

Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9601 *et seq.*, in connection with the Spelter Zinc Site ("Site") in Spelter, West Virginia. The decree will require defendants to pay \$418,464.17 in partial reimbursement of the United States' past response costs and \$75,041.45 in reimbursement of the State of West Virginia's 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. E.I. DuPont de Nemours & Co.*, D.J. Ref. No. 90-1-11-07642.

The proposed consent decree may be examined at the Office of the United States Attorney, Horne Building, 1100 Main Street, Suite 200, Wheeling, WV 26003, and at U.S. EPA Region III, 1650 Arch Street, Philadelphia, Pa 19103. During the public comment period, the proposed consent decree, may also be examined on the following Department of Justice website, <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), 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 \$9.00 (25 cents per page reproduction cost) payable to the U.S. Treasury. Exhibits to the consent decree may be obtained for an additional charge.

Robert Brook,

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

[FR Doc. 03-15443 Filed 6-18-03; 8:45 am]

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DEPARTMENT OF JUSTICE

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

In accordance with Departmental policy, 28 CFR § 50.7, notice is hereby given that proposed consent decrees in *United States v. Foss Maritime Co., et al.*, Civil Action No. C03-5331RJB were

lodged on June 12, 2003, with the United States District Court for the Western District of Washington. The consent decrees require defendants Marine Industries Northwest, Inc., Foss Maritime Company, Pioneer Industries, Inc., State of Washington Department of Natural Resources, the City of Tacoma, The City of Tacoma Department of Public Utilities, Simpson Tacoma Land Company, Simpson Tacoma Kraft Company, LLC, Cook's Marine Specialities, Stuart Cook and Western Machine Works to perform the cleanup of the Middle Waterway Problem Area within the Commencement Bay/ Nearshore Tidelands 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 proposed consent decrees. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, P.O. Box 7611 Washington, DC 20044-7611, and should refer to *United States v. Foss Maritime Co., et al.*, DOJ Ref. # 90-11-2-729/1.

The proposed consent decrees may be examined at the office of the United States Attorney, 601 Union Street, Seattle, WA 98101, and at U.S. EPA Region 10, 1200 Sixth Avenue, Seattle, WA 98101. During the public comment period, the proposed consent decrees may also be examined on the following Department of Justice website, <http://www.usdoj.gov/enrd/open.html>. Copies of the proposed consent decrees 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 copies please refer to the referenced case and enclose a check in the amount of \$64.25 (25 cents per page reproduction costs), payable to the U.S. Treasury.

Robert Maher,

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

[FR Doc. 03-15439 Filed 6-18-03; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Water Act

Pursuant to 28 CFR 50.7, notice is hereby given that on June 12, 2003, a proposed Consent Decree ("Consent

Decree") in *United States v. City of Rock Island, Illinois et al.*, Civil Action No. 00 C 4076 was lodged with the United States District Court for the Central District of Illinois.

The United States' complaint in this action asserts claims against the City of Rock Island ("City") for injunctive relief and civil penalties for violations of the Clean Water Act, 33 U.S.C. 1251 *et seq.* (the "Act"), and a National Pollutant Discharge Elimination System Permit regulation discharges of pollutants into surface waters from the City's publicly owned treatment works ("POTW"). The State of Illinois is also named as a defendant, pursuant to Section 309(e) of the Act, 33 U.S.C. 1319(e).

The proposed Consent Decree requires the City to comply with effluent limitations and all other requirements of the City's NPDES permit. In addition, the Consent Decree requires the City to develop and implement a Long Term Control Plan for insuring that combined sewer overflows ("CSO's") from the POTW comply with the requirements of Rock Island's NPDES permit, the Clean Water Act, and the objectives of U.S. EPA's April 19, 1994 CSO Policy. Pursuant to the Long Term Control Plan, the City will complete specified studies and assessments, evaluate alternatives for eliminating, treating or reducing CSO discharges, and implement discharge control measures approved by the United States Environmental Protection Agency. Under the proposed Consent Decree the City will also pay a civil penalty of \$64,800 and expend at least \$60,550 to implement a Supplement Environmental Project that will mitigate adverse effects of stormwater run-off on surface water bodies, improve habitat conditions in the area where the SEP is performed.

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 v. City of Rock Island, et al.*, D.J. Ref. 90-5-1-1-06489.

The proposed Consent Decree may be examined at the Office of the United States Attorney, Star Cres Building, Third Floor, 11830 Second Avenue, Rock Island, Illinois 61201, and at U.S. EPA Region 5, 77 West Jackson Boulevard, Chicago, IL 60604. During the public comment period, the proposed 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 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 emailing 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 enclose a check in the amount of \$14.75 (25 cents per page reproduction cost) payable to the U.S. Treasury.

