

Defendant Pengo Industries, Inc. to resolve the CERCLA claims as well as the state law claims. The proposed Consent Decree resolves the liability of Pengo Industries, Inc. for response costs incurred or to be incurred and response actions taken in connection with the Sites. Under the Consent Decree, Settling Defendant agrees to reimburse the United States and the State a share of their response costs for the Sites with payments in the sum of \$815,000 for the United States and \$81,500 for the State. This Consent Decree includes a covenant not to sue by the United States and the State under Sections 106, 107 and 113 of CERCLA.

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 for the Environment and Natural Resources Division, U.S. Department of Justice, and either emailed to *pubcomment-ees.enrd@usdoj.gov* or mailed to P.O. Box 7611, NW., Washington, DC 20044-7611, and should refer to *United States and State of Texas v. Halliburton Energy Services, Inc., et al.*, D.J. Ref. 90-11-3-07730/1.

The Consent Decree may be examined at the Office of the United States Attorney, Southern District of Texas, 919 Milam Street, Suite 1500, Houston, Texas 77002. The Consent Decree may also be examined at U.S. EPA Region 6, 1445 Ross Avenue, Suite 1200, Dallas, Texas, 75202. 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/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.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 \$8.00 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if by email or fax, forward a check in that amount to the Consent Decree Library at the stated address.

**Maureen Katz,**

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

[FR Doc. 2011-13280 Filed 5-27-11; 8:45 am]

**BILLING CODE 4410-15-P**

**DEPARTMENT OF JUSTICE**

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

Notice is hereby given that on May 13, 2011 a proposed Consent Decree in *United States of America v. BASF Corporation*, Civil Action No. 3:11-cv-00222 was lodged with the United States District Court for the Southern District of Texas.

In this action the United States sought civil penalties and injunctive relief for violations of the Clean Air Act, 42 U.S.C. 7401 *et seq.* that occurred at BASF Corp.'s chemical manufacturing facility located on Copper Road in Freeport, Texas. In the Complaint, the United States alleged that BASF violated requirements of the Texas State Implementation Plan ("the Texas SIP"), permits issued pursuant to the Texas SIP, Standards of Performance for New Stationary Sources (codified at 40 CFR part 60) incorporated in the permits, and National Emission Standards for Hazardous Air Pollutants ("NESHAPs") (codified at 40 CFR part 63). The Consent Decree requires BASF to pay a civil penalty of \$500,000 and imposes injunctive relief requirements on BASF related to the Oxo Alcohols Flare, the CoGeneration Unit, and Boilers B-20A and B-20C.

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, and either e-mailed to *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 v. BASF Corporation*, D.J. Ref. 90-5-2-1-08255/1.

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/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.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 \$10.50 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.

**Maureen M. Katz,**

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

[FR Doc. 2011-13301 Filed 5-27-11; 8:45 am]

**BILLING CODE 4410-15-P**

**DEPARTMENT OF JUSTICE**

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

Notice is hereby given that on May 18, 2011, a proposed Consent Decree ("Decree") in *United States of America, State of Texas, and State of Oklahoma v. Mahard Egg Farm, Inc.*, Civil Action No. 3:11-cv-01031-N, was lodged with the United States District Court for the Northern District of Texas (Dallas Division).

In this action, the United States, on behalf of the U.S. Environmental Protection Agency ("U.S. EPA"), together with the States of Texas and Oklahoma, sought penalties and injunctive relief under the Clean Water Act ("CWA") against Mahard Egg Farm, Inc., for violations of Concentrated Animal Feeding Operation ("CAFO") general permit and related laws and regulations. Specifically, the Complaint alleges that Mahard discharged pollutants or otherwise failed to comply with the terms of its permits at six other facilities, including its newest facility near Vernon, Tex., where it also failed to comply with the Texas Construction Storm Water General Permit and to ensure safe drinking water for its employees. The states of Texas and Oklahoma also alleged similar violations of state laws.

