

implementing the recovery measures needed.

The Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*) requires the development of Recovery Plans for listed species unless such a Plan would not promote the conservation of a particular species. Section 4(f) of the Act, as amended in 1988, requires that public notice and an opportunity for public review and comment be provided during Recovery Plan development. The Service will consider all information presented during a public comment period prior to approval of each new or revised Recovery Plan. The Service and other Federal agencies will also take these comments into account in the course of implementing Recovery Plans.

The Final Star Cactus Recovery Plan is cosigned by the Director of the Texas Parks and Wildlife Department.

Authority

The authority for this action is Section 4(f) of the Endangered Species Act, 16 U.S.C. 1533(f).

Dated: September 9, 2003.

Bryan Arroyo,

Acting Regional Director, Region 2.

[FR Doc. 03-27919 Filed 11-5-03; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

Environmental Impact Statement/ Environmental Impact Report on the Proposed Amendment of the Water Service Contract Between the United States of America and the Sacramento Municipal Utility District, Sacramento, CA

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of cancellation.

SUMMARY: The Bureau of Reclamation and the Sacramento Municipal Utility District (SMUD) are canceling plans to continue work on a joint environmental impact statement/environmental impact report (EIS/EIR) on a proposed amendment of the water service contract between the United States and SMUD. The reason for canceling is that the project will be addressed as part of the environmental review processes for both the Freeport Regional Water Project and the American River Division long-term contract renewal.

FOR FURTHER INFORMATION CONTACT: Mr. Rob Schroeder, Reclamation, at (916) 989-7274.

SUPPLEMENTARY INFORMATION:

Reclamation and SMUD had proposed to amend the existing contract to change the point of diversion of 30,000 acre-feet annually of contract water for municipal and industrial uses for Sacramento County Water Agency.

Dated: October 24, 2003.

Frank Michny,

Regional Environmental Officer, Mid-Pacific Region.

[FR Doc. 03-27920 Filed 11-5-03; 8:45 am]

BILLING CODE 4310-MN-P

DEPARTMENT OF JUSTICE

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

Under 28 CFR 50.7, notice is hereby given that on September 30, 2003, a proposed Consent Decree in *United States v. Alliant Techsystems, Inc.*, Civil Action No. 03-4648, was lodged with the United States District Court for the District of New Jersey.

In this action the United States seeks the recovery of response costs incurred regarding the Radiation Technology Superfund Site, in Rockaway Township, New Jersey. The proposed consent decree embodies an agreement with Alliant Techsystems, Inc. (ATK) to perform the groundwater remedy at the Site and to reimburse the U.S. Environmental Protection Agency for up to \$249,000 of its past response costs and for all oversight costs in connection with the performance of the remedy. The decree provides ATK with a covenant not to sue under Sections 106 and 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9606 and 9607(a).

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, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Alliant Techsystems, Inc.*, D.J. No. 90-11-2-07691/1.

The Consent Decree may be examined at the Office of the United States Attorney, 970 Broad Street, Room 400, Newark, NJ 07102, and at the Region II Office of the U.S. Environmental Protection Agency, Region II Records Center, 290 Broadway, 17th Floor, New York, NY 10007-1866. During the

public comment period, the Consent Decree also may be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.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 \$32.25 (25 cents per page reproduction cost) payable to U.S. Treasury.

Catherine R. McCabe,

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

[FR Doc. 03-27886 Filed 11-5-03; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Filing of Environmental Bankruptcy Settlement in *In re* Fansteel, Inc. et al.

Notice is hereby given that a proposed settlement entered into by the United States, on behalf of the Environmental Protection Agency ("EPA"), the Department of the Navy ("Navy"), the Department of the Interior ("DOI") and the National Oceanic and Atmospheric Administration ("NOAA"), and Fansteel, Inc. ("Debtor") was filed on September 18, 2003, in *In re Fansteel, Inc. et al.*, No. 02-10109 (Bank. D. Del.) with the United States Bankruptcy Court for the District of Delaware. The proposed settlement is contained in Article XIII(C) of the Debtor's proposed Plan of Reorganization ("Plan") and would resolve certain claims of the United States against the settling party under the Comprehensive Environmental Response Compensation and Liability Act ("CERCLA") 42 U.S.C. 9601 *et seq.*, relating to the following locations: (1) The Vulcan Louisville Smelter Site/Vacant Lot Site ("Vacant Lot Site"); (2) Pettibone Creek; and (3) the Naval Station Great Lakes including the boat basin, inner harbor, and the outer harbor ("NAVSTA Great Lakes") all in North Chicago, Lake County, Illinois.

Under the settlement, Reorganized Fansteel will contribute \$1,600,000 to North Chicago, Inc. ("NCI"), a wholly-owned subsidiary of Fansteel created under the Plan, to perform the response action selected by the EPA ("North Chicago Response Action") at the real

property owned by Fansteel, which is a portion of the Vacant Lot Site ("North Chicago Facility"). The Department of Defense, the General Services Administration, the Department of Commerce, and the Department of Treasury ("Federal Settling Agencies") will contribute \$425,000, which funds will be used, if necessary, by NCI, with EPA oversight, to clean up the North Chicago Facility following NCI's expenditure of the \$1,600,000. If the above is not sufficient, Reorganized Fansteel will contribute an amount of up to an additional \$500,000 to complete the North Chicago Response Action. In the event that the City of North Chicago, Illinois ("City") exercises eminent domain with respect to the North Chicago Facility before the cleanup is commenced, Reorganized Fansteel and the City will contribute the requisite funds to perform the North Chicago Response Action.

