

remains listed above represent the physical remains of at least three individuals of Native American ancestry. Officials of the Fruitlands Museums have also determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity which can be reasonably traced between the human remains and the Santee Sioux Tribe of Nebraska.

On January 12, 1996, the human remains were transferred to Mr. Sebastian LeBeau on behalf of the Santee Sioux Tribe of Nebraska. This notice has been sent to officials of the Santee Sioux Tribe of Nebraska, the Cheyenne River Sioux Tribe, the Omaha Tribe, the Winnebago Tribe of Nebraska, the Ponca Tribe of Nebraska, the Pawnee Tribe of Oklahoma, the Flandreau Santee Sioux Tribe, the Sisseton-Wahpeton Dakota Nation, the Crow Creek Sioux Tribe, the Yankton Sioux Tribe, the Lower Brule Sioux Tribe, the Rosebud Sioux Tribe, and the Oglala Sioux Tribe. Any Indian tribe with questions or concerns related to the repatriation of these human remains listed in this notice should contact Mr. Sebastian LeBeau, Cultural Preservation Officer, Cheyenne River Sioux Tribe, P.O. Box 590, Eagle Butte, SD 57625, phone (605) 964-4155.

Dated: March 6, 1996

Michele C. Aubry

*Acting Departmental Consulting Archeologist
Archeology and Ethnography Program*

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BILLING CODE 4310-70-F

DEPARTMENT OF JUSTICE

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

In accordance with Departmental policy at 28 CFR 50.7, notice is hereby given that on February 29, 1996 a proposed consent Decree in *United States et al. v. Board of County Commissioners of Allen County, Ohio*, Civil Action No. 3:96CV7135 was lodged with the United States District Court for the Northern District of Ohio. This consent decree represents a settlement of claims by the United States and the State of Ohio against the Board of County Commissioners of Allen County (the Board) for violations of Section 301 of the Clean Water Act, 33 U.S.C. § 1311, and the terms and conditions of two National Pollutant Discharge Elimination System (NPDES) permits issued by the State.

Under this settlement, the Board will implement and complete a construction program designed to upgrade treatment

systems at its two wastewater treatment facilities. Interim effluent limitations are provided for the construction period and until issuance of renewal NPDES permits for the facilities. In addition, the Board will pay a civil penalty of \$100,000. Ninety percent (90%) of the penalty is payable to the United States and ten percent (10%) is payable to the State. Stipulated penalties may be imposed in the event the Board does not comply with the requirements of the Consent Decree.

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 of the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States et al. v. The Board of County Commissioners of Allen County, Ohio*, D.J. #90-5-1-1-3841.

The proposed Consent Decree may be examined at the Office of the United States Attorney, Northern District of Ohio, Room 305, U.S. Courthouse, 1716 Spielbusch Avenue, Toledo, Ohio 43624, and at U.S. EPA Region 5, Office of Regional Counsel, 200 West Adams, Chicago, Illinois, and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the proposed Consent Decree may be obtained in person or by mail from the Consent Decree Library. In requesting a copy, please enclose a check in the amount of \$9.00 (25 cents per page reproduction cost) payable to the Consent Decree Library.

Joel M. Gross,

Chief, Environmental Enforcement Section.

[FR Doc. 96-5776 Filed 3-11-96; 8:45 am]

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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 a proposed consent decree in *United States v. Burmar Metal Finishing Corp., et al.*, Civil Action No. 96-1233 TJH (Ex), was lodged on February 21, 1996 with the United States District Court for the Central District of California. This consent decree provides for the recovery of \$110,000 in response costs incurred with respect to the Burbank Operable Unit, San Fernando Valley Area 1 Superfund Site ("Site"). This action is brought pursuant to

Sections 106 and 107 of the comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9606, 9607. The fourteen settling defendants are either past or present owners/operators of four small manufacturing facilities that were investigated by the Regional Water Quality Control Board ("RWQCB") as part of its source identification and remediation program.

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 for the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Burmar Metal Finishing Corp., et al.*, DOJ Ref. #90-11-2-442B.

The proposed consent decree may be examined at the office of the United States Attorney, 312 North Spring Street, Los Angeles, CA 90012; the Region IX Office of the Environmental Protection Agency, 75 Hawthorne Street, San Francisco, CA 94105; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, DC 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$8.75 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel Gross,

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

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BILLING CODE 4410-01-M

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 a proposed Modification to a consent decree in *United State and State of Washington Department of Ecology v. City of Tacoma*, Civil Action No. C89-583T, was lodged on February 27, 1996 with the United States District Court for the Western District of Washington. The proposed Modification adds language to the consent decree which settles a dispute about measures which must be taken by the City to maintain minimum flows in a creek which has been affected by the removal