

any other Indian tribe that believes itself to be culturally affiliated with these human remains should contact Elaine Guthrie, Acting Director of Cultural Resources, American Museum of Natural History, Central Park West at 79th Street, New York, NY 10024-5192, telephone (212) 769-5835, before July 18, 2002. Repatriation of the human remains to the Native Village of Barrow Inupiat Traditional Government and Ukpeagvik Inupiat Corporation may begin after that date if no additional claimants come forward.

Dated: April 25, 2002.

Robert Stearns,

Manager, National NAGPRA Program.

[FR Doc. 02-15293 Filed 6-17-02; 8:45 am]

BILLING CODE 4310-70-S

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Intent to Repatriate a Cultural Item in the Possession of the Springfield Science Museum, Springfield, MA

AGENCY: National Park Service, Interior.
ACTION: Notice.

Notice is hereby given in accordance with provisions of the Native American Graves Protection and Repatriation Act, 43 CFR 10.10 (a)(3), of the intent to repatriate a cultural item in the possession of the Springfield Science Museum, Springfield, MA, that meets the definition of "sacred object" under Section 2 of the Act.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 43 CFR 10.2 (c). The determinations within this notice are the sole responsibility of the museum, institution, or Federal agency that has control of these cultural items. The National Park Service is not responsible for the determinations within this notice.

The sacred object is a hide pouch, 5 1/2 in. long and 2 1/2 in. wide with a buckskin tie, containing black mineral pigment.

In 1991, this item was purchased by the Springfield Science Museum from the Northeastern Taxidermy Studio of Catskill, NY. Members of the Navajo Nation, Arizona, New Mexico & Utah have identified this item as necessary for the continued practice of traditional Navajo religion by present-day adherents. Representatives of the Navajo Nation and traditional religious leaders have confirmed that this item is needed for on-going ceremonial and religious traditions and have requested that this

item be repatriated. The Springfield Science Museum's records indicate that the object under consideration for repatriation is Navajo in origin and was most likely used by Navajo medicine men prior to 1900.

Based on the above-mentioned information, officials of the Springfield Science Museum in consultation with representatives of the Navajo Nation have determined that, pursuant to 43 CFR 10.2 (d)(3), this cultural item is a specific ceremonial object needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present-day adherents. Officials of the Springfield Science Museum also have determined that, pursuant to 43 CFR 10.2 (e), there is a relationship of shared group identity that can be reasonably traced between this sacred object and the Navajo Nation, Arizona, New Mexico & Utah.

This notice has been sent to officials of the Navajo Nation, Arizona, New Mexico & Utah. Representatives of any other Indian tribe that believes itself to be culturally affiliated with this sacred object should contact John Pretola, Curator of Anthropology, Springfield Science Museum, 236 State Street, Springfield, MA 01103, telephone (413) 263-6800, before July 18, 2002. Repatriation of this sacred object to the Navajo Nation, Arizona, New Mexico & Utah may begin after that date if no additional claimants come forward.

Dated: May 6, 2002.

Robert Stearns,

Manager, National NAGPRA Program.

[FR Doc. 02-15292 Filed 6-17-02; 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, 42 U.S.C. 9601, et seq.

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States and the State of Illinois v. Alpha Construction, et al.*, Civil Action No. 02 C 3609, was lodged on May 30, 2002, with the United States District Court for the Northern District of Illinois.

The proposed Consent Decree concerns the Lenz Oil Services, Inc. Superfund Site ("Site") located near the City of Lemont in southwest Du Page County, Illinois. Lenz Oil formerly operated a waste oil and solvent

recycling, storage and transfer facility. The Site is approximately 600 feet northwest of the Des Plaines River, partially within a designated flood plain, and includes contiguous areas contaminated by releases of hazardous substances from Lenz Oil Services, Inc., and approximately 1.5 acres of shallow aquifer contamination. Pursuant to the proposed Consent Decree, 47 generators alleged to have arranged for disposal of waste at the Site are resolving their liability to the United States and the State of Illinois under sections 106 and 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9606 and 9607(a), and certain provisions of the Illinois Environmental Protection Act. Twenty-two settlers are cashing out in this settlement, and twenty-five of the settlers will perform work at the Site. The work to be performed is estimated to cost between \$8 million and \$12.5 million dollars (excluding oversight costs) depending on whether the primary, or one of several contingent remedies is ultimately implemented.

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, Environmental and Natural Resources Division, United States Department of Justice of Department of Justice, and sent: (1) By first class mail c/o Chief, Environmental Enforcement Section, P.O. Box 7611, Washington, DC; and/or (2) by facsimile to (202) 353-0296; and/or (3) by overnight delivery, other than through the U.S. Postal Service, to Chief, Environmental Enforcement Section, 1425 New York Avenue, NW., 13th Floor, Washington, DC 20005. Each communication should refer on its face to *United States and the State of Illinois v. Alpha Construction Co., et al.*, DJ #90-11-3-1767.

