

sedimentation basins are considered to be occupied by Riverside fairy shrimp.

Based on the survey results, the Service concluded that implementation of the proposed project would result in take of Riverside fairy shrimp habitat through the permanent removal of 1.01 acres of temporary sedimentation basins. Environmental effects addressed in the HCP and Environmental Assessment include: (1) Potential loss of Riverside fairy shrimp cysts during salvage and translocation to the mitigation site; and (2) potential loss of Riverside fairy shrimp that could occupy a permanent sedimentation basin to be built and maintained on the project site in the future.

The Applicant proposes to implement the following measures to mitigate and minimize take of Riverside fairy shrimp: (1) Restore, preserve, and manage in perpetuity a total of 1.5 acres of vernal pool habitat and 8 acres of the surrounding watershed on the Johnson Ranch northeast of the project site; (2) Avoid permanent loss of fairy shrimp individuals and temporal loss of their habitat by salvaging cysts from the Redhawk site and translocating them to the restored pools in the dry season (fall of 2001) to be ready for potential hydration and hatching during the winter rains of 2001–2002; (3) Store approximately one-fifth of the salvaged cysts at the San Diego Zoological Society's Center for the Reproduction of Endangered Species (CRES) until the created pools meet their final success criteria. Storage at CRES would ensure that viable genetic material from the affected population remained in case the created pools were unsuccessful; and (4) Implement an adaptive management plan for the conserved areas. The Applicant proposes to endow the long-term management of the off-site mitigation of 1.5 acres of fairy shrimp basin habitat and surrounding watershed with a contribution of \$25,000 to the California Department of Fish and Game (CDFG, the owner of the mitigation site) upon issuance of the incidental take permit. After success criteria stipulated in the HCP and mitigation plan are met, the conserved area would be protected and managed in perpetuity by the CDFG.

The Environmental Assessment considers the environmental consequences of three alternatives including the Proposed Action. The Proposed Action consists of the issuance of an incidental take permit and implementation of the HCP and its Implementing Agreement, which include measures to minimize and mitigate impacts of the project on Riverside fairy shrimp. Under the "No

Action" alternative, the Service would not issue a permit. Under this alternative, the Applicant could retain the property or sell it to somebody else who may choose to develop it. In either case, the temporary sedimentation basin habitat onsite would continue to be operated and maintained as a result of (1) Administrative Order No. 94–20 issued by the Regional Water Quality Control Board (RWQCB) in 1994 and (2) requirements of the Environmental Protection Agency (EPA). The "No Action" alternative does not avoid take of Riverside fairy shrimp.

Under the "Avoidance of Temporary Sedimentation Basins" alternative, complete redesign of the proposed development would be required to avoid the 1.01 acres of temporary erosion control basin habitat. The complete avoidance and preservation of the temporary erosion control sedimentation basins would result in the loss of about 20 lots and make the proposed project economically infeasible. The temporary sedimentation basins were constructed along a central circulation road to provide easy access for maintenance and their avoidance would render the development infeasible. The benefits of the avoidance of the temporary sedimentation basins to Riverside fairy shrimp are not commensurate with the increased costs to the project. Additionally, the preservation of habitat in the middle of a residential development would result in a difficult management situation with marginal benefit for the species and the required operation and maintenance of the temporary sedimentation basins still would result in take of Riverside fairy shrimp and reduce the likelihood of their long-term survival on site. The significant costs for redesign would not result in improved conservation of the species.

Under either of the alternatives, no HCP would be prepared. The alternatives would preclude the main conservation benefit of the HCP, the restoration of vestigial vernal pool habitat on the Johnson Ranch. Funds would not be contributed to provide for the management of the restored habitat in perpetuity.

The alternatives to the Proposed Action would result in less habitat value for the Riverside fairy shrimp and contribute less to its long-term survival in the wild than the off-site mitigation measures under the Proposed Action.

This notice is provided pursuant to section 10(a) of the Endangered Species Act and the regulations of the National Environmental Policy Act of 1969 (40 CFR 1506.6). All comments that we receive, including names and addresses,

will become part of the official administrative record and may be made available to the public. We will evaluate the application, associated documents, and comments submitted thereon to determine whether the application meets the requirements of the National Environmental Policy Act regulations and section 10(a) of the Endangered Species Act. If we determine that those requirements are met, we will issue a permit to the Applicant for the incidental take of Riverside fairy shrimp. We will make our final permit decision no sooner than 60 days from the date of this notice.

Dated: October 5, 2001.

David Patte,

Acting Deputy Manager, California/Nevada Operations Office, Sacramento, California.

[FR Doc. 01–25786 Filed 10–12–01; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Partial Consent Decree in Comprehensive Environmental Response, Compensation and Liability Act Cost Recovery Action

In accordance with the Department Policy, 28 C.F.R. 50.7, notice is hereby given that a Partial Consent Decree in *United States v. American Scrap Company*, Civil Action No. 1:99–CV–2047, was lodged with the United States District Court for the Middle District of Pennsylvania on October 1, 2001. This Partial Consent Decree resolves the United States' claims against Chemung Supply Corporation ("Settling Defendant") under Section 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9607(a), for response costs incurred at the Jack's Creek/Sitkin Smelting Superfund Site in Mifflin County, Pennsylvania. The Partial Consent Decree requires the Settling Defendant to pay \$210,000.00 in past response costs.

