

Dated: July 7, 2006.

**Sherry Hutt,**

*Manager, National NAGPRA Program.*

[FR Doc. E6-13686 Filed 8-17-06; 8:45 am]

BILLING CODE 4312-50-S

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### Notice of Intent to Repatriate a Cultural Item: Thomas Burke Memorial Washington State Museum, University of Washington, Seattle, WA

**AGENCY:** National Park Service, Interior.

**ACTION:** Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent to repatriate a cultural item in the possession of the Thomas Burke Memorial Washington State Museum (Burke Museum), University of Washington, Seattle, WA, that meets the definition of "object of cultural patrimony" under 25 U.S.C. 3001.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the cultural item. The National Park Service is not responsible for the determinations in this notice.

The cultural item is a large stone sculpture (Burke catalog #152), referred to by the Chilliwack community, which includes the Nooksack people, as the "Stone T'ixwelatsa." The sculpture has anthropomorphic and zoomorphic features carved and pecked into the stone. The head includes large eyes and an open mouth with exaggerated lips. The main body of the figure appears to be seated with flexed arms and legs. A ridge with six protruding grooves is present on the back of the figure, and a small circular depression is present on the top of the head. The figure weighs over 100 pounds.

According to Chilliwack and Nooksack oral history, T'ixwelatsa was a man turned into stone by the transformer Xa:ls. T'ixwelatsa was the first male ancestor of the Chilliwack community. The Chilliwack historically spoke a Nooksack related language. The Chilliwack share a common ancestry and cultural connection with the Nooksack. The sculpture is considered a transformation object that holds the spirit of T'ixwelatsa, and Xa:ls gave the transformed stone form to T'ixwelatsa's

wife as the original caretaker. The stone T'ixwelatsa was placed in front of the longhouse and cared for by the descendants of T'ixwelatsa. At an unknown date, one of the subsequent caretakers married into the neighboring Sumas tribe and took the stone with her as part of her continuing caretaking responsibilities.

The cultural item is believed to have been removed from the Fraser Plains, near Sumas, Whatcom County, WA, in 1892. It was donated to the museum by the Young Naturalist Society (Burke Accn. # 190). At the time of removal from the Fraser Plains, the cultural item was considered inalienable by a single individual and was removed without the permission of the caretaker or Tixwelatsa's descendants.

The Nooksack Indian Tribe of Washington is considered a member of the broader Chilliwack community, which includes both American and Canadian Chilliwack communities. Ties between the Chilliwack communities were artificially divided by the creation of the United States and Canadian border in 1858. Despite this separation, the Nooksack continue to maintain a strong relationship with the Canadian Chilliwack community. The "Stone T'ixwelatsa" is culturally affiliated with the Nooksack Indian Tribe of Washington, as part of the Chilliwack community, based on religious, geographic, kinship, and oral history information presented by the tribe. Evidence submitted during consultation supports the central importance of this cultural item to the cultural identity of the Nooksack Indian Tribe of Washington and broader Chilliwack community. The cultural item is considered collective property of the Chilliwack community and serves as a significant part of the cultural model for education.

Officials of the Burke Museum have determined that, pursuant to 25 U.S.C. 3001 (3)(D), the cultural item described above has an ongoing historical, traditional, or cultural importance central to the Native American group or culture itself, rather than property owned by an individual. Officials of the Burke Museum also have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the object of cultural patrimony and the Nooksack Indian Tribe of Washington.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the object of cultural patrimony should contact Dr. Peter Lape, Burke Museum, Box 353010, Seattle, WA 98195, telephone (206)

685-2282, before September 18, 2006. Repatriation of the object of cultural patrimony to the Nooksack Indian Tribe of Washington may proceed after that date if no additional claimants come forward.

The Burke Museum is responsible for notifying the Nooksack Indian Tribe of Washington that this notice has been published.

Dated: July 24, 2006

**Sherry Hutt,**

*Manager, National NAGPRA Program.*

[FR Doc. E6-13690 Filed 8-17-06; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### National Park Service

#### Notice of Receipt of Application for Telecommunication Site

**AGENCY:** National Park Service, Glen Canyon National Recreation Area, Interior.

**ACTION:** Notice.

**SUMMARY:** (Authority: 47 U.S.C. 332 note (Telecommunications Act of 1996 section 704(c)); 16 U.S.C. 5; other applicable authorities and Director's Order 53) Glen Canyon National Recreation Area has received an application from Comment Four Corners, LLC, to install and operate a wireless (cellular) telephone system. The location of the proposed telecommunication site is at the Defiance House Lodge at Bullfrog, Utah.

**DATES:** Comments on this proposal can be mailed to the address shown below and must be received within 30 days of the publication of this notice in the **Federal Register**. Our practice is to make comments, including names, home addresses, home phone numbers, and email addresses of respondents, available for public review. Individual respondents may request that we withhold their names and/or home addresses, etc., but if you wish us to consider withholding this information you must state this prominently at the beginning of your comments. In addition, you must present a rationale for withholding this information. This rationale must demonstrate that disclosure would constitute a clearly unwarranted invasion of privacy. Unsupported assertions will not meet this burden. In the absence of exceptional, documentable circumstances, this information will be released. We will always make submissions from organizations or businesses, and from individuals identifying themselves as

representatives of or officials of organizations or businesses, available for public inspection in their entirety.

