

information and must otherwise comply with section 207.30 of the Commission's rules. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means, except to the extent permitted by section 201.8 of the Commission's rules, as amended, 67 Fed. Reg. 68036 (November 8, 2002). Even where electronic filing of a document is permitted, certain documents must also be filed in paper form, as specified in II (C) of the Commission's Handbook on Electronic Filing Procedures, 67 FR 68168, 68173 (November 8, 2002).

Additional written submissions to the Commission, including requests pursuant to section 201.12 of the Commission's rules, shall not be accepted unless good cause is shown for accepting such submissions, or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigation must be served on all other parties to the investigation (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

**Authority:** This investigation is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.21 of the Commission's rules.

By order of the Commission.

Issued: October 15, 2007.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E7-21396 Filed 10-30-07; 8:45 am]

BILLING CODE 7020-02-P

---

## DEPARTMENT OF JUSTICE

### Notice of Proposed Settlement Agreement Under the Park System Resource Protection Act

Notice is hereby given that the United States Department of Justice, on behalf of the U.S. Department of the Interior, National Park Service ("DOI") has reached a settlement with Amery Wirtshafter regarding claims for response costs and damages under the

Park System Resource Protection Act ("PSRPA"), 16 U.S.C. 191j.

The United States' claim arises from the grounding of the vessel "Diamond Girl" in Biscayne National Park on April 21, 2000. The grounding damaged the area's seagrass and its habitat. Pursuant to the Agreement, the United States will recover \$285,000.

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, and either e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to the Settlement Agreement between the United States and Amery Wirtshafter, DOJ Ref. No. 90-5-1-1-08051.

The proposed Settlement Agreement may be examined at Biscayne National Park, 9700 SW., 328th St., Homestead, FL 33033, and at the Department of the Interior, Office of the Solicitor, Southeast Regional Office, Richard B. Russell Federal Building, 75 Spring Street, SW., Atlanta, Georgia 30303. 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/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.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 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 \$2.75 (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.*

[FR Doc. 07-5418 Filed 10-30-07; 8:45 am]

BILLING CODE 4410-15-M

---

## DEPARTMENT OF JUSTICE

### Notice of Lodging of a Consent Decree Pursuant to the Clean Water Act

Notice is hereby given that a proposed Consent Decree in *United States of*

*America and the State of Tennessee v. Metropolitan Government of Nashville and Davidson County*, Civ. No. 3:07-CV-1056 was lodged on October 24, 2007, with the United States District Court for the Middle District of Tennessee, Nashville Division.

The proposed Consent Decree would resolve certain claims under Sections 301 and 402 of the Clean Water Act, 33 U.S.C. 1251, *et seq.*, against the Metropolitan Government of Nashville and Davidson County ("Metro"), through the performance of injunctive measures, the payment of a civil penalty, and the performance of Supplemental Environmental Projects ("SEPs"). The United States, and the State of Tennessee, which has filed its own complaint against Metro (*State of Tennessee v. Metropolitan Government of Nashville and Davidson County*, Civ. No. 3:07-CV-1057 (USDA M.D. TN)), allege that Metro is liable as a person who has discharged a pollutant from a point source to navigable water of the United States without a permit and, in some cases, in excess of permit limitations.

The proposed Consent Decree would resolve the liability of Metro for the violations alleged in the complaints filed in these matters. To resolve these claims, Metro would perform the injunctive measures as described in the proposed Consent Decree; would pay a civil penalty of \$564,038 (\$282,019 to the United States Treasury and \$282,019 to the State of Tennessee which will use the money to fund the Cumberland River Compact); and would perform SEPs valued at \$2.8 million, which involves the extension of sewer service to areas currently served only by septic systems. 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, and either e-mailed to [pubcomment.ees.enrd@usdoj.gov](mailto:pubcomment.ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 and should refer to *United States of America and the State of Tennessee v. Metropolitan Government of Nashville and Davidson County*, DJ No. 90-5-1-09000.

The proposed Consent Decree may be examined at the Region 4 Office of the Environmental Protection Agency, Atlanta Federal Center, 61 Forsyth Street, SW., Atlanta, GA 30303 or the United States Attorney's Office for the Middle District of Tennessee, 110 Ninth Avenue South, Suite A61, Nashville, TN 37203. During the public comment