

December 1993, and would be in the public interest. The lease/conveyance, when issued, will be subject to the provisions of the R&PP Act and applicable regulations of the Secretary of the Interior, and will contain the following reservations to the United States:

1. A reservation of a right-of-way thereon for ditches and canals constructed by the authority of the United States pursuant to the Act of August 30, 1890 (26 Stat. 391; 43 U.S.C. 945).

2. All minerals shall be reserved to the United States, together with the right to prospect for, mine and remove such deposits from the same under applicable law and such regulations as the Secretary of the Interior may prescribe, including all necessary access and exit rights.

3. The lease/conveyance will be subject to valid existing rights of record, including, but not limited to, those documented on the BLM public land records at the time of lease issuance.

Pursuant to the requirements established by section 120(h) of the Comprehensive Environmental Response, Compensation and Liability Act, (42 U.S.C. 9620(h) (CERCLA) as amended by the Superfund Amendments and Reauthorization Act of 1988, (100 Stat. 1670) notice is hereby given that the above-described lands have been examined and no evidence was found to indicate that any hazardous substances had been stored for one year or more, nor had any hazardous substances been disposed of or released on the subject property.

Detailed information concerning this proposed action, including, but not limited to documentation relating to compliance with applicable environmental and cultural resource laws, is available for review in the BLM, Las Cruces District Office at the address listed above.

On May 3, 2007, the above described land will be segregated from all other forms of appropriation under the public land laws, including the general mining laws, except for lease or conveyance under the R&PP Act, and leasing under the mineral leasing laws.

**Classification Comments:** Interested parties may submit comments involving the suitability of the land for a community park. Comments on the classification are restricted to whether the land is physically suited for the proposal, whether the use will maximize the future use or uses of the land, whether the uses are consistent with local planning and zoning, or if the uses are consistent with State and Federal programs.

**Application Comments:** Interested parties may submit comments regarding the specific use proposed in the application and plan of development, whether the BLM followed proper administrative procedures in reaching the decision, or any other factor not directly related to the suitability of the land for a community park and related facilities.

Before including your address, phone number, e-mail address, or other personal identifying information in your comment, be advised that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold from public review your personal identifying information. We cannot guarantee that we will be able to do so. Any adverse comments will be reviewed by the BLM, New Mexico State Director who may sustain, vacate, or modify this realty action. In the absence of any adverse comments, the classification will become effective on July 2, 2007. The land will be available for lease and subsequent conveyance until after the classification becomes effective.

(Authority: 43 CFR 2741.5)

Dated: March 9, 2007.

**Edwin L. Roberson,**

*District Manager, Las Cruces.*

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**BILLING CODE 4310-VC-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[MT-926-07-1910-BJ-5REE]

#### Montana: Filing of Plat of Survey

**AGENCY:** Bureau of Land Management, Montana State Office, Interior.

**ACTION:** Notice of filing of plat of survey.

**SUMMARY:** The Bureau of Land Management (BLM) will file the plat of survey of the lands described below in the BLM Montana State Office, Billings, Montana, (30) days from the date of publication in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Martin Bonorden, Cadastral Surveyor, Branch of Cadastral Survey, Bureau of Land Management, 5001 Southgate Drive, Billings, Montana 59101-4669, telephone (701) 227-7730 or (406) 896-5009.

**SUPPLEMENTARY INFORMATION:** This survey was executed at the request of the Fort Peck gency, through the Rocky Mountain Regional Director, Bureau of

Indian Affairs, and was necessary to determine Trust and Tribal land.

The lands we surveyed are:

#### Principal Meridian, Montana

T. 26 N., R. 43 E.

The plat, in 2 sheets, representing the dependent resurvey of a portion of the Tenth Guide Meridian East, through Township 26 North, a portion of the east boundary, a portion of the subdivision of sections 6 and 13, the adjusted original meanders of the former left bank of the Missouri River, downstream, through sections 6 and 13, and certain division of accretion lines in sections 6 and 13, the subdivision of section 13, and the survey of a portion of the meanders of the present left bank of the Missouri River, downstream, through sections 6 and 13, and certain division of accretion lines in sections 6 and 13, Township 26 North, Range 43 East, of the Principal Meridian, Montana, was accepted April 25, 2007.