**ADDRESSES:** This documents is available for review at Glen Canyon NRA Headquarters, 691 Scenic View Drive, Page, AZ 86040, between the hours of 7 a.m. and 4 p.m.

**FOR FURTHER INFORMATION CONTACT:** Glen Canyon NRA, P.O. Box 1507, Page, AZ 86040, or by going to <http://planning.nps.gov>.

**SUPPLEMENTARY INFORMATION:** Currently, there is no cellular service in the Bullfrog Marina area, which receives over 200,000 visitors per year. The cellular antennas are to be installed on the exterior of the Defiance House Lodge. The Defiance House Lodge is a non-historic 48 room hotel in the Bullfrog developed area. The proposed site includes six 51 inch by 13 inch by 3 inch rectangular panel antennas mounted on the façade of the Defiance House Lodge and a nearby ground mounted associated radio equipment shielded by a cedar privacy fence matching existing fencing. The antenna panels do not visibly protrude above the roofline of the lodge and are painted to match the lodge color scheme. Neither the antennas nor the associated equipment will have any adverse effects on the area's scenery or visual resources. The staff at Glen Canyon National Recreation Area has completed a review and analysis pursuant to the National Environmental Policy Act (NEPA), the National Historic Preservation Act, the Telecommunications Act of 1996, and National Park Service requirements, policy and regulations. The NEPA analysis has determined that there will not be any adverse effects on the park's natural or cultural resources resulting from this proposal; therefore, this project has been categorically excluded from further analysis under NEPA. Copies of the NEPA analysis will be available at Glen Canyon NRA, 691 Scenic View Drive, Page, AZ 86040, or can be requested by writing to Glen Canyon NRA, Attention Stan Burman, PO Box 1507, Page, AZ 86040, or by going to <http://parkplanning.nps.gov/>

**Nancie E. Ames,**

*Deputy Superintendent.*

[FR Doc. 06-7025 Filed 8-17-06; 8:45 am]

**BILLING CODE 4312-EF-M**

## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on August 11, 2006, a proposed decree in *United States v. A. Finkl & Sons Company*, Civil Action No. 06 C 4297, was lodged with the United States District Court for the Northern District of Illinois.

In this action the United States sought injunctive relief and civil penalties for violations of the New Source Performance Standards (NSPS) for Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels at a steel forging plant owned and operated by A. Finkl & Sons Company (A. Finkl) at 2011 Southport Avenue in Chicago, Illinois. The consent decree will require A. Finkl to comply with all applicable requirements of the NSPS, including emission standards, operational and equipment standards, maintenance requirements, record-keeping and reporting requirements. A. Finkl will also submit to Illinois EPA an application for an amendment to its Title V permit to provide for compliance with the emission limitations and other requirements of the NSPS. Under the proposed consent decree, A. Finkl will pay a civil penalty of \$75,000. In addition, A. Finkl will spend \$620,000 to perform two supplemental environmental projects: (1) A. Finkl will install low NO<sub>x</sub> burners on one of its gas fired furnaces at a cost of \$545,000, resulting in an expected reduction of five tons per year in NO<sub>x</sub> emissions; and (2) A. Finkl will spend \$75,000 to retrofit 34 vehicles owned by the City of Chicago with diesel oxidation catalysts.

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, 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. A. Finkl & Sons Company*, Civil Action No. 06 C 4297, DOJ case Number 90-5-2-1-08203.

The consent decree may be examined at the Office of the United States Attorney, 219 S. Dearborn St., Chicago, Illinois, and at U.S. EPA Region 5, 77 W. Jackson Blvd., 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/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.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 \$35.00, 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.

**William D. Brighton,**

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

[FR Doc. 06-6993 Filed 8-17-06; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Two Consent Decrees Between the United States of America and Midland Refining Company, Inc., Clear Water Trucking Company, Inc., Rosann Harpster, and Lewis W. Williams Under the Comprehensive Environmental Response, Compensation, and Liability Act

Under 28 CFR 50.7, notice is hereby given that on July 10, 2006, two proposed Consent Decrees in the case of *United States v. Midland Refining Company, Inc., Clear Water Trucking Company, Inc., Rosann Harpster, and Lewis W. Williams, Jr.*, Civil Action No. 06-1200-JTM, has been lodged with the United States District Court for the District of Kansas.

The Complaint sought the recovery of costs incurred in connection with response actions taken by the United States Environmental Protection Agency at the 57th and North Broadway Superfund Site in Wichita, Kansas.

Under the terms of the first Consent Decree (the Midland Consent Decree), Midland Refining Company, Inc., Clear Water Trucking, Inc., and Rosann Harpster will make payments to the United States totaling \$79,000. Under the terms of the second Consent Decree (the Williams Consent Decree), Lewis W. Williams, Jr. will make payments to the United States totaling \$110,000.03, and will make additional payments of a percentage of the gross income derived from certain "Property" as defined in the Consent Decree. In exchange, the United States will provide a covenant not to sue and contribution protection to all of the Defendants.

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