

Gerald Pelletier, Inc., D.J. No. 90–11–3–1733/5.

The Consent Decree may be examined at the Office of the United States Attorney for the District of Maine, Margaret Chase Smith Federal Bldg., 202 Harlow Street, Room 111, Bangor, ME 04401, and at the U.S. Environmental Protection Agency, Region I Records Center, One Congress Street, Suite 1100, Boston, Massachusetts 02203. During the public comment period, the Consent Decree also may be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the Consent Decree also may be obtained by mail from the Consent Decree Library, PO 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 \$5.00 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Ronald G. Gluck,

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

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DEPARTMENT OF JUSTICE

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

In accordance with 28 CFR 50.7, notice is hereby given that on July 8, 2005, a Modified Consent Decree was lodged with the United States District Court for the District of Massachusetts in *United States and Commonwealth of Massachusetts v. City of Gloucester*, Civil Action No. 89–2206–WGY.

The Modified Consent Decree resolves the plaintiffs' claims against the City of Gloucester for violations of the Consent Decree entered by the United States District Court for the District of Massachusetts on or about April 7, 1992, and subsequently amended, and for violations of the Clean Water Act, 33 U.S.C. 1251, *et seq.*, and the Massachusetts Clean Waters Act, M.G.L. c. 21, section 26 *et seq.*, with respect to discharges from the City of Gloucester's combined sewer overflows ("CSOs"). The Modified Consent Decree would supersede the 1992 Consent Decree.

The Modified Consent Decree requires the City of Gloucester to complete facilities planning, design, and

construct several projects to eliminate or reduce discharges of CSOs from the City of Gloucester CSO outfalls 002, 004, 005, 006, and 006A, in accordance with schedules of compliance set forth in the Modified Consent Decree. The Modified Consent Decree also requires the City to undertake certain other projects designed to abate discharges of pollutants to receiving waters, including implementation of a plan to remove infiltration and inflow from the City's sewer system, implementation of a CSO Management Plan, and construction of facilities to achieve compliance with the effluent limitations for chlorine in the City's discharge permit. The Modified Consent Decree also requires the City to pay a civil penalty of \$60,000. In addition, in partial mitigation of the claims of the Commonwealth of Massachusetts, Gloucester is required to design and perform a supplemental environmental project consisting of a public outreach and educational campaign.

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, Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Washington, DC 20044, and should refer to *United States v. City of Gloucester*, D.J. Ref. 90–5–1–1–3388.

The proposed consent decree may be examined at the office of the United States Attorney, Suite 9200, 1 Courthouse Way, Boston, Massachusetts 02210, and at the Region I office of the Environmental Protection Agency, One Congress Street, Suite 1100, Boston, Massachusetts 02114. 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 proposed Consent Decrees 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 no. (202) 514–1547. For a copy of the proposed Consent Decree including the signature pages and attachments. In requesting a copy, please enclose a check (there is a 25 cent per page

reproduction cost) in the amount of \$10.50 payable to the U.S. Treasury.

Ronald G. Gluck,

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

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Water Act

Under 28 CFR 50.7, notice is hereby given that on July 5, 2005, a proposed Consent Decree in *United States v. Licking County*, Civil Action No. C2–05–661, was lodged with the United States District Court for the Southern District of Ohio.

This Consent Decree resolves specified claims against Licking County, Ohio under the Clean Water Act, 33 U.S.C. 1251 *et seq.* Licking County owns and operates a publicly-owned wastewater treatment works ("POTW"), and it discharges effluent from the POTW through an outfall into the South Fork of the Licking River, a navigable water of the United States. Licking County also disposes of sewage sludge from the POTW through land application.

The proposed consent decree requires Licking County to (1) comply with its discharge permit, including interim limitations on bypasses; (2) implement a Compliance Assurance Plan ("CAP"), which includes significant capital and operational changes for its entire POTW (worth an estimated present-value cost of approximately \$10 million); and (3) pay civil penalties of \$75,000 that will be split equally between the United States and the State of Ohio.

The Department of Justice will receive for 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, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044–7611, and should refer to *United States and State of Ohio v. Licking County*, D.J. Ref. 90–5–1–1–4500.

The proposed consent decree may be examined at U.S. EPA Region V, 77 West Jackson Blvd., Chicago, IL 60604–3590. During the public comment period, the proposed 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 proposed consent decree may also be obtained by mail from the Consent