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**Thomas A. Mariani, Jr.,**

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

[FR Doc. 04-26118 Filed 11-24-04; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging Proposed Consent Decree

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States v. Brian Chuchua*, et al., (S.D. Cal.), 3:01CV1479 DMS (AJB), was lodged with the United States District Court for the Southern District of California on November 8, 2004.

This proposed Consent Decree concerns a complaint filed by the United States against Brian Chuchua pursuant to section 309(b) and (d) of the Clean Water Act, 33 U.S.C. 1319(b) and (d), to obtain injunctive relief from and impose civil penalties against the Defendant for violating the Clean Water Act by discharging pollutants without a permit into waters of the United States. The proposed Consent Decree resolves these allegations by requiring Defendant Brian Chuchua to mitigate the environmental impacts by purchasing mitigation credits at the Pilgrim Creek Mitigation Bank and to pay a civil penalty.

The Department of Justice will accept written comments relating to this proposed Consent Decree for thirty (30) days from the date of publication of this Notice. Please address comments to Pamela S. Tonglao, Trial Attorney, United States Department of Justice, Environment and Natural Resources Division, P.O. Box 23986, Washington, DC 20026-3986 and refer to *United States v. Brian Chuchua* et al., (S.D. Cal.) 3:01CV1479 DMS (AJB), DJ #90-5-1-1-1611.

The proposed Consent Decree may be viewed at <http://www.usdoj.gov/enrd/open.html>.

**Stephen Samuels,**

*Assistant Chief, Environmental Defense Section, Environment & Natural Resources Division.*

[FR Doc. 04-26117 Filed 11-24-04; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Settlement Agreement Under the Comprehensive Environmental Response, Compensation, and Liability Act

Under 28 CFR 50.7, notice is hereby given that on November 12, 2004, a proposed Settlement Agreement in *In re: Met-Coil Systems, LLC* (f/k/a *Met-Coil Systems Corporation*), Case No. 03-12676 was lodged with the United States Bankruptcy Court for the District of Delaware.

In this action the United States sought reimbursement from Met-Coil Systems Corp. of response costs incurred for response actions taken at or in connection with the release of hazardous substances at the Lockformer Site located in Lisle, Illinois. The Settlement Agreement provides that Met-Coil Systems LLC shall continue its cleanup of the Lockformer Site under the existing Unilateral Administrative Order, the United States shall be allowed a general unsecured claim in the amount of \$415,000, with a cash value of \$290,500 (under the Plan of Reorganization approved by the Bankruptcy Court, creditors shall receive \$0.70 for each dollar of an allowed general unsecured claim), and the United States shall be allowed an administrative expense claim in the amount of \$120,000 to be paid in full, for a total payment of \$410,500 as partial reimbursement for response costs incurred by the United States.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Settlement Agreement. 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 *In re: Met-Coil Systems, LLC* (f/k/a *Met-Coil Systems Corporation*), D.J. Ref. No. 90-11-3-08219.

The Settlement Agreement may be examined at the Office of the United States Attorney, 1201 Market Street, Wilmington, Delaware, and at U.S. EPA Region 5, 77 W. Jackson Blvd., Chicago, Illinois. During the public comment period, the Settlement Agreement, may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the Settlement Agreement 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 \$5.50 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**William D. Brighton,**

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

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Water Act

Notice is hereby given that on November 15, 2004, a proposed Consent Decree in *United States v. Orange County Sanitation District*, Civil Action No. SACV04-1317 AHS (MLGx), was lodged with the United States District Court for the Central District of California. The United States and the People of the State of California *ex rel.* California Regional Water Quality Control Board ("Regional Board") are signatories to the Consent Decree.

The United States and the Regional Board have filed a complaint against the Orange County Sanitation District ("OCSD") requesting injunctive relief and penalties for violations of the secondary treatment standards of the Clean Water Act ("Act"), 33 U.S.C. 1311, and requirements of OCSD's National Pollutant Discharge Elimination System ("NPDES") permit.

The Consent Decree requires OCSD to construct secondary treatment facilities to allow OCSD to achieve compliance with the terms and conditions of its NPDES permit and the Act. OCSD must also comply with interim effluent limitations while undergoing secondary treatment upgrades, report its progress to EPA and the Regional Board and be subject to stipulated penalties for non-compliance with the Consent Decree.

Pursuant to 28 CFR 50.7, the United States 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, Ben Franklin Station, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Orange County Sanitation District*, D.J. Ref. No. 90-5-1-1-07914.

The Consent Decree may be examined during the public comment period on