

DEPARTMENT OF JUSTICE**Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA")**

Notice is hereby given that on August 9, 2006, a proposed consent decree in *United States v. NCH Corporation, et al.*, Civil Action No. 98-5268 (SDW) and *United States v. FMC Corporation, et al.*, Civil Action No. 01-0476 (JCL), was lodged with the United States District Court for the District of New Jersey.

In these actions the United States sought recovery of response costs pursuant to Section 107(a) of CERCLA, for costs incurred related to the Higgins Farm Superfund Site in Franklin Township, New Jersey and the Higgins Disposal Superfund Site in Kingston, New Jersey. The consent decree requires NCH Corporation to (1) takeover the operation and maintenance of the Higgins Farm Superfund Site groundwater treatment system; (2) conduct an investigation to determine if contaminated groundwater has migrated beyond the Higgins Farm property borders; (3) conduct additional studies and/or response actions EPA determines are necessary as a result of the groundwater investigation; (4) reimburse EPA's oversight costs relating to the groundwater investigation; (5) pay \$1,000,000.00 in reimbursement of the United States' past and future response costs at the Higgins Farm Superfund Site; (6) pay \$565,000.00 to reimburse the United States for the interim costs incurred by EPA at the Higgins Farm Superfund Site while the settlement was being negotiated; and (7) pay \$500,000.00 in reimbursement of the United States' past and future response costs at the Higgins Disposal Superfund Site.

The consent decree also requires the United States, on behalf of the Department of Energy, to (1) pay to the Superfund \$2,800,000.00 in past costs for the Higgins Farm Superfund Site; (2) pay \$2,000,000.00 in future costs for the Higgins Farm Superfund Site to NCH Corporation; and (3) pay to the Superfund \$4,500,000.00 in past and future costs for the Higgins Disposal Superfund Site.

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. NCH Corporation, et al.*, D.J. Ref. # 90-11-3-1486/1 or *United States v. FMC Corporation, et al.*, D.J. Ref. # 90-11-3-1486/2.

The consent decree may be examined at the Office of the United States Attorney, 970 Broad Street, Suite 700, Newark, NJ 07102 (contact Susan Steele) and at U.S. EPA Region II, 290 Broadway, New York, New York 10007-1866 (contact Deborah Schwenk). 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_Decree.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), 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 \$70.25 (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.

Ronald G. Gluck,

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

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DEPARTMENT OF JUSTICE**Notice of Lodging of Settlement Under the Clean Air Act**

Notice is hereby given that on August 7, 2006, a proposed settlement in *U.S. v. New York City Transit Authority*, Civil Action No. 04-00732, was lodged with the United States District Court for the Southern District of New York.

In this action the United States sought civil penalties for violations by the New York City Authority of EPA's Stratospheric Ozone Protection regulations, 40 CFR part 82 subpart F, which govern the maintenance and repair of commercial air conditioning systems to prevent the leakage of ozone-destroying chlorofluorocarbons. The complaint alleges that the Transit Authority repeatedly violated the regulations by: (1) Failing to repair air conditioning systems on subway cars; and (2) failing to maintain records regarding the servicing of air conditioning systems. By stipulation of the parties, the United States' complaint

applies only to subway cars known as "Redbirds" which have been retired from service. The settlement provides for the Transit Authority to pay a civil penalty of \$165,000.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the settlement. 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 *U.S. v. New York City Transit Authority*, D.J. Ref. 90-5-2-1-07681.

The settlement may be examined at the Office of the United States Attorney, 86 Chambers Street, 3rd Fl., New York, NY 10007, and at the Region II Office of the U.S. Environmental Protection Agency, Region II Records Center, 290 Broadway, 17th Floor, New York, NY 10007-1866. During the public comment period, the settlement may also be examined on the following Department of Justice Web site: http://www.usdoj.gov/enrd/Consent_Decrees.html. A copy of the settlement 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 from the Consent Decree Library, please enclose a check in the amount of \$2.25 (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.

