

the Commission's Rules of Practice and Procedure (19 CFR 210.17, 210.42–43, 210.45–46, and 210.50).

By order of the Commission.

Issued: September 14, 2012.

Lisa R. Barton,

Acting Secretary to the Commission.

[FR Doc. 2012–23175 Filed 9–19–12; 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 *Nu-West Mining, Inc. and Nu-West Industries, Inc. v. United States*, Civil Action No. 90–431–E–BLW, was lodged with the United States District Court for the District of Idaho on September 7, 2012.

The proposed Consent Decree concerns a complaint filed by Nu-West Mining, Inc. and Nu-West Industries, Inc. (collectively “Nu-West”) against the United States under Sections 107 and 113 of the Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”), 42 U.S.C. 9607 and 9613, seeking to hold the United States liable for past and future response costs relating to the clean-up of contamination at four phosphate mines in Southeast Idaho. The United States counterclaimed against Nu-West under Sections 107 and 113 of CERCLA, 42 U.S.C. 9607 and 9613, seeking to hold Nu-West liable for these response costs. The proposed Consent Decree resolves all asserted claims and counterclaims by allocating response costs between Nu-West and the United States.

The Department of Justice will accept written comments relating to the proposed Consent Decree for thirty (30) days from the date of publication of this Notice. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either emailed to pubcomment-ees.enrd@usdoj.gov or mailed to the United States Department of Justice, P.O. Box 7611, Washington DC 20044–7611. Please refer to *Nu-West Mining, Inc. and Nu-West Industries, Inc. v. United States*, DJ # 90–11–3–1776/5.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the District of Idaho, 801 E. Sherman Street, Room 119, Pocatello, ID 83201. In addition, the proposed Consent Decree may be

examined electronically at http://www.usdoj.gov/enrd/Consent_Decrees.html. A copy of the proposed Consent Decree may also be obtained by mail from the Consent Decree Library, United States Department of Justice, P.O. Box 7611, Washington, DC 20044–7611, or by emailing or faxing a request to “Consent Decree Copy” (eescdcopy.enrd@usdoj.gov), fax number (202) 514–0097, phone confirmation number (202) 514–5271. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$6.75 (25 cents per page reproduction cost) payable to the United States Treasury.

Cherie L. Rogers,

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

[FR Doc. 2012–23168 Filed 9–19–12; 8:45 am]

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DEPARTMENT OF JUSTICE

Amended Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act

This Notice amends and replaces the original notice published on September 6, 2012, 77 Fed. Reg. 54926–54927. Notice is hereby given that on August 28, 2012, a proposed Consent Decree in *United States v. Cornell-Dubilier Electronics, Inc.*, Civil Action No. 12–cv–05407 JLL–MAH, was lodged with the United States District Court for the District of New Jersey.

The proposed Consent Decree resolves the United States' and the State of New Jersey's cost recovery and natural resource damages claims against Cornell-Dubilier Electronics, Inc. (“CDE”) under Section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”), 42 U.S.C. 9601 *et seq.*, relating to the Cornell-Dubilier Electronics, Inc. Superfund Site (“Site”) located in South Plainfield, New Jersey. EPA has performed cleanup work at the Site using funds from the Superfund and will continue to do so. The Consent Decree includes covenants not to sue under Sections 106 and 107 of CERCLA and Section 7003 of the Resource Conservation and Recovery Act (“RCRA”), 42 U.S.C. 6973.

In the proposed Consent Decree, CDE, an ability to pay party, and the United States and New Jersey agree to a stipulated judgment amount, 80 percent of the sum of the response cost and

natural resource damage claims of the United States and New Jersey, or \$367,453,449. CDE has agreed to pay, on a sliding scale, between 75 to 100 percent of portions of its insurance recoveries to the United States and New Jersey. In addition to payment of the potential recovery of insurance proceeds, CDE will make payments over three years totaling \$1.11 million to the United States and New Jersey. All of these CDE payments will be divided between EPA, New Jersey, and the federal and state natural resource trustees. CDE will also place, as necessary, up to a total of \$3.25 million into an escrow account for use in its state court insurance litigation relating to coverage for the Site. Finally, the Decree also resolves potential contribution claims and the State's cost claims against the Department of Defense and the General Services Administration. The federal agencies will pay \$16,282,685 toward the United States' and the State's total past and estimated future response costs and natural resource damages.

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 emailed 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 the matter as *United States v. Cornell-Dubilier Electronics, Inc.*, D.J. Ref. Number 90–11–2–08223/2. A person may request an opportunity for a public hearing in the affected area in accordance with Section 7003 of RCRA, 42 U.S.C. 6973, regarding the Decree's Section 7003 covenant not (1) to sue or (2) to order CDE to take actions as may be necessary to address an imminent and substantial endangerment or to protect public health and the environment.

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. 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 emailing a request to “Consent Decree Copy” (EESCDCopy.ENRD@usdoj.gov), fax no. (202) 514–0097, phone confirmation number (202) 514–5271. If requesting by mail from the Consent Decree Library a copy of the proposed Consent Decree