We will place copies of the plat, in 2 sheets, and related field notes we described in the open files. They will be available to the public as a matter of information.

If BLM receives a protest against this survey, as shown on the plat, in 2 sheets, prior to the date of the official filing, we will stay the filing pending our consideration of the protest.

We will not officially file this plat, in 2 sheets, until the day after we have accepted or dismissed all protests and they have become final, including decisions or appeals.

Dated: April 26, 2007.

**Michael J. Birtles,**

*Chief Cadastral Surveyor, Division of Resources.*

[FR Doc. E7-8449 Filed 5-2-07; 8:45 am]

**BILLING CODE 4310-SS-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 April 18, 2007, a proposed consent decree in *United States v. Cyprus Amax Minerals Company*, Civil Action No. 6:07-CV-1109, was lodged with the United States District Court for the District of Kansas.

In this action the United States sought recovery of costs incurred and to be incurred by the Environmental Protection Agency (EPA) relating to the releases of hazardous substances at the Crestline Subsite of the Cherokee County Superfund Site in Kansas. Additionally, the complaint asserts that

the defendant is responsible for costs to be incurred at the Spring River Subsite of the Cherokee County Superfund Site. The decree provides that defendant will perform the remedy selected by EPA for the Crestline Subsite and reimburse EPA for all of the agency's unreimbursed costs at that subsite. In addition, the defendant will pay EPA a portion of anticipated future costs at the Spring River Subsite.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the decree. 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, and should refer to *United States v. Cyprus Amax Minerals Company*, Civil Action No. 6:07-CV-1109, D.J. Ref. 90-11-2-08539.

The decree may be examined at the Office of the United States Attorney, 301 N. Main St., Suite 1200, Wichita, KS 67202. 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/Consent&—Decrees.html>. A copy of the 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 \$40.50 (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.

**Robert E. Maher, Jr.,**

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

[FR Doc. 07-2164 Filed 5-2-07; 8:45 am]

BILLING CODE 4410-15-M

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to Comprehensive Environmental Response, Compensation, and Liability Act

Notice is hereby given that on April 16, 2007, a proposed Consent Decree in *United States v. ExxonMobil Corporation, et al.*, Civil Action No. 1:07-cv-00060-PB, was lodged with the

United States District Court for the District of New Hampshire. And on April 20, 2007, the same proposed Consent Decree was lodged with the United States District Court for the District of New Hampshire in *State of New Hampshire v. ExxonMobil Corporation et al.*, Civil Action No. 1:07-cv-00080-PB.