Under the proposed Consent Decree, the Defendants will pay a civil penalty and take steps to bring each of its seven CAFO facilities into compliance with applicable state and federal laws, permits, and regulations, and to restore the lands so as to prevent future discharges to area waterways. The settlement mandates the performance of specific requirements, such as proper lagoon closures, groundwater monitoring, and the construction and maintenance of buffer strips along area waterways within the facility boundaries. It also requires on-going land restoration and management measures, such as restrictions on the land-application of manure and on livestock grazing.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the 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 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, State of Texas, and State of Oklahoma v. Mahard Egg Farm, Inc.*, Civil Action No. No. 3:11-cv-01031-N, (N.D. Tex.), D.J. Ref. 90-5-1-1-09279.

During the public comment period, the Decree may 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 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@usoj.gov](mailto:tonia.fleetwood@usoj.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 \$34 (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.

**Maureen Katz,**

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

[FR Doc. 2011-13281 Filed 5-27-11; 8:45 am]

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**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Proposed Amendment to Consent Decree Under the Clean Air Act**

Notice is hereby given that on May 18, 2011, a proposed Consent Decree, pertaining to *United States v. City of Wyandotte*, No. 2-11-cv-12181, was lodged with the United States District Court for the Eastern District of Michigan.

In this action, the United States seeks civil penalties and injunctive relief for violations of Section 113(b) of the Clean Air Act ("CAA"), 42 U.S.C. 7413(b), at a power plant owned and operated by the City, and located at 2555 Van Alstyne St., Wyandotte, Wayne County, Michigan. Specifically, the Complaint alleges that the Defendant violated the emission limits established in: (1) An operating permit issued to the Defendant by the State of Michigan pursuant to Sections 501-507 of the Clean Air Act ("CAA"), 42 U.S.C. 7661-

7661f; a Prevention of Significant Deterioration permit issued to the Defendant by the State of Michigan pursuant to CAA Sections 160-169, 42 U.S.C. 7470-7479; the New Source Performance Standards established pursuant to CAA Section 111, 42 U.S.C. 7411; and the federally enforceable Michigan State Implementation Plan that was prepared and adopted pursuant to CAA Section 110, 42 U.S.C. 7411.

The proposed Consent Decree would require the City to pay a civil penalty of \$112,000, perform a supplemental environmental project at an estimated cost of \$210,000, and install new emission controls and implement operational practices to reduce emissions. The compliance program would consist of two phases, with the second phase being required only if the first proves insufficient.

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, 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 v. City of Wyandotte*, D.J. Ref. 90-5-2-1-09346. During the public comment period, the Consent Decree may 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 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](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 \$13.25 (25 cents per page reproduction cost), for the consent decree alone, or in the amount of \$13.75 (for the consent decree and its appendix) 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.

**Maureen M. Katz,**

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

[FR Doc. 2011-13352 Filed 5-27-11; 8:45 am]

**BILLING CODE 4410-15-P**

**DEPARTMENT OF JUSTICE**

**Antitrust Division**

**Notice Pursuant to the National Cooperative Research and Production Act of 1993—Versatile Onboard Traffic Embedded Roaming Sensors (Formerly Joint Venture To Perform Project Entitled Versatile Onboard Traffic Embedded Roaming Sensors)**

Notice is hereby given that, on April 27, 2011, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Versatile Onboard Traffic Embedded Roaming Sensors (formerly Joint Venture to Perform Project Entitled Versatile Onboard Traffic Embedded Roaming Sensors) ("VOTERS") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, Earth Science Systems, LLC, WheatRidge, CO, has been added as a party to this venture.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and VOTERS intends to file additional written notifications disclosing all changes in membership.

On February 10, 2009, VOTERS filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on March 13, 2009 (74 FR 10967).

The last notification was filed with the Department on April 5, 2010. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on May 7, 2010 (75 FR 25294).

**Patricia A. Brink,**

*Director of Civil Enforcement, Antitrust Division.*

[FR Doc. 2011-13307 Filed 5-27-11; 8:45 am]

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