inc.;
Merck & Co., Inc.; Pharmacia
Corporation; The Procter & Gamble
Company; The Procter & Gamble
Manufacturing Company; Service
America Corporation; and Union
Carbide Corporation.

The Department of Justice will receive
for a period of 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, P.O. Box 7611, U.S.
Department of Justice, Washington, DC
20044-7611, and should refer to *United
States v. Afton Chemical Corp., et al.*,
D.J. Ref. 90-11-206089/1.

The proposed Consent Decree may be
examined at the Office of the United
States Attorney, 9 Executive Drive,
Fairview Heights, IL 62208-1344, and at
the U.S. Environmental Protection
Agency, Region 5, 77 West Jackson
Boulevard, Chicago, IL 60604-3590.
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/
Consent_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.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 e-mailing or faxing a
request to Tonia Fleetwood
(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
\$10.50 (25 cents per page reproduction
cost) payable to the United States
Treasury. If a request for a copy of the
proposed Consent Decree is made by fax
or e-mail, please forward a check in the
aforementioned amount to the Consent
Decree Library at the address noted
above.

William Brighton,

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

[FR Doc. 06-8744 Filed 10-17-06; 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**

In accordance with Departmental
policy, 28 CFR 50.7, notice is hereby
given that a proposed consent decree in
United States v. Cooper Industries, LLC,
Civil Action No. 4:06-CV-467 RP-TJS,
was lodged on September 29, 2006 with
the United States District Court for the
Southern District of Iowa. Under this
Consent Decree, the Settling Defendant
will reimburse the United States for
response costs incurred or to be
incurred for response actions taken at or
in connection with the release or
threatened release of hazardous
substances at the McGraw Edison
Superfund Site in Centerville,
Appanoose County, Iowa.

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, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Cooper Industries, LLC*, DOJ Ref. 90-11-3-08559.

The proposed consent decree may be examined at the office of the United States Attorney, 110 East Court Avenue, Suite 286, Des Moines, IA 50309-2044 and at U.S. EPA Region 7, 901 N. 5th Street, Kansas City, KS 66101. During the comment period, the consent decree may be examined on the following Department of Justice Web site to 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), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy, please enclose a check in the amount of \$4.50 (without attachments) or \$4.75 (with attachments) for *United States v. Cooper Industries, LLC*, (25 cents per page reproduction cost) payable to the U.S. Treasury.

Robert E. Maher, Jr.,

Assistant Section Chief, Environmental Enforcement Section.

[FR Doc. 06-8741 Filed 10-17-06; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Proposed Agreement Regarding Alleged Non-Compliance With Consent Decree in *United States v. Cummins Engine Company, Inc.*

Notice is hereby given of a proposed Agreement Regarding Alleged Non-Compliance with Consent Decree ("Agreement") in the case of *United States v. Cummins Engine Company, Inc.*, Civil Action No. 98-02546, in the United States District Court for the District of Columbia.

The Agreement resolves four matters involving Cummins' alleged failure to comply with a 1999 Consent Decree settling claims under Title II of the Clean Air Act, 42 U.S.C. 7521 *et seq.* (the "Act"), regarding the alleged use of illegal emission-control "defeat devices" on Cummins' 1998 and prior heavy-duty diesel engines ("HDDs").

The first matter concerns Cummins' use of a computer-based auxiliary emission control device ("AECD") to prevent engine overheating, on approximately 11,600 model years 2000-2003 engines sold for use in school buses and recreational vehicles. The overheat AECD, which required EPA approval, did not operate in the manner described in Cummins' applications to EPA for regulatory "certificates of conformity" permitting the sale of the engines in the United States and as pre-approved in the 1999 Consent Decree. The second matter concerns Cummins' use of 1101 more Averaging, Banking and Trading ("AB&T") Credits than was permitted by the consent Decree. The third matter relates to Cummins' implementation of a Low NO_x Rebuild Program for which Cummins failed to request the requisite EPA approval (until April 13, 2006). The last matter is Cummins' omission of 26,347 engines from its Low NO_x Rebuild Program. In addition, the Settlement resolves Cummins' disclosure to the United States that in 2001 it violated provisions of 40 CFR part 86 in connection with certification testing of engines under the Consent Decree by its failure to perform test equipment calibrations within applicable time limits set forth in 40 CFR 86.1321; 1321(b); 1323(a) & (b) and 1324.

These violations are addressed through Cummins' payment of an agreed penalty in the amount of \$950,000, to be shared between the United States and the California Air Resources Board. Cummins will also continue a recall to fix or disable the overheat AECD. Lastly, Cummins will recoup the excess tons of NO_x emitted by its violations of the Consent Decree, offset by any tons obtained in the ongoing recall. The NO_x tons must come from one of three sources: (1) Cummins' on-road AB&T accounts; (2) Cummins' off-road AB&T accounts; or (3) currently valid stationary source NO_x tons purchased on the open market through a licensed broker.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Agreement. 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. Cummins Engine Company, Inc.*, D.J. Ref. 90-5-2-1-2136A.

During the public comment period, the Agreement may be examined on the following Department of Justice Web

site, <http://www.usdoj.gov/enrd/open.html>.

A copy of the 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), fax No. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy of the Decree from the Consent Decree Library, please enclose a check in the amount of \$4.50 (25 cents per page reproduction cost for 18 pages) payable to the U.S. Treasury.

Karen Dworkin,

Assistant Chief, Environmental Enforcement Section.

[FR Doc. 06-8742 Filed 10-17-06; 8:45 am]

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 October 4, 2006, a proposed consent decree in *United States and State of Indiana v. City of Indianapolis*, Civ. No. 1:06-cv-1456, was lodged with the United States District Court for the Southern District of Indiana.

In this action the United States sought civil penalties and injunctive relief for alleged violations of Sections 301 and 402 of the Clean Water Act, 33 U.S.C. 1319 and 1342, in connection with the City's operation of its municipal wastewater and sewer system. The City currently discharges approximately eight billion gallons of untreated sewage per year from approximately 133 Combined Sewer Overflows, Sanitary Sewer Overflows, and bypass locations into the White River and its tributaries. The Complaint alleges that the City's discharges, which occur approximately 60 times per year, violate the Clean Water Act either because the discharges violate limitations and conditions in the City's National Pollutant Discharge Elimination System (NPDES) permits, or because the discharges are from point sources not authorized by the City's NPDES permits. The Complaint also asserts claims for violations of comparable State law on behalf of the State of Indiana.

Under the proposed Consent Decree, the City would be required to: (1) Implement a Long Term Control Plan which would greatly reduce Combined Sewer Overflows; (2) implement a plan designed to eliminate Sanitary Sewer Discharges; (3) perform a Supplemental