

individuals were removed from site 45-KT-20, Kittitas County, WA, as part of a University of Washington Field Expedition led by Dr. Earl Swanson, Jr. The human remains were transferred from the University of Washington Department of Anthropology and accessioned by the Burke Museum in 1966 (Burke Accn. #1966-95). No known individuals were identified. The 42 funerary objects are 1 lot of plant fiber; 7 lots of beads (shell and bone, 4 lots include cordage fragments); 9 lots of bone (mammal, rodent, fish); 1 chipped stone tool; 5 lots of cordage; 9 flakes; 1 shell pendant; 2 lots of fiber mat fragments; 1 scatological specimen; 1 shell fragment; 2 points; 1 wood fragment; and 2 unmodified stones.

Early and late published ethnographic documentation indicates that the sites described above are the aboriginal territory of the Moses-Columbia or Sinkiuse, and Yakima (Daugherty 1973, Miller 1998, Mooney 1896, Ray 1936, Spier 1936). Descendants of the Moses-Columbia, Sinkiuse, and Yakima are members of the Confederated Tribes of the Colville Reservation, Washington and Confederated Tribes and Bands of the Yakama Nation, Washington. Furthermore, information provided by the two tribes during consultation indicates that the aboriginal ancestors occupying this area were highly mobile and traveled the landscape for gathering resources as well as trade, and are part of the more broadly defined Plateau communities. Descendants of these Plateau communities are now widely dispersed and enrolled in the Confederated Tribes and Bands of the Yakama Nation, Washington; Confederated Tribes of the Colville Reservation, Washington; Confederated Tribes of the Umatilla Reservation, Oregon; Confederated Tribes of the Warm Springs Reservation of Oregon; Nez Perce Tribe of Idaho; and Wanapum Band, a non-federally recognized Indian group.

Officials of the Burke Museum and Central Washington University have determined that, pursuant to 25 U.S.C. 3001 (9-10), the human remains described above represent the physical remains of 42 individuals of Native American ancestry. Officials of the Burke Museum and Central Washington University also have determined that, pursuant to 25 U.S.C. 3001 (3)(A), the 727 objects described above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony. Lastly, officials of the Burke Museum and Central Washington University have determined that, pursuant to 25 U.S.C.

3001 (2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and associated funerary objects and the Confederated Tribes and Bands of the Yakama Nation, Washington; Confederated Tribes of the Colville Reservation, Washington; Confederated Tribes of the Umatilla Reservation, Oregon; Confederated Tribes of the Warm Springs Reservation of Oregon; and Nez Perce Tribe of Idaho. Furthermore, officials of the Burke Museum and Central Washington University have determined that there is a cultural relationship between the human remains and associated funerary objects and the Wanapum Band, a non-federally recognized Indian group.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains and associated funerary objects should contact Dr. Peter Lape, Burke Museum, University of Washington, Box 353010, Seattle, WA 98195-3010, telephone (206) 685-2282 or Lourdes Henebry-DeLeon, NAGPRA Program Director, Department of Anthropology, Central Washington University, Ellensburg, WA 98926-7544, telephone (509) 963-2671, before October 15, 2007. Repatriation of the human remains and associated funerary objects to the Confederated Tribes and Bands of the Yakama Nation, Washington; Confederated Tribes of the Colville Reservation, Washington; Confederated Tribes of the Umatilla Reservation, Oregon; Confederated Tribes of the Warm Springs Reservation of Oregon; and Nez Perce Tribe of Idaho for themselves and on behalf of the Wanapum Band, a non-federally recognized Indian group, may proceed after that date if no additional claimants come forward.

Central Washington University is responsible for notifying the Confederated Tribes and Bands of the Yakama Nation, Washington; Confederated Tribes of the Colville Reservation, Washington; Confederated Tribes of the Umatilla Reservation, Oregon; Confederated Tribes of the Warm Springs Reservation of Oregon; Nez Perce Tribe of Idaho; and Wanapum Band, a non-federally recognized Indian group that this notice has been published.

Dated: August 28, 2007

Sherry Hutt,

Manager, National NAGPRA Program.

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DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Intent to Repatriate Cultural Items: Thomas Burke Memorial Washington State Museum, University of Washington, Seattle, WA

AGENCY: National Park Service, Interior.

ACTION: Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent to repatriate cultural items in the control the Thomas Burke Memorial Washington State Museum (Burke Museum), University of Washington, Seattle, WA, that meet the definition of "unassociated funerary objects" under 25 U.S.C. 3001.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the cultural items. The National Park Service is not responsible for the determinations in this notice.

In 1920-1921, unassociated funerary objects were removed from two graves at "Hall Site #8" in the vicinity of 45-GR-134, Grant County, WA, during a museum expedition by F. S. Hall, Earl O. Roberts, and M. Mohr. The cultural items were accessioned by the museum in 1920 (Burke Accn. #1860). The 31 unassociated funerary objects are 1 lot of beads (possibly made of juniper berries), 4 metal fragments, 22 bone tools, 2 bird bones, 1 lot of shell beads, and 1 lot of olivella shell beads.

In 1920 and 1921, unassociated funerary objects were removed from an unknown location in Grant County, WA, during a museum expedition by F. S. Hall, Earl O. Roberts, and M. Mohr. The cultural items were accessioned by the museum in 1920 (Burke Accn. #1860). The 28 unassociated funerary objects are 1 lot of metal fragments, 2 dentalium shells, 11 dentalium shell beads (some strung on fiber), 3 dentalium shell fragments, 2 lots of red ochre, 8 small rocks, and 1 seed.

