

regarding the Mori and Parulski '335 combination on modified grounds.

The Commission's determination and reasons in support thereof will be further detailed in the Commission's forthcoming opinion.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in sections 210.42–46 of the Commission's Rules of Practice and Procedure (19 CFR 210.42–46).

Issued: July 20, 2012.

By order of the Commission.

**Lisa R. Barton,**

*Acting Secretary to the Commission.*

[FR Doc. 2012–18190 Filed 7–25–12; 8:45 am]

**BILLING CODE 7020–02–P**

## 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 July, 13, 2012, a proposed Consent Decree in *United States v. Alcoa Inc., et al.*, Civil Action No. 3:12-cv-00210, was lodged with the United States District Court for the Southern District of Texas.

This action pertains to the “Malone Services Company” Superfund Site in Texas City, Texas. The Consent Decree requires a group of 27 companies to clean up the Site and pay EPA \$900,000 towards past and future costs. The cleanup will cost \$56.4 million according to an estimate by the United States Environmental Protection Agency (EPA). Seventy-six entities, including the United States and the Texas Commission on Environmental Quality (TCEQ), are resolving their liability in the Consent Decree by paying cash to the group of 27 companies that will carry out the cleanup. The United States, which shipped 1.62% of the waste, will pay \$1,490,029. TCEQ, which shipped 0.00545% of the waste, will contribute \$6,766. EPA previously completed four rounds of administrative settlements with approximately 230 “de minimis” generators of waste.

The settlement also addresses natural resources damages. Under the Consent Decree, the federal and state natural resource trustees for the Site will receive a total of \$3,109,000 to implement environmental restoration projects. (This amount also covers some assessment, planning, and oversight costs.) The trustees are the National Oceanic and Atmospheric

Administration, the U.S. Department of the Interior represented by the U.S. Fish and Wildlife Service, TCEQ, the Texas Parks and Wildlife Department, and the Texas General Land Office.

For a period of thirty (30) days from the date of this publication the Department of Justice will receive comments relating to the Consent Decree. Comments should be addressed to the Principal Deputy Assistant Attorney General, Environment and Natural Resources Division, and either emailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov), or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044–7611, and should refer to *United States v. Alcoa Inc., et al.*, D.J. Ref. No. 90–11–2–07465/4. Commenters may request an opportunity for a public meeting in the affected area, in accordance with Section 7003(d) of RCRA, 42 U.S.C. 6973(d).

During the public comment period, the Consent Decree may 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 emailing a request to “Consent Decree Copy” [EESCDCopy \(EESCDCopy.ENRD@usdoj.gov\)](mailto:EESCDCopy(EESCDCopy.ENRD@usdoj.gov)), fax number (202) 514–0097, phone confirmation number (202) 514–5271. If requesting a full copy of the Consent Decree from the Consent Decree Library—including 105 pages of defendant signature pages and the 242-page Record of Decision for the Site (September 2009) — please enclose a check in the amount of \$116.75 (25 cents per page reproduction cost) payable to the U.S. Treasury, or, if requesting by email or fax, please forward a check in that amount to the Consent Decree Library at the address given above. If requesting a copy of the proposed Consent Decree that includes neither the defendants' signature pages nor the appendix that is a copy of the Record of Decision for the Site, please enclose a check in the amount of \$30.00 (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.*

[FR Doc. 2012–18191 Filed 7–25–12; 8:45 am]

**BILLING CODE 4410–15–P**

## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on July 2, 2012, a proposed Consent Decree in the case of *United States v. Hercules Incorporated*, No. 3:12CV483, was lodged with the United States District Court for the Eastern District of Virginia, Richmond Division. In this action, the United States sought relief for violations of Section 112 of the Clean Air Act, 42 U.S.C. 7412, and implementing regulations at 40 CFR part 63, Subpart UUUU, the National Emission Standards for Hazardous Air Pollutants for Cellulose Products Manufacturing, and for violations of the Defendant's State-issued operating permit at its cellulose products manufacturing facility in Hopewell, Virginia. The proposed Consent Decree requires the Defendant to pay a civil penalty of \$175,000, and to implement a program aimed at preventing future violations of the Clean Air Act at its Hopewell facility.

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, and either emailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov), or mailed to: P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044–7611, and should refer to: *U.S. v. Hercules Incorporated.*, DJ. Ref. No. 90–5–2–1–09609.

During the public comment period, the Consent Decree may also be examined at 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 emailing a request to “Consent Decree Copy” [EESCDCopy \(EESCDCopy.ENRD@usdoj.gov\)](mailto:EESCDCopy.ENRD@usdoj.gov), fax no. (202) 514–0097, phone confirmation number (202) 514–5271. If requesting a copy from the Consent Decree Library by mail, please enclose a check in the amount of \$16.50 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if requesting by email or fax, forward a check in that amount to the Consent

Decree Library at the address given above.