In addition, the EPA, Navy, DOI, and NOAA are granted an allowed unsecured claim in the amount of \$10,000,000, on account of which they will receive a distribution of (1) Available General Unsecured Cash in the amount of \$100,000 (to be allocated among the Navy, NOAA, and the DOI only) and (2) 50% of certain insurance proceeds received by Reorganized Fansteel. The proposed settlement would be implemented through a Consent Decree in conformance with the settlement terms described in the proposed Plan. The Plan also grants the EPA allowed general unsecured claims related to the Old Southington Superfund Site in Southington, Connecticut; the PCB Treatment Inc. Superfund Site in Kansas City, Kansas and Kansas City, Missouri; the Li Tungsten Superfund Site in Glen Cove, New York; and the Operating Industries, Inc. Superfund Site in Monterey Park, California.

The hearing on whether to confirm the Plan is set for November 17, 2003. Comments relating to the proposed settlement must be received by the Department of Justice by close of business November 14, 2003. Comments may be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice and sent by any of the following methods: (1) Telefax or e-mail to Richard Gladstein (richard.gladstein@usdoj.gov), fax no. (202) 514-8395, phone confirmation number (202) 514-1711; or (2) first class mail to P.O. Box 7611, Ben Franklin Station, Washington, DC 20044, and should refer to *In re Fansteel, et al.*, D.J. Ref. No. 90-10-07797/1. Copies of the proposed settlement may be examined

at the Office of the United States Attorney for the District of Delaware, 1201 Market Street, Suite 1100, Wilmington, DE and the Region V Office of the United States Environmental Protection Agency, 77 West Jackson Street, Chicago, Illinois 60604. During the public comment period, the settlement may be viewed on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the settlement also may 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 \$21.75 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Thomas A. Mariani, Jr.,

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

[FR Doc. 03-28018 Filed 11-4-03; 2:38 pm]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA")

Consistent with the policy of Section 122(d)(2) of CERCLA, 42 U.S.C. 9622(d)(2), notice is hereby given that on November 3, 2003, a Settlement Agreement with Plainwell, Inc. ("Plainwell") and five affiliated companies was lodged with the Bankruptcy Court for the District of Delaware, in *In re Plainwell, Inc. and Plainwell Holding Co.*, Case No. 00-4350 (JWV).

The proposed Settlement Agreement is with: (1) Plainwell and its parent company, Plainwell Holding Company (collectively, the "Debtors"), both of which are in liquidation proceedings under Chapter 11 of the Bankruptcy Code; and (2) the Debtors' past parent companies, Colonial Heights Packaging, Inc., Philip Morris USA Inc., Chesapeake Corporation, and Simpson Paper Company (collectively, the "non-debtor Plainwell Parties"), which are not in bankruptcy. The Settlement Agreement resolves claims of the United States and the State of Michigan against those parties under Section 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability

Act ("CERCLA"), for response costs, the performance of response actions, and natural resource damages with respect to the Allied/Portage Creek/Kalamazoo River Superfund Site in Plainwell, Michigan ("Site"). The claims by the United States addressed in the Settlement Agreement include claims on behalf of the United States Environmental Protection Agency ("EPA"), the United States Department of the Interior ("DOI"), and the National Oceanic and Atmospheric Administration of the United States Department of Commerce ("NOAA"). The State of Michigan ("State") is also a signatory to the Agreement.

Under the proposed Settlement Agreement, the non-debtor Plainwell Parties will pay approximately (1) \$6.2 million towards EPA's future response costs in connection with the Site; (2) \$23,000 towards EPA's past response costs; (3) \$900,000 for use jointly by DOI, NOAA, and the State, as trustees of natural resources injured at the Site, to restore, replace, or acquire the equivalent of the injured resources; and (4) \$16,000 towards the Federal and State trustees' natural resource damages assessment costs. In addition, the Agreement requires Plainwell to execute a restrictive covenant in favor of the United States and the State on a landfill that it owns.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed Settlement Agreement. 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 should refer to *In re Plainwell, Inc. and Plainwell Holding Co.*, Case No. 99-4350 (JWV) (DOJ Ref. No. 90-11-2-1306).

The Settlement Agreement may be examined at the Office of the United States Attorney, District of Delaware, 1007 North Orange Street, Suite 700, Wilmington, Delaware 19899-2046; and at EPA Region 5, 77 W. Jackson Blvd., Chicago, Illinois 60604 (contact Eileen L. Furey, Esq. (312) 886-7950). 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/open.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 by faxing or e-mailing a request to Tonia Fleetwood (tonia.fleetwood@usdoj.gov), fax no. (202) 514-0097, phone confirmation