

one adult on the surface near Dead Creek in Frankenmuth Township and donated them to the UMMA in 1932. He reported finding evidence of a Native American village in the vicinity, also located near Dead Creek. Researcher H.I. Smith also reported a Pre-Contact Period cemetery, designated as the Simons Cemetery, located in the vicinity. The human remains date to the Pre-Contact Period (8500 B.C.–1400 A.D.) based on the Smith reference. No known individuals were identified. No associated funerary objects are present.

On an unknown date, human remains representing, at minimum, 4 individuals were removed from Near Saginaw site in Saginaw County, MI. The remains were found among the UMMA’s collections in 1993 during NAGPRA compliance activities. The remains of two adults, one adolescent, and one child were determined to be Native American based on cranial morphology. No date or time period could be established. No known individuals were identified. No associated funerary objects are present.

On an unknown date in the 1930s, human remains representing, at minimum, 1 individual were removed from the Nason Hill site (20SA121) in Saginaw County, MI. An amateur archeologist collected the human remains, found among a mixture of surface assemblages with no archeological contexts, and donated them to the UMMA in 1978. No date or time period for the human remains could be established. No known individuals were identified. No associated funerary objects are present.

Determinations Made by the University of Michigan Museum of Anthropology

Officials of the University of Michigan Museum of Anthropology have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice are Native American based on cranial morphology, dental traits, accession documentation, and archeological context.
- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of 18 individuals of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(2), a relationship of shared group identity cannot be reasonably traced between the Native American human remains and any present-day Indian tribe.
- According to final judgments of the Indian Claims Commission or the Court of Federal Claims, the land from which the Native American human remains were removed is the aboriginal land of

the Saginaw Chippewa Indian Tribe of Michigan.

- Treaties, Acts of Congress, or Executive Orders, indicate that the land from which the Native American human remains were removed is the aboriginal land of The Tribes.

- Pursuant to 43 CFR 10.11(c)(1), the disposition of the human remains may be to The Tribes.

Additional Requestors and Disposition

Representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to Dr. Ben Secunda, NAGPRA Project Manager, University of Michigan, Office of the Vice President for Research, 4080 Fleming Building, 503 Thompson St., Ann Arbor, MI 48109–1340, telephone (734) 647–9085, email *bsecunda@umich.edu*, by December 2, 2013. After that date, if no additional requestors have come forward, transfer of control of the human remains to The Tribes may proceed.

The University of Michigan is responsible for notifying The Tribes that this notice has been published.

Dated: September 16, 2013.
Sherry Hutt,
Manager, National NAGPRA Program.
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DEPARTMENT OF JUSTICE

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

On September 30, 2013, the Department of Justice lodged a proposed Consent Decree (“Decree”) in the United States District Court for the Western District of Tennessee in the lawsuit entitled *United States of America v. ConAgra Foods, Inc., and ConAgra Grocery Products, LLC*, Civil Action No. 2:13–cv–02756. This is a revised notice from the one that was published on October 22, 2013, Vol. 78, No. 204, pages 62661–62662.

This Decree represents a settlement of claims against the Defendants ConAgra Foods, Inc., and ConAgra Grocery Products, LLC (“Defendants” or “ConAgra”) for violations of the Clean Water Act, 33 U.S.C. 1321, and Spill Prevention, Control and Countermeasure (“SPCC”) and Facility Response Plan (“FRP”) regulations found at 40 CFR Part 112. The Decree requires that the Defendants pay a civil

penalty of \$475,000. The Decree further requires that ConAgra implement a formal tank integrity testing program in accordance with the American Petroleum Institute’s (“API”) formal standard 653. ConAgra will be required to submit a report annually to EPA summarizing the status of the tank testing and identifying which tanks were inspected during the previous calendar year and which will be inspected in the current year. The Decree provides for stipulated penalties in the event the Defendants fail to comply with the Decree’s requirements.

The publication of this notice opens a period for public comment on the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. ConAgra Foods, Inc., and ConAgra Grocery Products, LLC*, Civil Action No. 2:13–cv–02756, D.J. Ref. No. 90–5–1–1–10403. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	Send them to:
By email	<i>pubcomment-ees.enrd@usdoj.gov.</i>
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department Web site: http://www.usdoj.gov/enrd/Consent_Decrees.html. We will provide a paper copy of the Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for \$6.25 (25 cents per page reproduction cost) payable to the United States Treasury for the Consent Decree.

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

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