William D. Brighton,

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

[FR Doc. 03-15442 Filed 6-18-03; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of the "SIGECO" Proposed Consent Decree Under the Clean Air Act

Notice is hereby given that on June 6, 2003, a proposed Consent Decree ("proposed Decree") in *United States v. Southern Indiana Gas & Electric Co.* ("SIGECO"), Civil Action No. IP99-1692 C-M/F, was lodged with the United States District Court for the Southern District of Indiana.

In the Amended Complaint filed under the federal Clean Air Act ("Act") in January 2000, the United States alleged that SIGECO, an electric utility, failed to comply with certain requirements of the Act intended to prevent deterioration of air quality. The Amended Complaint alleged that SIGECO failed to seek permits prior to making major modifications to the three units located at the F.B. Culley Station in Newburgh, Indiana ("Culley plant"), and failed to install appropriate pollution control devices at the Culley plant to reduce emissions of air pollutants.

The proposed Decree lodged with the Court requires installation, upgrading, and operation of pollution control devices at the Culley plant, including the installation and operation of a state-of-the-art control device to reduce emissions of particulate matter. The proposed Decree also requires SIGECO to take specific measures to operate pollution control equipment to reduce emissions of nitrogen oxides and sulfur dioxides from the Culley plant. In addition, under the proposed Decree SIGECO will carry out an environmental mitigation project, valued at \$2.5 million, to install and operate

technology to reduce emission of sulfuric acid from the Culley plant, and pay a civil penalty of \$600,000.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed 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. Southern Indiana Gas & Electric Co.*, D.J. Ref. 90-5-2-1-06966.

The proposed Decree may be examined at the offices of the United States Attorney, Southern District of Indiana, 10 West Market St., Suite 2100, Indianapolis, IN 46204-3048, and at the offices of U.S. EPA Region 5, 777 W. Jackson Street, Chicago, IL 60604-3507.

During the public comment period, the proposed Decree may also be examined on the following Department of Justice website, <http://www.usdoj.gov/enrd/open.html>. A copy of the proposed 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 \$11.50 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Thomas A. Mariani, Jr.,

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

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DEPARTMENT OF JUSTICE

Notice of Extension of Comment Period Regarding Consent Decree Lodged Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act

On May 22, 2003, notice was published in the **Federal Register**, 68 FR 28016, that on May 7, 2003, a proposed consent decree in *United States v. Tecumseh Products Company*, Civil Action No. 03-C-0401, was lodged with the United States District Court for the Eastern District of Wisconsin. The notice stated that comments on the proposed settlement would be received for a period of thirty days from the date of publication of the notice. The

comment period is currently set to end on June 21, 2003.

In response to a request from a citizens' group, the Department of Justice is hereby extending the comment period for an additional fifteen days through July 6, 2003.

In this action, the United States sought the implementation of response action and reimbursement of response costs pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601, *et seq.*, ("CERCLA"), for costs incurred by the United States in responding to a release or threat of release of hazardous substances in the Upper River section of the Sheboygan River and Harbor Superfund Site in Sheboygan County, Wisconsin (the "Site"). The United States alleges that Tecumseh Products Company ("Tecumseh") arranged for disposal of hazardous substances in the Upper River portion of the Site and is liable for costs incurred by the United States in responding to releases of hazardous substances at the Site pursuant to Section 107(a)(1) of CERCLA. The Consent Decree requires Tecumseh to implement the remedial action for the Upper River portion of the Site selected by the U.S. Environmental Protection Agency in a Record of Decision dated May 12, 2000, and to reimburse the United States at least \$2,100,000.00 for response costs incurred in connection with the Site.

As noted above, the Department of Justice will receive, for an additional period of fifteen days through July 6, 2003, comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, U.S. Department of Justice, P.O. Box 7611, Washington, DC 20044-7611, and should refer to *United States v. Tecumseh Products Company*, DOJ Ref. # 90-11-2-06440. Commenters may request an opportunity for a public meeting in the affected area, in accordance with Section 7003 of RCRA, 42 U.S.C. 6973(d).

The proposed consent decree may be examined at the office of the United States Attorney, 517 E. Wisconsin Avenue, Suite 530, Milwaukee, Wisconsin 53202, and the Region 5 Office of the Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, IL 60604. During the public comment period, the proposed consent decree may also be examined on the following Department of Justice website, <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,