The proposed Consent Decree will settle the United States' claims on behalf of the U.S. Environmental Protection Agency ("EPA") and the claims of the State of New Hampshire brought against defendants ExxonMobil Corporation, Cumberland Farms, Inc., FirstGroup America, Inc., Hexion Specialty Chemicals, Inc., Waste Management of New Hampshire, Inc., Waste Management Disposal Services of Massachusetts, Inc., Waste Management of Massachusetts, Inc., Clean Harbors of Braintree, Inc., Fluor Enterprises, Inc., Sears, Roebuck and Company, Greased Lightning, Inc., Fafard Real Estate and Development Corporation, Drake Petroleum Company, Inc., P.J. Keating Company, Triumvirate Environmental, Inc., Boston & Maine Corporation, Colonial Gas Company (d/b/a Keyspan Energy Delivery New England), United Parcel Service, GenCorp, Inc., Laidlaw Transit, Inc., DBT Corporation, 1400 Motors, Inc., Pike Industries, Inc., City of Providence, Rhode Island, Covanta Haverhill, Inc., Fort James Corporation, Coca-Cola Enterprises, Inc., Regan Ford, Inc., Marble Motor Company, A & B Automotive, Inc., Air Products and Chemicals, Inc., Balise Motor Sales Company, Aggregate Industries—Northeast Region, Inc., Windham Equity Company, City of Boston, Massachusetts, City of Gloucester, Massachusetts, Peabody Municipal Light Plant, City of Peabody, Massachusetts, Colonial Cadillac-Oldsmobile, Inc., Continental Paving, Inc., Daley Oil Company, Dampolo Automotive, Inc., Colonial South Chevrolet, Inc., Enzo's Nahant Garage, Garelick Farms, L.L.C., General Electric Company, Inc., Haffner's Service Station, H.J. Nassar Motor Company, Inc., Hughes Motor Company, Jaffarian's Service, Inc., Arvo's Gulf, McKenna & O'Keefe, Merchants Automotive Group, Inc., Murphy's Waste Oil Service, Inc., Massachusetts Water Resources Authority, New England Detroit Diesel-Allison, Inc., Massachusetts Electric Company, New England Power Company, Butler Realty Trust (d/b/a Noyes Citgo Service Station), Pelletier Brothers' Garage, Plymouth & Brockton Street Railway Company, Plymouth Rock Transportation Corporation, Pratt & Whitney, a Division of United

Technologies, Inc., Daniel J. Quirk, Inc. (d/b/a Quirk Chevrolet), D.J. Quirk Ford, Inc., R.B. Strong Excavating & Sewerage Contracting, Inc., Reynolds Auto Repair, Rick Starr Enterprises, Inc. (d/b/a Rick Starr Toyota, Rick Starr Volkswagen BMW, Rick Starr Pontiac Cadillac, Rick Starr Toyota Pontiac, and Rick Starr Ford), Rietzl Corporation, Ruland Manufacturing Company, Signature Flight Support Corporation, Silva's Garage, Smith Motor Sales of Haverhill, Inc., Sudbay Pontiac, Cadillac, Buick, Inc., Towers Front End Service, Town of Andover, Massachusetts, Town of Ipswich, Massachusetts, Town of Marshfield, Massachusetts, Vachon Motor Sales, Inc. (d/b/a Vachon Mazda), Vachon Imports, Inc. (d/b/a Vachon Mitsubishi), Gene Brown Motors (d/b/a Volvo Villate), WNA Comet East, Inc., Woodworth Chevrolet-Cadillac-Buick, Inc. Yeo Chevrolet, Inc., Henry's Auto Parts, Inc., James M. Scanzini (d/b/a Criterion Systems), John E. Power (d/b/a Power's Auto Service), Larry's Service, Mel's Auto Services, Inc., Micromatic Products Company, Inc., S & H Petroleum Corporation, Truck Services, Inc., Wayside Service Center, Hampshire Realty Trust, Sun Realty Trust, and Mark O. Henry (collectively referred to as "Settling Defendants") pursuant to Sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9606 and 9607, with respect to the Beede Waste Oil Superfund Site in Plaistow, New Hampshire. The State of New Hampshire also brought claims pursuant to New Hampshire RSA 147-A:9 and 147-B:10 and also alleged claims against five federal agencies.

Pursuant to the Consent Decree, approximately 30 Settling Defendants, referred to in the Consent Decree as Performing Settling Defendants, will finance and perform the selected remedy at the Site, estimated to cost \$48 million, and will receive approximately \$23 million from other settling parties and from the Beede Superfund Special Account to offset the cost of the work. In addition, the Performing Settling Defendants will reimburse the United States and the State of New Hampshire for all interim and future costs, and oversight costs up to \$9.3 million (U.S. oversight costs capped at \$7.2 million and New Hampshire oversight costs capped at \$2.1 million). The owners of the Site property, who are Settling Defendants, will convey the Site property by deed to an entity designated by the Performing Settling Defendants. The remaining Settling Defendants are