

assessment for Fiscal Years 2006 and 2007.

**DATES:** Submit written comments on the direct billing of the TPUD assessment on or before August 18, 2006 to the address below.

**ADDRESSES:** Written comments on this change in process for collecting the TPUD assessment should be addressed to the Bureau of Reclamation, Attention: Tom Ruthford, MP-3600, 2800 Cottage Way, Sacramento, CA 95825.

**FOR FURTHER INFORMATION CONTACT:** For additional information, please contact Katherine Thompson at (916) 978-5550 or E-mail: [kthompson@mp.usbr.gov](mailto:kthompson@mp.usbr.gov).

**SUPPLEMENTARY INFORMATION:** Beginning in Fiscal Year 2001 and thereafter, Public Law 106-377, Section 203 required Reclamation to collect annually from CVP water contractors an assessment for TPUD. Section 203 states: "Beginning in fiscal year 2001 and thereafter, the Secretary of the Interior shall assess and collect annually from Central Valley Project (CVP) water and power contractors the sum of \$540,000 (June 2000 price levels) and remit, without further appropriation, the amount collected annually to the Trinity Public Utilities District (TPUD). This assessment shall be payable 70 percent by CVP Preference Power Customers and 30 percent by CVP Water Customers. The CVP Water Contractor share of this assessment shall be collected by the Secretary through established Bureau of Reclamation (Reclamation) Operation and Maintenance rate setting practices. The CVP Power Contractor share of this assessment shall be assessed by reclamation to the Western Area Power Administration, Sierra Nevada Region (Western), and collected by Western through established power rate setting practices."

Prior to FY 2006, these funds had been collected as a component of the water rates through the water rate setting process. Further, the Mid-Pacific Region's system to account for water deliveries and resultant revenues remits revenue directly to the U.S. Treasury. While this is appropriate for water revenues, the system is not capable of collecting and accounting for the TPUD assessment separately from water revenue. Consequently, the Mid-Pacific Region is in the process of (1) developing a supplementary rate setting policy to collect the TPUD assessment separately from water revenue; (2) analyzing the extent of system changes, costs, and time required to account for TPUD assessment separately from water revenues; and (3) identifying and implementing preferred system changes.

As an interim measure, the Mid-Pacific Region will bill water contractors for the TPUD assessment. Billings will cover collections for Fiscal Years 2006 and 2007 and the TPUD surcharge will be eliminated from the published water rates for this time period.

**John F. Davis,**

*Deputy Regional Director, Mid-Pacific Region.*  
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**BILLING CODE 4310-MN-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Partial Consent Decree Under the National Marine Sanctuaries Act

Notice is hereby given that on July 25, 2006, a proposed Partial Consent Decree with All Oceans Transportation, Inc., Italia Marittima S.p.A. (formerly Lloyd Triestino Di Navigazione), and Yang Ming Marine Transport Corporation, *in personam*; and against the M/V YM PROSPERITY (previously known as the M/V MED TAIPEI), *in rem*, in *United States v. All Oceans Transportation, Inc., et al.*, No. 06-4519-JF (N.D. Cal.), was lodged with the United States District Court for the Northern District of California.

In this action, the United States seeks to recover from various defendants, pursuant to the National Marine Sanctuaries Act, 16 U.S.C. 1443(a)(1), response costs and damages resulting from destruction of or injury to natural resources caused by the loss of approximately fifteen shipping containers from the M/V YM Prosperity in the Monterey Bay Marine Sanctuary on or about February 26, 2004. Under the proposed Partial Consent Decree, defendants will pay \$3,250,000.00 to 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 Partial 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. All Oceans Transportation, Inc., et al.*, (N.D. Cal.), DOJ Ref. No. 90-5-1-1-08681.

The Partial Consent Decree may be examined at the office of the Monterey Bay National Marine Sanctuary, 299 Foam Street, Monterey, California. During the public comment period, the Partial 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 Partial Consent Decree may also be obtained by mail from the Consent Decree Library, U.S. Department of Justice, P.O. Box 7611, 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 refer to *United States v. All Oceans Transportation, Inc., et al.*, (N.D. Cal.), DOJ Ref. No. 90-5-1-1-08681, and enclose a check in the amount of \$10.00 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if by e-mail or fax, forward a check in that amount to the Consent Decree Library at the stated address.

**Henry S. Friedman,**

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

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**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on July 21, 2006 a proposed consent decree in *United States v. American Iron Oxide Company and Magnetics International, Inc.*, Civil Action No. 2: 06-cv-00251-WCL-APR was lodged with the United States District Court for the Northern District of Indiana.

In this action the United States sought civil penalties and injunctive relief for alleged violations of Section 113(b) of the Clean Air Act, 42 U.S.C. 7413(b), more specifically the National Emission Standards for Hazardous Air Pollutants (NESHAP) for steel pickling—HC1, at three steel pickling facilities: American Iron Oxide's facilities in Portage, Indiana, and Grandview, Indiana, and Magnetics International, Inc.'s facility in Burns Harbor, Indiana. The proposed Consent Decree requires the Defendants to: (a) Pay a total civil penalty of \$100,000; (b) undertake two community-based Supplemental Environmental Projects; (c) make process and equipment modifications at the three facilities; (d) conduct stack tests to demonstrate compliance with the NESHAP at the Portage and Magnetic Facilities, with AMROX using a stack test to determine if the Rockport Facility is subject to the NESHAP; and (e) comply with all of the requirements of the NESHAP at the Portage and Magnetics Facilities, as well as at the