**Robert Brook,**

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

[FR Doc. 2012-18286 Filed 7-25-12; 8:45 am]

**BILLING CODE 4410-15-P**

**DEPARTMENT OF JUSTICE**

**Notice of Lodging of a Consent Decree Pursuant to the Clean Water Act**

Notice is hereby given that a proposed Consent Decree in *United States of America and the State of Tennessee v. City of Chattanooga, Tennessee, Civ. No. 1:12-cv-00245*, was lodged on July 17, 2012 with the United States District Court for the Eastern District of Tennessee, Chattanooga Division.

The proposed Consent Decree would resolve certain claims under Sections 301, 309 and 402 of the Clean Water Act, 33 U.S.C. 1251, et seq., against the City of Chattanooga ("City" or "Chattanooga"), through the performance of injunctive measures, the payment of a civil penalty, and the performance of Supplemental Environmental Projects ("SEPs"). The United States and the State of Tennessee allege that the City is liable as a person who has discharged a pollutant from a point source to navigable waters of the United States without a permit and, in some cases, in excess of permit limitations.

The proposed Consent Decree would resolve the liability of Chattanooga for the violations alleged in the complaint filed in this matter. To resolve these claims, Chattanooga would perform the injunctive measures as described in the proposed Consent Decree. More specifically, the proposed consent decree will require Chattanooga to comprehensively assess and rehabilitate its entire sewer collection system to eliminate overflows of untreated raw sewage. Chattanooga will perform rehabilitation projects to address known problems within the collection system; implement programs to ensure proper management, operation and maintenance of its sewer systems; and install additional controls on the Chattanooga Creek combined sewer outfalls to ensure compliance with water quality standards.

In addition, Chattanooga would pay a civil penalty of \$476,400. The penalty will be split evenly between the United States and the State. The City will pay \$238,200 to the United States Treasury. At the direction of the state, the other half of the civil penalty will be paid by

Chattanooga through the performance of green infrastructure demonstration projects. In addition, Chattanooga has agreed to perform a stream restoration supplemental environmental project at a cost of \$800,000.

The Department of Justice will receive comments relating to the proposed Consent Decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either emailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 and should refer to *United States of America and the State of Tennessee v. City of Chattanooga, DJ No. 90-5-1-1-10145*.

The proposed Consent Decree may be examined at the Region 4 Office of the Environmental Protection Agency, Atlanta Federal Center, 61 Forsyth Street SW., Atlanta GA 30303. During the public comment period, the 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 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 emailing a request to "Consent Decree Copy" ([EESCDCopy.enrd@usdoj.gov](mailto:EESCDCopy.enrd@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-5271. In requesting a copy from the Consent Decree Library, please refer to *United States of America and the State of Tennessee v. City of Chattanooga, (proposed Consent Decree, DOJ Ref. No. 90-5-1-1-10145)*, and enclose a check in the amount of \$75.25 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if by email or fax, forward a check in that amount to the Consent Decree Library at the stated address.

**Henry S. Friedman,**

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

[FR Doc. 2012-18267 Filed 7-25-12; 8:45 am]

**BILLING CODE 4410-15-P**

**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Consent Decree Pursuant to the Clean Water Act**

In accordance with 28 CFR 50.7, 38 FR 19029, notice is hereby given that on July 2, 2012, a Consent Decree was lodged with the United States District Court for the District of Massachusetts

in *United States v. Fairhaven Shipyard Companies, Inc.*, Civil Action No. 12-CV-11191-MBB. A complaint in the action was also filed simultaneously with the lodging of the Consent Decree. In the complaint the United States, on behalf of the U.S. Environmental Protection Agency (EPA), alleges that the defendant Fairhaven Shipyard Companies, Inc. ("Fairhaven Shipyard") violated Sections 301, 311, and 402 of the Clean Water Act, 33 U.S.C. 1311, 1321, and 1342, applicable regulations relating to the discharge of process water and storm water, and applicable oil pollution prevention regulations, at Fairhaven Shipyard's two facilities at 50 Fort Street and 32 Water Street in Fairhaven, Massachusetts. The consent decree requires Fairhaven Shipyard to pay a civil penalty of \$175,000 and undertake measures to achieve compliance with the above-referenced provisions of the Clean Water Act and applicable regulations at the two facilities.

For a period of thirty (30) days from the date of this publication, the United States Department of Justice will receive comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, and should either be emailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, Washington, DC 20044-7611. The comments should refer to *United States v. Fairhaven Shipyard Companies, Inc.*, D.J. Ref.# 90-5-1-1-10216.

During the public comment period, the proposed Consent Decree may be examined at the office of the United States Attorney, Suite 9200, 1 Courthouse Way, Boston, Massachusetts 02110, and at the Region I office of the Environmental Protection Agency, One Congress Street, Suite 1100, Boston, Massachusetts 02114. The proposed Consent Decree may also be obtained at 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 may also be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044-7611 or by faxing or emailing a request to "Consent Decree Copy" ([EESCDCopy.enrd@usdoj.gov](mailto:EESCDCopy.enrd@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-5271. If requesting a copy from the Consent Decree Library by mail, please enclose a check in the amount of \$11.75 (\$.25 per page) payable to the U.S. Treasury, or if by email or fax, forward a check in that