

refuge approximately 12 miles southwest of Tallulah, Louisiana.

**FOR FURTHER INFORMATION CONTACT:** Tina Chouinard, Natural Resource Planner, Central Louisiana National Wildlife Refuge Complex, telephone: 318/253-4238; fax: 318/253-7139; e-mail: [tina\\_chouinard@fws.gov](mailto:tina_chouinard@fws.gov) or mail (write to the Natural Resource Planner at address in **ADDRESSES** section).

**Authority:** This notice is published under the authority of the National Wildlife Refuge System Improvement Act of 1997, Public Law 105-57.

Dated: August 9, 2006.

**Cynthia K. Dohen,**

*Acting Regional Director.*

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Water Act, Clean Air Act, and the Emergency Planning and Community Right-to-Know Act

Under the policy set out as 28 CFR 50.7, notice is hereby given that on August 31, 2006, the United States lodged with the United States District Court for the Northern District of Iowa, Eastern Division, a proposed consent decree ("Consent Decree") in the case of *United States v. AgriProcessors, Inc.*, Civ. A. No. C04-1037-LRR.

The Consent Decree settles claims by the United States, pursuant to Sections 301 and 307 of the Clean Water Act ("CWA"), 33 U.S.C. 1311 and 1317; Section 112(r) of the Clean Air Act ("CAA"), 42 U.S.C. 7412(r); and Sections 312 and 313 of the Emergency Planning and Community Right-to-Know Act ("EPCRA"), 42 U.S.C. 11022 and 11023, against AgriProcessors, Inc. ("Agri"), regarding its meat processing plant in Postville, Iowa. A complaint filed in December 2004 alleged, *inter alia*, that Agri (1) contributed wastewater from its plant to the City of Postville's publicly owned treatment works in violation of Section 307 of the CWA; (2) failed to properly submit emergency and hazardous chemical inventory forms and other records in violation of Sections 312(a) and 313 of EPCRA; and (3) failed to properly develop and implement a risk management program in violation of Section 112(r) of the CAA.

Under the Consent Decree, Agri agrees to resolve the United States' claims for a civil penalty and a Supplemental Environmental Project ("SEP"). For the SEP, Agri will expend at least \$12,330 to purchase certain emergency response

equipment needed by the City of Postville Fire Department. Agri will pay the cash penalty, \$590,756, over a two-year period with interest. In addition, Agri agrees to perform an environmental compliance audit at its Postville facility, to assess current compliance with the CAA and EPCRA, including applicable state analogues. Agri will also perform an environmental compliance audit at its new meat processing facility in Gordon, Nebraska, to assess current compliance with all applicable Federal and state environmental requirements.

The Department of Justice will receive comments relating to the Consent Decree for a period ending on October 5, 2006. Comments must be submitted by close of business on October 5, 2006, and 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. AgriProcessors, Inc.*, DOJ Ref. No. 90-5-1-1-08078/2.

The Consent Decree may be examined at the offices of the United States Attorney, Northern District of Iowa, 401 First Street, SE., Hach Building, Suite 400, Cedar Rapids, IA 52401-1825, and at the offices of U.S. EPA Region 7, 901 N. 5th Street, Kansas City, KS 66101.

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/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 in the amount of \$12.25 (25 cents per page reproduction cost) payable to the U.S. Treasury).

**Maureen M. Katz,**

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

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Partial Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA")

Consistent with Section 122(d) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9622(d), and 28 CFR 50.7, notice is hereby given that on September 1, 2006, a proposed Partial Consent Decree with Gerdau Ameristeel US Inc. in *United States v. American Cyanamid, et al.*, Nos. 1:02-CV-109-1 and 1:03-CV-122-3 (M.D. Ga.), was lodged with the United States District Court for the Middle District of Georgia.

In this action, the United States seeks to recover from various defendants, pursuant to Sections 107 and 113(g)(2) of CERCLA, 42 U.S.C. 9607 and 9613(g)(2), the costs incurred and to be incurred by the United States in responding to the release and/or threatened release of hazardous substances at and from the Stoller Chemical Company/Pelham Phosphate Company Site ("Site") in Pelham, Mitchell County, Georgia. Under the proposed Partial Consent Decree, Defendant Gerdau Ameristeel US Inc. will pay \$7,250,000 to the Hazardous Substances Superfund in reimbursement of the costs incurred by the United States at the Site.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Partial 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. American Cyanamid, et al.*, (M.D. Ga.) (Partial Consent Decree with Gerdau Ameristeel US Inc., DOJ Ref. No. 90-11-3-07602).

The Partial Consent Decree may be examined at the Office of the United States Attorney, Middle District of Georgia, Cherry St. Galleria, 4th Floor, 433 Cherry St., Macon, GA 31201 ((478) 752-3511), and at U.S. EPA Region 4, Atlanta Federal Center, 61 Forsyth Street, SW., Atlanta, Georgia 30303 (contact Bonnie Sawyer, Esq. (404) 562-9539). During the public comment period, the Partial 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 Partial Consent Decree may also be