

Activity/operator	Location	Date
Coastal Planning & Engineering, Inc. for Collier County, Florida, Geological & Geophysical Exploration Plan, SEA No. M03-03.	Located in the eastern Gulf of Mexico east of the 88th meridian	07/15/03

Persons interested in reviewing environmental documents for the proposals listed above or obtaining information about SEAs and FONSIs prepared for activities on the Gulf of Mexico OCS are encouraged to contact MMS at the address or telephone listed in the **FOR FURTHER INFORMATION** section.

Dated: October 17, 2003.

Chris C. Oynes,

Regional Director, Gulf of Mexico OCS Region.
[FR Doc. 03-27279 Filed 10-28-03; 8:45 am]

BILLING CODE 4310-MR-P

DEPARTMENT OF JUSTICE

Notice of Lodging of Partial Consent Decree Between De Minimis Settling Defendants and the United States and State of New Jersey, and the Natural Resource Damages Partial Consent Decree Between Settling Defendants and the United States and State of New Jersey Under the Comprehensive Environmental Response, Compensation and Liability Act, as Amended

Notice is hereby given that, on October 20, 2003, a proposed partial consent decree between *de minimis* settling defendants and the United States and State of New Jersey, and a proposed Natural Resource Damages Partial Consent Decree between settling defendants and the United States and State of New Jersey Natural Resources Damages Partial Consent Decree were lodged in *United States v. Beckman Coulter, Inc., et al.*, Civil Action No. 98-CV-4812 (WHW) and *New Jersey Department of Environmental Protection, et al. v. American Thermoplastics Corp., et al.*, Civil Action No. 98-CV-4781 (WHW) (consolidated) before the United States District Court in the District of New Jersey, Newark Vicinage.

The *De Minimis* Decree resolves the liability for response costs under the Comprehensive Environmental Response, Compensation and Liability Act, as amended, 42 U.S.C. 9601, *et seq.* (CERCLA) of 58 *de minimis* parties in connection with the Combe Fill South Site in New Jersey. Pursuant to the settlement, the United States and New Jersey will recover \$3.235 million in response costs. The Natural Resource

Damages Decree resolves the liability of 53 of those same parties for natural resource damages in connection with the Site. Pursuant to that settlement, State and federal natural resource trustees will receive \$302,000 for natural resource restoration and other NRD-related costs in connection with the Site.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the consent decrees. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, Post Office Box 7611, United States Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Beckman Coulter, Inc., et al.*, Civil Action No. 98-CV-4812 (WHW) and *New Jersey Department of Environmental Protection, et al. v. American Thermoplastics Corp., et al.*, Civil Action No. 98-CV-4781 (WHW) (consolidated) and reference number 90-11-2-1134/1.

The two Decrees may be examined at the Office of the United States Attorney, District of New Jersey, at the Peter Rodino Federal Building, 970 Broad Street, Suite 700, Newark, NJ (call (973) 645-2700 to arrange to examine the Decrees). Copies of the Decrees may also be obtained by mail from the Consent Decree Library, Post Office 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 no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check payable to the United States Treasury in the amount of \$36.25 (25 cents per page reproduction cost). During the public comment period, the Consent Decrees may also be examined on the following Department of Justice Web site <http://www.usdoj.gov/enrd/open.html>.

Ronald Gluck,

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

[FR Doc. 03-27258 Filed 10-28-03; 8:45 am]

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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 September 19, 2003, a proposed Consent Decree in *United States of America, The State of New Mexico, and The New Mexico Office of Natural Resources Trustee v. The Burlington Northern and Santa Fe Railway Company*, Civil Action No. 03-1105 MV KBM, was lodged with the United States District Court for the District of New Mexico.

In this action the United States, on behalf of the United States Department of the Interior ("DOI"), the United States Fish and Wildlife Service, and the Attorney General of the State of New Mexico, on its own behalf and on behalf of The State of New Mexico and The New Mexico Office of Natural Resources Trustee ("NMONRT") sought damages from The Burlington Northern and Santa Fe Railway Company for injury to, destruction and loss of natural resources, under Section 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9607(a), resulting from the release of hazardous substances from the AT & SF (Clovis) New Mexico Superfund Site, located in Clovis, Curry County, New Mexico. The Complaint alleges that hazardous substances, including polycyclic aromatic hydrocarbons, phenol compounds and metals, were released from a railway switching yard owned and operated by the Defendant and its predecessor, to a former playa lake known as Santa Fe Lake, resulting in the loss of habitat for fish and wildlife, including migratory birds and aquatic dependent biota. The Consent Decree provides for BNSF to pay a total of \$489,000.00 to resolve the claims alleged in the Complaint. Of this amount, \$459,000 will be placed in a Court Registry trust account for use by DOI and NMONRT in planing and implementing a habitat acquisition and enhancement project, \$20,500 and \$9,500 shall be paid to DOI and NMONRT respectively, to reimburse DOI and NMONRT for costs incurred to assess the alleged injury to, destruction and loss of natural resources.

