

Kansas City ("KC") construct additional storage capacity to hold sewage for treatment during high flow periods, install thousands of feet of additional sewer piping, separate areas of combined storm and sanitary sewer, and install new pumps to convey flows in areas inadequately served by gravity flow. The City has requested this Amendment to allow for adjustments to the scope, nature, and/or timing of the implementation of specified aspects of the foregoing requirements, as detailed in the Proposed Second Amendment, in order to optimize the benefits and efficient implementation of these requirements. The State of Missouri, a non-aligned statutory party to this action, agrees with the proposed Amendment.

The publication of this notice opens a period for public comment on the proposed Second Amended Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Kansas City*, Civil Action No. 4:10-cv-0497-GAF. DJ Reference Number 90-5-1-1-06438/1.

All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	Send them to:
By email .....	<a href="mailto:pubcomment-ees.enrd@usdoj.gov">pubcomment-ees.enrd@usdoj.gov</a> .
By mail .....	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

During the public comment period, Consent Decree may be examined and downloaded at this Justice Department Web site: [https://www.usdoj.gov/enrd/Consent\\_Decrees.html](https://www.usdoj.gov/enrd/Consent_Decrees.html). We will provide a paper copy of the Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Please enclose a check or money order for \$9.00 (25 cents per page reproduction cost) payable to the United States Treasury.

**Susan M. Akers,**

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

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**DEPARTMENT OF JUSTICE**

[OLP Docket No. 166]

**Notice of Request for Certification of Arizona Capital Counsel Mechanism**

**AGENCY:** Department of Justice.

**ACTION:** Notice.

**SUMMARY:** This notice advises the public that the State of Arizona has requested certification of its capital counsel mechanism by the Attorney General and that public comments may be submitted to the Department of Justice regarding Arizona's request.

**DATES:** Written and electronic comments must be submitted on or before January 16, 2018. Comments received by mail will be considered timely if they are postmarked on or before that date. The electronic Federal Docket Management System (FDMS) will accept comments until Midnight Eastern Time at the end of that day.

**ADDRESSES:** To ensure proper handling of comments, please reference "Docket No. OLP 166" on all electronic and written correspondence. The Department encourages that all comments be submitted electronically through <http://www.regulations.gov> using the electronic comment form provided on that site. Paper comments that duplicate the electronic submission should not be submitted. Individuals who wish to submit written comments may send those to the contact listed in the **FOR FURTHER INFORMATION** section immediately below.

**FOR FURTHER INFORMATION CONTACT:**

Laurence Rothenberg, Deputy Assistant Attorney General, Office of Legal Policy, U.S. Department of Justice, 950 Pennsylvania Avenue NW., Washington, DC 20530; telephone (202) 532-4465.

**SUPPLEMENTARY INFORMATION:** Chapter 154 of title 28, United States Code, provides special procedures for federal habeas corpus review of cases brought by indigent prisoners in State custody who are subject to capital sentences. These special procedures may be available to a State only if the Attorney General of the United States has certified that the State has established a qualifying mechanism for the appointment, compensation, and payment of reasonable litigation expenses of competent counsel in State postconviction proceedings for indigent capital prisoners. 28 U.S.C. 2261, 2265; 28 CFR part 26.

This notice advises the public, pursuant to 28 CFR 26.23(b), that the State of Arizona has requested certification of its capital counsel mechanism by the Attorney General.

Public comment is solicited regarding Arizona's request. Arizona's request and supporting materials may be viewed at <https://www.justice.gov/olp/pending-requests-final-decisions>.

Dated: November 13, 2017.

**Beth A. Williams,**

*Assistant Attorney General, Office of Legal Policy.*

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**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Proposed Amendment to Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act and the Resource Conservation and Recovery Act**

On November 9, 2017, the Department of Justice and the State of California on behalf of the California Department of Toxic Substances Control and Toxic Substances Control Account ("DTSC") lodged a proposed amendment ("Amendment 1") to a Consent Decree with the United States District Court for the Central District of California ("Court") in the matter of *United States of America and State of California on behalf of the Department of Toxic Substances Control and Toxic Substances Control Account vs. Abex Aerospace et al.*, Civil Action No. 2:16-cv-02696 (C.D. Cal.). This Amendment 1 amends Appendix D of the Consent Decree previously approved by the Court on March 31, 2017; that Consent Decree pertains to environmental contamination at Operable Unit 2 ("OU2") of the Omega Chemical Corporation Superfund Site (Site) in Los Angeles County, California. The Amendment is for the sole purposes of adding additional settling parties to the Consent Decree, and follows the mechanisms that the previously approved Consent Decree sets forth for adding additional settlers.

The Consent Decree resolves certain claims under Sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9606, 9607, and Section 7003 of the Resource Conservation and Recovery Act, 42 U.S.C. 6973, as well as related state law claims, in connection with environmental contamination at OU2. The Amendment adds the following additional settling parties as Settling Cash Defendants:

(a) Two parties, Mission Linen Supply Company and Pilot Chemical Corp., each of which has owned or operated a facility within the commingled OU2 groundwater plume area. These parties