

Environmental Project which must cost a minimum of \$2 million; (4) pay to the United States a civil penalty of \$588,900; (5) either pay the State a civil penalty of \$588,900, or pay the State a civil penalty of \$58,890 and undertake a State Supplemental Environmental Project which must cost a minimum of \$1,060,020; and (6) perform various other remedial measures. The injunctive relief that would be secured by the proposed Consent Decree is expected to cost approximately \$1.868 billion in 2005 dollars. The Long Term Control Plan includes a construction schedule of twenty years (from the anticipated date of approval of the Long Term Control Plan).

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed 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 and State of Indiana v. City of Indianapolis*, D.J. Ref. 90-5-1-1-07292.

The proposed Consent Decree may be examined at the Office of the United States Attorney for the Southern District of Indiana, U.S. Courthouse—5th Floor, 46 East Ohio Street, Indianapolis, IN 46204 (contact Asst. U.S. Attorney Thomas Kieper (317-226-6333)), and at U.S. EPA Region 5, 7th Floor Records Center, 77 West Jackson Blvd., Chicago, Illinois 60604 (contact Assoc. Regional Counsel Gary Prichard (312-886-0570)). During the public comment period, the proposed consent decree, including the Long Term Control Plan, may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the proposed 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 \$21.50 (25 cents per page reproduction cost) for the Consent Decree without appendices, or for \$467.75 for the Consent Decree and all appendices, 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 Brighton,**

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

[FR Doc. 06-8745 Filed 10-17-06; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on October 3, 2006 a proposed Consent Decree with the Estate of Irving Rubin in *United States v. Mallinckrodt et al.*, Civil Action No. 4:02CV1488, was lodged with the United States District Court for the Eastern District of Missouri. In this action the United States sought recovery of response costs incurred by the Environmental Protection Agency at the Great Lakes Container Corporation Superfund Site located in St. Louis, Missouri. The Consent Decree resolves our claims for past and future response costs against the Estate of Irving Rubin ("the Estate"). The Consent Decree requires the Estate to pay the EPA Hazardous Substance Superfund \$300,000 for reimbursement of past response costs.

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. Mallinckrodt, et al.* D.J. Ref. 90-11-3-07280. The Consent Decree may be examined at the Office of the United States Attorney, Thomas F. Eagleton U.S. Courthouse, 111 South 10th Street, 20th Floor, St. Louis, MO 63102, and at U.S. EPA Region VII, 901 North 5th Street, Kansas City, Kansas 66025. During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site, to [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 \$5.00 for *United States v. Mallinckrodt, et al.* (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Robert Maher,**

*Assistant Section Chief, Environmental Enforcement Section.*

[FR Doc. 06-8743 Filed 10-17-06; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

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

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that on September 25, 2006, a proposed Consent Decree ("Decree") in *United States of America v. Union Pacific Railroad Company*, Civil Action No. 1:06-CV-00115-BSJ was lodged with the United States District Court for the District of Utah, Central Division.

The Decree resolves the United States' claims against Union Pacific Railroad Company ("Union Pacific") pursuant to sections 106 and 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), as amended, 42 U.S.C. §§ 9606, 9607(a), seeking (1) the performance of studies and response work by the Defendant at the Ogden Rail Yard Site ("Site") in Weber County, Utah, consistent with the National Oil and Hazardous Substances Pollution Contingency Plan, as amended, 40 CFR part 300 ("National contingency Plan"); and (2) to recover funds expended by the United States in response to a release and threatened release of hazardous substances at the Site.

Under the terms of the CD, Union Pacific will reimburse EPA for outstanding response costs of \$20,779 and perform cleanup work at the Site valued at \$4,500,000. Portions of the Site are contaminated with polyaromatic hydrocarbons, solvents, and metals including lead. In addition to paying for outstanding response costs and performing cleanup work at the Site, Union Pacific will reimburse EPA for all future oversight costs.

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, P.O. Box 7611, U.S. Department of Justice, Washington, DC