

in consultation with representatives of the Tule River Indian Tribe of the Tule River Reservation (Yokuts).

In 1978, human remains representing five individuals were collected from site CA-KER-2421, Kern County, CA by an unknown individual. In 1989, this individual donated these human remains to the California State University-Bakersfield. No known individuals were identified. No associated funerary objects are present.

In 1992, human remains representing one individual were collected from site CA-KER-2720 during routine screening of soil excavated from a test unit prior to a work project. In 1994, these human remains were found in the collections of California State University-Bakersfield during laboratory procession of the screen soils. No known individual was identified. No associated funerary objects are present.

Based on the skeletal morphology and apparent age of these remains, these individuals have been determined to be Native American. Archeological evidence, including continuities of material culture, occupation sites, and manner of interment indicate that Yokuts people have occupied this area for several thousand years. These human remains are believed not to pre-date Yokuts occupation of this area.

Based on the above mentioned information, officials of the California State University-Bakersfield have determined that, pursuant to 43 CFR 10.2 (d)(1), the human remains listed above represent the physical remains of six individuals of Native American ancestry. Officials of the California State University-Bakersfield have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity which can be reasonably traced between these Native American human remains and the Tule River Indian Tribe of the Tule River Reservation.

This notice has been sent to officials of the Tule River Indian Tribe of the Tule River Reservation. Representatives of any other Indian tribe that believes itself to be culturally affiliated with these human remains should contact Dr. Mark Q. Sutton, Department of Sociology and Anthropology, California State University-Bakersfield, Bakersfield, CA 93311-1099; telephone: (805) 664-33153, before January 12, 1998. Repatriation of the human remains to the Tule River Indian Tribe of the Tule River Reservation may begin

after that date if no additional claimants come forward.

Dated: December 9, 1997.

Daniel Haas,

Acting Departmental Consulting Archeologist,

Archeology and Ethnography Program.

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DEPARTMENT OF JUSTICE

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

Notice is hereby given that on November 20, 1997, a proposed Consent Decree in *United States v. Boise Cascade Corp., et al.*, Civil Action No. 97CV1704 (N.D.N.Y.), was lodged with the United States District Court for the Northern District of New York.

In this action the United States sought cost recovery and injunctive relief pursuant to Sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9606 and 9607, against defendant Boise Cascade Corporation, Labelon Corporation, Miller Brewing Company, Niagara Mohawk Power Company, and The Stroh Brewery Company related to the Sealand Restoration Superfund Site in Lisbon, New York. In the proposed consent decree, the settling parties agree to pay to the United States \$750,000 in reimbursement of costs expended by the United States in connection with the Site and to perform the remedial action for the Site selected by the Environmental Protection Agency in the Record of Decision dated September 29, 1995.

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 of the Environment and Natural Resources Division, Department of Justice, Washington, D.C., 20530, and should refer to *United States v. Boise Cascade Corp., et al.*, DOJ #90-11-3-1144.

The consent decree may be examined at the Office of the United States Attorney, 231 James T. Foley Courthouse, 445 Broadway, Albany, New York, at U.S. EPA Region 2, 290 Broadway, New York, New York, and at the Consent Decree Library, 1120 G Street, N.W. 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the consent decree may be obtained in

person or by mail for the Consent Decree Library, 1120 G Street, N.W. 4th Floor, Washington, D.C. 20005. In requesting a copy, please enclose a check in the amount of \$13.00 (25 cents per page reproduction cost) payable to the Consent Decree Library.

Joel M. Gross,

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

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DEPARTMENT OF JUSTICE

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

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States v. Kirkwood Gas and Electric Company*, (E.O. Cal.) was lodged with the United States District Court for the Eastern District of California on November 18, 1997 (CIV-S-97-2164, DFL PAN). The proposed Consent Decree resolves the United States' claims against Kirkwood Gas and Electric Company (KG&E) pursuant to Section 113(b) of the Clean Air Act for KG&E's failure to obtain a Prevention of Significant Deterioration permit before construction of its facility. The alleged violation occurred at the diesel generator facility at Kirkwood Ski and Summer Resort in Alpine County, California. Under the Consent Decree, KG&E agrees to install a selective catalytic reduction control system and a continuous emission monitor to monitor emissions of oxides of nitrogen, to conduct source testing and to practice good air pollution control practices. KG&E also agrees to raise the height of its powerhouse exhaust stacks. KG&E also agrees to pay a penalty of \$13,671.

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, U.S. Department of Justice, P.O. Box 7611, Washington, D.C. 20044; and refer to *United States v. Kirkwood Gas and Electric Company*, DOJ Ref. # 90-5-2-1-2123.

The proposed settlement agreement may be examined at the Office of the United States Attorney, Eastern District of California, 650 Capitol Mall, Sacramento, California 95814 and at the office of the Environmental Protection Agency, 75 Hawthorne Street, San Francisco, California 94105; and at the