The burial pattern and unassociated funerary objects are consistent with Native American plateau customs. Museum documentation indicates that the cultural items were found in connection with human remains. The cultural items are consistent with cultural items typically found in context with burials in eastern Washington.

Early and late published ethnographic documentation indicates that the sites

described above are the aboriginal territory of the Moses–Columbia or Sinkiuse, and Yakima (Daugherty 1973, Miller 1998, Mooney 1896, Ray 1936, Spier 1936). Descendents of the Moses–Columbia, Sinkiuse, and Yakima are members of the Confederated Tribes of the Colville Reservation, Washington and Confederated Tribes and Bands of the Yakama Nation, Washington. Furthermore, information provided by the two tribes during consultation indicates that the aboriginal ancestors occupying this area were highly mobile and traveled the landscape for gathering resources as well as trade, and are part of the and are part of the more broadly defined Plateau communities.

Descendents of these Plateau communities are now widely dispersed and enrolled in the Confederated Tribes and Bands of the Yakama Nation, Washington; Confederated Tribes of the Colville Reservation, Washington; Confederated Tribes of the Umatilla Reservation, Oregon; Confederated Tribes of the Warm Springs Reservation of Oregon; Nez Perce Tribe of Idaho; and Wanapum Band, a non–federally recognized Indian group.

The Confederated Tribes and Bands of the Yakama Nation, Washington; Confederated Tribes of the Colville Reservation, Washington; Confederated Tribes of the Umatilla Reservation, Oregon; Confederated Tribes of the Warm Springs Reservation of Oregon; Nez Perce Tribe of Idaho; and Wanapum Band, non–federally recognized Indian group are claiming jointly all cultural items from the Columbia River area in eastern Washington and Oregon.

Officials of the Burke Museum have determined that, pursuant to 25 U.S.C. 3001 (3)(B), the 59 cultural items described above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony and are believed, by a preponderance of the evidence, to have been removed from a specific burial site of a Native American individual. Officials of the Burke Museum also have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the unassociated funerary objects and the Confederated Tribes of the Colville Reservation, Washington, Nez Perce Tribe of Idaho, Confederated Tribes of the Umatilla Reservation, Oregon, and Confederated Tribes of the Warm Springs Reservation of Oregon, Confederated Tribes and Bands of the Yakama Nation, Washington. Furthermore, officials of the Burke Museum have determined that there is

a cultural relationship between the unassociated funerary objects and the Wanapum Band, a non–federally recognized Indian group.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the unassociated funerary objects should contact Dr. Peter Lape, Burke Museum, University of Washington, Box 353010, Seattle, WA 98195–3010, telephone (206) 685–2282, before October 15, 2007. Repatriation of the unassociated funerary objects to the Confederated Tribes and Bands of the Yakama Nation, Washington; Confederated Tribes of the Colville Reservation, Washington; Confederated Tribes of the Umatilla Reservation, Oregon; Confederated Tribes of the Warm Springs Reservation of Oregon; and Nez Perce Tribe of Idaho for themselves and on behalf of the Wanapum Band, a non–federally recognized Indian group, may proceed after that date if no additional claimants come forward.

The Burke Museum is responsible for notifying the Confederated Tribes and Bands of the Yakama Nation, Washington; Confederated Tribes of the Colville Reservation, Washington; Confederated Tribes of the Umatilla Reservation, Oregon; Confederated Tribes of the Warm Springs Reservation of Oregon; Nez Perce Tribe of Idaho; and Wanapum Band, a non–federally recognized Indian group that this notice has been published.

Dated: August 28, 2007

Sherry Hutt,

Manager, National NAGPRA Program.

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Air Act

Notice is hereby given that on August 28, 2007, a proposed Consent Decree in *United States v. Premier Industries, Inc.*, Civil Action No. ED CV 07–01092 (SGL)(OPx), was lodged with the United States District Court for the Central District of California.

The proposed Consent Decree resolves the United States' claims against Premier under section 113(b) of the Clean Air Act ("CAA"), 42 U.S.C. 7413(b), for alleged violations of the CAA and the federally approved California State Implementation Plan ("SIP"), including South Coast Air Quality Management District Rule 1175 ("Rule 1175"), at an expandable polystyrene foam block manufacturing

facility it owned in Chino, CA ("Facility"). The Consent Decree requires Premier to pay a civil penalty of \$326,000 and requires Premier and the company that recently acquired the Facility, Insulfoam, LLC, to: comply with Rule 1175's limits on VOC emissions; operate an emission control system that meets the requirements in the Rule; adhere to specified operational requirements; and limit the pentane content of raw materials used in the manufacturing process at the Facility.

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, and either E-mailed to 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. Premier Industries, Inc.*, D.J. Ref. 90–5–2–1–08413.

The proposed Consent Decree may be examined at the Office of the United States Attorney, 300 North Los Angeles Street, Los Angeles, CA 90012, and at U.S. EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105. 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/Consent_Decrees.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 number (202) 514–0097, phone confirmation number (202) 514–1547. When requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$8.50 for the Consent Decree (25 cents per page reproduction cost), 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.

Henry S. Friedman,

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

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