The Department of Justice will accept written comments on the proposed Partial Consent Decree for thirty (30) days from the date of publication of this notice. Please address comments to the Acting Assistant Attorney General, Environment and Natural Resources Division, Department of Justice P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044 and refer to *United States v. American Scrap Company*, DOJ # 90–11–2–911/1.

Copies of the proposed Partial Consent Decree may be examined at the Office of the United States Attorney,

Middle District of Pennsylvania, 228 Walnut Street, Harrisburg, PA 17108, and at EPA Region III, 1650 Arch Street, Philadelphia, PA 19103-2029. A copy of the proposed Partial Consent Decree may be obtained by mail for the U.S. Department of Justice, Consent Decree Library, P.O. Box 7611, Washington, D.C. 20044-7611. When requesting a copy of the proposed Partial Consent Decree, please enclose a check to cover the twenty-five cents per page reproduction costs payable to the "Consent Decree Library" in the amount of \$6.00, and reference *United States v. American Scrap Company*, DOJ #90-11-2-911/1.

Robert Brook,

Assistant Chief, Environmental Enforcement Section, Environmental and Natural Resources Division, U.S. Department of Justice.

[FR Doc. 01-25874 Filed 10-12-01; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

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

Notice is hereby given that a consent decree in *United States v. Chevron U.S.A. Production Company* Civil Action No. 01-D-1921 (D. CO) was lodged with the District Court for the District of Colorado on September 28, 2001.

Under this Consent Decree Chevron shall pay a civil penalty and perform injunctive relief to resolve claims alleging violations of the CWA, 33 U.S.C. 1251 *et seq.* The Complaint asserts claims pursuant to Sections 301(a) and 311(b)(3) of the CWA, 33 U.S.C. 1311(a) & 1321(b)(3), for spills of produced water and oil from pipelines at Chevron's Rangely Weber Sand Unit and oil exploration and production unit, in Rangely, Colorado. Under the terms of the settlement, Chevron shall pay a \$750,000 civil penalty and perform work over the next few years at the Rangely Unit in an effort to achieve compliance with the Act.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. Chevron U.S.A. Production Company* Civil Action No. 01-D-1921 (D. CO), DOJ Ref. #90-5-1-1-4513.

The proposed consent decree may be examined at the Office of United States Attorney, District of Colorado, 1961 Stout St., Suite 1200, Denver, CO 80294, (303) 454-0100. A copy of the proposed consent decree may be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$9.00 (25 cents per page reproduction costs, including attachments), payable to the Consent Decree Library.

Bob Brook,

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

[FR Doc. 01-25876 Filed 10-12-01; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Lodging of Partial Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601 *et seq.*

Under 28 CFR 50.7, notice is hereby given that on September 25, 2001, a proposed partial consent decree ("consent decree") in *United States v. Chrysler Corp., et al.*, Civil Action No. 5:97CF00894, was lodged with the United States District Court for the Northern District of Ohio.

In this action the United States sought recovery, under Sections 107(a) and 113 of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9607(a) and 9613, of response costs incurred in connection with the Krejci Dump Site in Summit County, Ohio ("Site"). The Decree resolves claims under Sections 106 and 107 of CERCLA against three entities alleged to be liable as a result of having arranged for the disposal of hazardous substances at the Site or having transported hazardous substances to the Site: Ford Motor Company ("Ford"), General Motors Corporation ("GM"), and the United States Department of Defense ("DoD"). Under the proposed Decree, Ford will perform the long-term remedial action at the Site, with financial support from GM. In addition, the Decree requires DoD to reimburse the Department of Interior for \$594,000 in response costs and \$66,000 in natural resource damages relating to the Site.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed consent decree. Comments should be addressed to the

Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Washington, DC 20044-7611, and should refer to *United States v. Chrysler Corp., et al.*, D.J. Ref. No. 90-11-3-768 and 90-11-6-183.

The proposed consent decree may be examined at the Office of the United States Attorney, 1800 Bank One Center, 600 Superior Avenue, Cleveland, Ohio. A copy of the proposed consent decree may be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044. In requesting a copy, please enclose a check in the amount of \$16.00 (25 cents per page reproduction cost) payable to the Consent Decree Library.

W. Benjamin Fisherow,

Deputy Chief, Environmental Enforcement Section, Environmental and Natural Resources Division.

[FR Doc. 01-25879 Filed 10-12-01; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decrees Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act

In accordance with Departmental policy, notice is hereby given that on September 28, 2001, two proposed consent decrees in the case captioned *United States v. Honeywell International Inc., et al.*, Civil Action No. C-3-00-536 (S.D. Ohio), were lodged with the United States District Court for the Southern District of Ohio. The proposed consent decrees relate to the AlliedSignal/Ironton Coke Superfund Site in Ironton, Lawrence County, Ohio. The proposed consent decrees would resolve civil claims of the United States for recovery of response costs under Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. 9607, against Honeywell International Inc. ("Honeywell") and Amcast Industrial Corp. ("Amcast"). The proposed consent decree with Honeywell would require Honeywell to pay the United States \$900,000 in partial reimbursement of past response costs, and to pay future response costs that will be incurred by the United States. The proposed consent decree with Amcast would require Amcast to pay the United States \$41,016 in partial reimbursement of past response costs.

The Department of Justice will receive, for a period of thirty (30) days