Ronald G. Gluck,

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

[FR Doc. 06-7105 Filed 8-22-06; 8:45 am]

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DEPARTMENT OF JUSTICE**Notice of Lodging of Consent Decree Under the Lead-Based Paint Hazard Act**

Notice is hereby given that on August 3, 2006, a proposed Consent Decree in *United States v. Steven J. Meldahl dba SJM Properties*, Civil Action 06-3202 JNE/JJG, was lodged with the United States District Court for the District of Minnesota.

The Consent Decree settles claims against the owner and management

company of approximately 31 residential properties containing approximately 34 units located in Minnesota, ("Subject Properties"). The claims were brought on behalf of the Department of Housing and Urban Development, ("HUD"), and the Environmental Protection Agency ("EPA") under the Residential Lead-Based Paint Hazard Reduction Act 42 U.S.C. 4851 *et seq.* ("Lead Hazard Reduction Act"). The United States alleged in the complaint that the Defendant failed to make one or more of the disclosures or to complete one or more of the disclosure activities required by the Lead Hazard Reduction Act.

Under the Consent Decree, Defendant will certify that he is complying with residential lead paint notification requirements. In addition, Defendant shall pay a civil penalty to the United States of \$5,000 within 30 days of entry of the Consent Decree and an additional \$5,000 civil penalty within seven months after entry of the Consent Decree. Defendant has agreed to develop a Hazard Reduction Plan for the Subject Properties and will replace all painted windows and abate all lead-based paint hazards within 2 years after approval of the Hazard Reduction Plan. Hazard abatement for at least one-half of the total inventory of Subject Properties is to be completed within each year. If the Defendant learns that a child with elevated blood lead levels lives or frequently visits a subject unit, the hazard abatement work on that unit is to be accomplished within 5 months. The Defendant is also required to submit annual reports on the progress of the hazard abatement work. In addition, on-going operations and maintenance shall be implemented at the completion of any window replacement or hazard reduction work. The Consent Decree provides for stipulated penalties for failure to meet obligations under the Consent Decree. Under the Consent Decree the United States provides the Defendant with a covenant not to sue or to take administrative action arising out of violations of Section 1018 at the Subject Properties.

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 of the Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Washington, DC 20044-7611, and should refer to *United States v. Steven J. Meldahl dba SJM Properties*, D.J. #90-5-2-1-08891.

The proposed consent decree may be examined at the Department of Housing and Urban Development, Office of General Counsel, 451 7th St. NW., Room 9262, Washington, DC 20410; at the office of the United States Attorney for the District of Minnesota, Assistant U.S. Attorney, 600 U.S. Courthouse, 300 South Fourth Street, Minneapolis, Minnesota, 55415; and at U.S. EPA Region 5, 77 W. Jackson Blvd., Chicago, IL 60604. 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. Copies 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), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$7.75 (25 cents per page reproduction costs), payable to the U.S. Treasury for the consent decree in *United States v. Steven J. Meldahl dba SJM Properties*, D.J. # 90-5-2-1-08891.

W. Benjamin Fisherow,

Deputy Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

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DEPARTMENT OF JUSTICE

Bureau of Alcohol, Tobacco, Firearms and Explosives

[OMB Number 1140-0006]

Agency Information Collection Activities; Proposed Collection; Comments Requested

ACTION: 60-Day Notice of Information Collection Under Review: Application and Permit for Importation of Firearms, Ammunition and Implements of War.

The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for "sixty days" until October 23, 2006.

This process is conducted in accordance with 5 CFR 1320.10.

If you have comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Kevin Boydston, Chief, Firearms and Explosives Imports Branch, 244 Needy Road, Martinsburg, WV 25401.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Application and Permit For Importation of Firearms, Ammunition and Implements of War.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: ATF F 6, Part II (5330.3B). Bureau of Alcohol, Tobacco, Firearms and Explosives.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals or households. Other: Business or other for-profit, Federal Government, State, Local or Tribal Government. The information collection is needed to determine whether firearms, ammunition and implements of war are eligible for importation into the United States. The information is used to secure authorization to import such articles.