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. The Burlington Northern and Santa Fe Railway Company*, D.J. Ref. 90-11-1-07321.

The Consent Decree may be examined at the Office of the United States Attorney, District of New Mexico, 201 Third St., NW., Ste. 900, Albuquerque, NM 87102. 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/open.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), 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 \$4.50 (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. 03-27254 Filed 10-28-03; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Air Act, the Comprehensive Environmental Response, Compensation, and Liability Act, and the Emergency Planning and Community Right-To-Know Act

In accordance with 28 U.S.C. section 50.7, notice is hereby given that on October 16, 2003, a proposed Consent Decree in *United States, et al. v. Chevron U.S.A. Inc.*, Civil Action No. C: 03-4650 MEJ, was lodged with the United States District Court for the Northern District of California.

In this action, the United States sought injunctive relief and penalties against Chevron U.S.A. Inc. ("Chevron"), pursuant to Section 113(b) of the Clean Air Act ("CAA"), 42 U.S.C. 7413(b), section 109(c) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9609(c), and

section 325(b) of the Emergency Planning and Community Right-to-Know Act ("EPCRA"), 42 U.S.C. 11045(b) (3), for alleged environmental violations at Chevron's petroleum refineries located in El Segundo, California; Richmond, California; Kapolei, Hawaii; Pascagoula, Mississippi; and Salt Lake City, Utah. The States of Hawaii and Utah, the Mississippi Commission on Environmental Quality, and the Bay Area Air Quality Management District of California have joined in this settlement as signatories to the Consent Decree.

The proposed Consent Decree requires Chevron to implement innovative pollution control technologies to greatly reduce emissions of nitrogen oxides ("NO_x") and sulfur dioxide ("SO₂") from refinery process units, to reduce the number and impact of flaring events, and to adopt facility-wide enhanced monitoring and fugitive emission control programs. In addition, Chevron will pay a civil penalty of \$3.5 million and perform supplemental environmental projects with a value of at least \$4.55 million.

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. Chevron U.S.A. Inc.*, D.J. Ref. 90-5-2-2-07629.

The Consent Decree may be examined at the Office of the United States Attorney for the Northern District of California, 450 Golden Gate Avenue, San Francisco, CA 94102 (attn: Charles O'Connor), and at U.S. EPA Region 8, 999 18th Street, Suite 300, Denver, CO 80202-2466 (attn: Cindy Reynolds). 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/open.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), fax no (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 \$52.25

(25 cents per page reproduction cost) payable to the U.S. Treasury.

Robert D. Brook,

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

[FR Doc. 03-27256 Filed 10-28-03; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Air Act

Under 28 CFR 50.7, notice is hereby given that on October 15, 2003, a proposed consent decree in *United States v. Silgan Containers Corporation*, Civ. S-03-2166 LKK KJM, was lodged with the United States District Court for the Eastern District of California.

In this action, the United States sought injunctive relief and civil penalties under section 113(b) of the Clean Air Act ("CAA") against Silgan Containers Corporation for violations of permitting and new source review requirements of the CAA and the federally enforceable State Implementation Plan for California at Silgan's can manufacturing facilities located in Stockton, Modesto, Kingsburg, and Riverbank, California. The consent decree requires Silgan to: (1) Install air pollution control equipment and modify processes at its facilities, (2) modify its permits to reduce allowable emissions from its facilities, and (3) pay a civil penalty of \$659,900.

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 v. Silgan Containers Corporation*, D.J. Ref. #90-5-2-1-06125.

The consent decree may be examined at the Office of the United States Attorney, 501 I Street, Suite 10-100, Sacramento, California, and at U.S. EPA Region 9, Office of Regional Counsel, 75 Hawthorne Street, San Francisco, California. 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/open.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