The proposed Consent Decree may be examined at the office of the United States Attorney for the Northern District of Illinois, 219 So. Dearborn Street, Chicago, Illinois 60604, at the Region 5 office of the Environmental Protection Agency, 77 West Jackson Blvd., 7th Floor, Chicago, Illinois 60604, and at the Lemont Village Hall, 508 Lemont Street, Lemont, Illinois 60439. A copy of the proposed Consent Decree may also be obtained by faxing a request to Tonia Fleetwood, Department of Justice Consent Decree Library, fax no. (202) 616-6584; phone confirmation no. (202) 514-1547. There is a charge for the copy (25 cents per page reproduction cost). Upon requesting a copy, please mail a

check payable to the "U.S. Treasury," in the amount of \$96.75 for the proposed Consent Decree with all attachments, or for \$32.35 for the proposed Consent Decree only, to: Consent Decree Library, U.S. Department of Justice, P.O. Box 7611, Washington, DC 20044-7611. The check should refer to *United States and the State of Illinois v. Alpha Construction Co., et al.*, DJ #90-11-3-1767.

William Brighton,
Assistant Section Chief, Environmental Enforcement Section.

[FR Doc. 02-15234 Filed 6-17-02; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Lodging of a Modified Consent Decree Under the Clean Water Act and Toxic Substances Control Act

Notice is hereby given that on April 30, 2002, a proposed Modified Consent Decree and Judgment was lodged in *United States, et al. v. City of Gary, Indiana, et al.*, Civil Action Nos. H 78-29 and H 86-540, in the United States District Court for the Northern District of Indiana (Hammond Division).

Under previous resolutions of these civil actions, including the most recent one in 1992, the United States and certain agencies of the State of Indiana secured relief under the Clean Water Act and the Toxic Substances Control Act to address violations of those laws as they relate the wastewater treatment plant that is owned and/or operated by the Defendants—City of Gary, Indiana, and the Gary Sanitary District (a component of the City government).

While prior settlement of these enforcement actions have secured parts of the compliance and clean up sought by the United States and the State, the federal and state governments concluded that the Defendants needed to make additional efforts to secure compliance with the prior settlement. Negotiations over the appropriate scope and nature of that work resulted in the Modified consent Decree, which is signed by the Defendants, the United States, and the State, and which is now lodged with the District Court.

Like the prior settlement of these actions, the Modified Consent Decree proposed here addresses two major areas: the wastewater treatment plant and the Ralston Street Lagoon, which is located near the treatment plant and contains contaminated sludges and other wastes.

The Modified Consent Decree preserves many substantive provisions of the prior settlement, including

enforcement under the Decree of water pollution discharge limits that apply to the wastewater treatment plant.

The Modified Consent Decree imposes new requirements on the Defendants concerning the Ralston Street Lagoon, including (i) undertaking of a detailed assessment of competing methods for disposing of waste material in that lagoon, and (ii) completing the disposal method selected for the lagoon by the federal government, under criteria supplied by the Modified Consent Decree.

The Modified Consent Decree also requires the City and its Sanitary District to carry out some additional clean up of the contaminated sediment now found in the Grand Calumet River—which is the receiving water for the wastewater treatment plant. The Defendants also must pay a \$150,000 civil penalty under the Decree. Finally, the Office of Special Administrator, created under the prior settlement of this matter as part of encouraging compliance with settlement by the City, remains in place under the Modified Consent Decree.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Modified 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. The comments should refer to *United States, et al. v. City of Gary, Indiana, et al.*, (N.D. Ind.), D.J. Ref. 90-5-1-1-2601B.

The Modified Consent Decree may be examined at the Office of the United States Attorney, Northern District of Indiana, at 5400 Federal Plaza, Suite 1500, Hammond, IN 46320. A copy of the Modified 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 a request to Tonia Fleetwood, fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy, please enclose a check in the amount of \$17.00 (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.

[FR Doc. 02-15324 Filed 6-17-02; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act and the Federal Water Pollution Control Act

Under 42 U.S.C. 9622(d)(2) and 28 CFR 50.7, notice is hereby given that on June 4, 2002, a proposed Consent Decree in *United States et al. v. Mulberry Phosphates, Inc.*, Civil Action No. 8-01-CV-692-T-23TGW, was lodged with the United States District Court for the Middle District of Florida.

In this action the United States sought natural resource damages for injuries to natural resources caused by a 1997 spill of over 50 million gallons of process water into the Alafia River from a phosphoric acid/fertilizer production facility owned by defendant Mulberry Phosphates, Inc. in Mulberry, Florida. The Florida Department of Environmental Protection and the Environmental Protection Commission of Hillsborough County are also parties to the settlement. Under the settlement, plaintiffs will recover: (1) Just over \$3.65 million to plan, implement, and oversee projects to restore oyster reef, estuarine wetlands and riverine habitat in the affected watershed to compensate for the natural resource injuries caused by the spill, and (2) approximately \$1 million to reimburse Federal, State and county agencies for costs each incurred in assessing the environmental damages.

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 et al. v. Mulberry Phosphates, Inc.*, D.J. Ref. 90-11-2-1368.

The Consent Decree may be examined at the Federal Court House, Sam M. Gibbons United States Courthouse, 800 N. Florida Avenue, Clerk's Office-Second Floor, Tampa, Florida, 33602. 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. In requesting a copy, please enclose a check in the amount of