

9607. The proposed Consent Decree would resolve claims that the United States has asserted against all defendants.

Under the proposed Consent Decree, a group of four "Performing Settling Defendants" will implement remedial measures at the Site consistent with an Explanation of Significant Differences issued by the United States Environmental Protection Agency ("U.S. EPA") on September 13, 2010. These remedial measures will include:

(1) Evaluation of potential measures to optimize performance of the previously-implemented source control remedy at the Site and implementation of any appropriate source control remedy enhancements; (2) development and implementation of an Institutional Control Implementation and Assurance Plan; and (3) completing a three-year evaluation of the effectiveness of monitored natural attenuation as a means of achieving groundwater cleanup standards at the Site. Following completion of the monitored natural attenuation study, if U.S. EPA determines that monitored natural attenuation is not appropriate for this Site, Performing Settling Defendants will evaluate alternative groundwater remedies and implement an alternative groundwater remedy selected by EPA. Under the proposed decree, Performing Settling Defendants will also pay \$985,000 to the Hazardous Substances Superfund to reimburse response costs incurred by the United States through January 31, 2010 in connection with the Site, and they will reimburse all response costs incurred by the United States after January 31, 2010 in connection with the Site.

The remaining 34 defendants, "De Minimis Settling Defendants," will resolve their potential liability with respect to the Site in accordance with Section 122(g) of CERCLA, 42 U.S.C. 9622(g), through specified payments that will be used by Performing Settling Defendants to pay for costs incurred pursuant to the Consent Decree.

The Department of Justice will receive comments relating to the 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 e-mailed 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. Waste Management of Wisconsin, Inc., et al.*, DJ # 90-11-3-09747.

The Consent Decree may be examined at the Office of the United States Attorney, Eastern District of Wisconsin, 530 Federal Building, 517 East Wisconsin Avenue, Milwaukee, WI 53202 and at U.S. EPA Region 5, 77 W. Jackson Blvd., Chicago, IL 60604. During the public comment period, the Consent 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 Consent Decrees may also be obtained by mail from the Consent Decree Library, U.S. Department of Justice, P.O. Box 7611, 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 number (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy of the Consent Decree from the Consent Decree Library, please enclose a check in the amount of \$82.00 (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.

**Maureen M. Katz,**

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## DEPARTMENT OF JUSTICE

### Notice of Filing of Consent Decree Pursuant to the Clean Water Act ("CWA")

Notice is hereby given that on April 20, 2011, a proposed Consent Decree in *United States v. P4 Production L.L.C.*, No. 11-00166-REB, was lodged in the United States District Court for the District of Idaho. The Consent Decree settles the United States' claims alleged in the Complaint pursuant to Section 309 of the Clean Water Act (CWA), 33 U.S.C. 1319. The Complaint relates to P4's South Rasmussen Mine, which is in southeast Idaho about 20 miles northeast of Soda Springs. The Consent Decree requires payment of a civil penalty of \$1,400,000. The Consent Decree also includes injunctive relief which requires P4 to prevent leachate and certain storm water from its waste rock from discharging to the downstream creek and wetland.

The Department of Justice will receive comments related to the 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 e-mailed 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. P4 Production L.L.C.*, No. 11-00166-REB (D. Idaho), Department of Justice Case Number 90-5-1-1-09868.

During the public comment period, the Consent Decree may be examined at the Office of the United States Attorney, District of Idaho, 800 Park Boulevard, Suite 600, Boise, Idaho. The Settlement Agreement may also be examined on the following Department of Justice Web site, [http://www.justice.gov/enrd/Consent\\_Decrees.html](http://www.justice.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 \$9.00 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Robert E. Maher, Jr.,**

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## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on April 13, 2011, a proposed Consent Decree was filed with the United States District Court for the District of Oregon in *United States v. JELD-WEN, Inc.*, No. 3:11-cv-453-JT (D. Or.). The proposed Consent Decree entered into by the United States, the States of West Virginia, Iowa, and North Carolina, and the company resolves the United States' and States' claims against the company for civil penalties and injunctive relief pursuant to the Clean Air Act, 42 U.S.C. 7412, 7413. Under the terms of the Consent Decree, JELD-WEN will pay the United States and States a combined civil penalty of \$850,000, for excessive emissions of hazardous air pollutants from four door skin manufacturing plants located in Washington, Iowa, North Carolina, West Virginia. In addition, JELD-WEN will undertake projects to offset its excess emission,