

Federal Plaza, Hammond, Indiana 46320, and at U.S. EPA Headquarters, Air Enforcement Division, Office of Enforcement and Compliance Assurance, Washington, DC. During the public comment period the Fourth Amendment to the Consent Decrees may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the Amendment may also be obtained by mail from the Consent Decree Library, PO 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 \$5.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Robert D. Brook,**

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

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## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on July 11, 2005, two proposed Consent Judgments in *United States v. City of Glen Cove*, et al. Civil Action No. CV-05-3279, were lodged with the United States District Court for the Eastern District of New York.

The proposed Consent Judgments will settle the United States' claims on behalf of the U.S. Environmental Protection Agency ("EPA") brought against defendants City of Glen Cove ("City") and Wah Chang Smelting and Refining Company of America, Inc. ("WCSRCA") 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 Li Tungsten Superfund Site in Glen Cove, New York.

Pursuant to the Consent Judgments, based on their respective abilities to pay, the City will pay \$1.6 million (in addition to the \$3.6 million in funds and in-kind services it has already provided to EPA) and WCSRCA and certain affiliated entities will pay \$700,000 to a Li Tungsten Site Special Account within the Superfund.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to either or both of the proposed Consent Judgments. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. City of Glen Cove*, et al., Civil Action No. CV-05-3279, D.J. Ref. 90-11-3-06561/2.

The proposed Consent Judgment may be examined at the Office of the United States Attorney, Eastern District of New York, One Pierrepont Plaza, 14th Fl., Brooklyn, New York 11201, and at the United States Environmental Protection Agency, Region II, 290 Broadway, New York, New York 10007-1866. During the public comment period, the proposed Consent Judgments may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. Copies of the proposed Consent Judgments 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](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. If requesting a copy of a proposed Consent Judgment, please so note and enclose a check in the amount of \$9.00 (\$0.25 per page reproduction cost) for the City of Glen Cove Consent Judgment, \$10.25 (\$0.25 per page reproduction cost) for the WCSRCA Consent Judgment, or \$19.25 for both Consent Judgments, payable to the United States Treasury.

**Ronald Gluck,**

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

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## DEPARTMENT OF JUSTICE

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

Under 28 CFR 50.7, notice is hereby given that on July 12, 2005, a proposed Consent Decree in *United States and State of Louisiana v. City of New Iberia*, Civil Action No. 04-1351 was lodged with the United States District Court for the Western District of Louisiana.

In this action the United States, and its co-plaintiff the State of Louisiana, sought injunctive relief and a civil penalty to address sanitary sewer overflows and other violations of the Clean Water Act and the National

Pollutant Discharge Elimination System ("NPDES") permits issued to the City of New Iberia for the Admiral Doyle and Tete Bayou publicly owned treatment works. Under the proposed Consent Decree, the City of New Iberia has agreed to build a new treatment works to replace the Admiral Doyle treatment works. The City will perform a comprehensive characterization, evaluation, and rehabilitation of its collection system and expedite the elimination of certain high priority sewer overflows from the system. In addition, the City will share in the cost associated with the construction, operation and maintenance of an equalization basin for the Tete Bayou sewage treatment works, which is being built by the Sewerage District No 1 of Iberia Parish, the co-owner of the Tete Bayou Plant. The Consent Decree also requires the City to adopt and implement a plan for identifying and eliminating illegal storm water connections on private property to the publicly owned or operated collection system; implement a maintenance program for the collection system to provide for the proper operation and maintenance of equipment while minimizing failures, malfunctions, and line blockages; and develop and implement an emergency response plan to adequately protect the health and welfare of persons in the event of any sanitary sewer overflows. The City will pay a civil penalty of \$235,000 for past effluent and sewer overflow violations, one half of which will be paid to the United States and half of which will be paid to the State.

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. City of New Iberia*, D.J. Ref. No. 90-5-1-1-07473/1.

The Consent Decree may be examined during the public comment period 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