attachments, then the amount of the check should be $106.75 (427 pages at 25 cents per page). The check should be made payable to the Consent Decree Library.

Bruce S. Gelber,

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

[FR Doc. 97–796 Filed 1–13–97; 8:45 am]

BILLING CODE 4410–15–M

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

In accordance with 28 CFR 50.7, notice is hereby given that on December 31, 1996, a proposed Amendment to the Modified Consent Decree in *United States of America* v. *Lynn Water and Sewer Commission, et al.,* Civil Action No. 76–2184–G, was lodged with the United States District Court for the District of Massachusetts. The United States' complaint sought compliance with the Clean Water Act. The Modified Consent Decree, as amended in 1995, requires the construction of various projects to reduce combined sewer overflows from Lynn Water and Sewer Commission outfalls in accordance with a specified schedule. The Amendment to the Modified Consent Decree extends the deadline for completion of one of those projects—the Eastern Avenue Sewer Separation Project, Phase II—from September 1, 1997 to December 31, 1998.

The Department of Justice will receive comments relating to the proposed Amendment to Modified Consent Decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States* v. *Lynn Water and Sewer Commission, et al.,* D.J. Ref. 90–5–1–1–545B.

The proposed Amendment to Modified Consent Decree may be examined at the office of the United States Attorney, 1003 John M. McCormack P.O. & Courthouse, Boston, Massachusetts 02109 and at the New England Region office of the Environmental Protection Agency, One Congress St., Boston, Massachusetts 02203. The proposed Amendment to Modified Consent Decree may also be examined at the Consent Decree Library, 1120 G. St., N.W., 4th Floor, Washington, D.C. 20005, 202–624-0892. A copy of the proposed Amendment to Modified Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G. St., N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy, please enclose a check in the amount of $1.25 (25 cents per page reproduction cost) payable to the ''Consent Decree Library.''

Joel M. Gross,

Chief, Environmental Enforcement Section, Environment & Natural Resources Division.

[FR Doc. 97–798 Filed 1–13–97; 8:45 am]

BILLING CODE 4410–15–M

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

Notice is hereby given that a proposed consent decree in *United States* v. *Janet Schusheim, et al.,* Civil Action No. 97–0019, was lodged on January 2, 1997 with the United States District Court for the Eastern District of New York. Defendant Janet Schusheim was the former owner of the property comprising the SMS Instruments, Inc. Superfund Site (''Site'') in Deer Park, New York at the time wastes containing hazardous substances were disposed of at the Site. Defendant 120 Realty Corp. is the current owner of the Site property.

Under the terms of the proposed decree, defendants will pay the United States $290,000 for certain past response costs incurred by the United States for remedial action work involving air and steam stripping of contaminated soil and groundwater extraction, treatment, and reinjection. The proposed decree includes a covenant not to sue by the United States under Sections 106 and 107 of CERCLA, 42 U.S.C. §§ 9601 *et seq.*

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposes consent decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States* v. *Janet Schusheim, et al.* D.J. reference #90–11–2–1123A.

The proposed consent decree may be examined at the Office of the United States Attorney for the Eastern District of New York, 225 Cadman Plaza East, Brooklyn; New York, the Region II, Office of the Environmental Protection Agency, 290 Broadway, New York, New York; and at the Consent Decree Library, 1120 G Street, N.W. 4th floor, Washington, D.C. 2005, (202) 624–0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W. 4th Floor, Washington, D.C. 20005. In requesting a copy please enclose a check in the amount of $7.25 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel M. Gross,

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

[FR Doc. 97–797 Filed 1–13–97; 8:45 am]

BILLING CODE 4410–15–M

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

In accordance with Departmental policy, notice is hereby given that a proposed consent decree in *United States* v. *Western Crude Reserves, Inc. et al,* Civil Action No. 95–52, was lodged on October, 1994 with the United States District Court for Eastern District of Kentucky, Lexington division. Under the consent decree the United States is settling claims against two defendants, Western Crude Reserves, Inc. and Reserve Energy, Ltd., based on claims for civil penalties and injunctive relief relating to alleged violations of the Safe Drinking Water Act (''SDWA'') and the implementing Underground Injection Control (''UIC'') regulations, 40 C.F.R. § 144.28 *et seq.* The United States alleged that Reserve Energy, Ltd. and Western Crude Reserves, Inc. once owned and operated, respectively, 113 underground injection wells in the Irvine, Garrett and South Fork units in the Irvine-Furnace field in Powell and Estill Counties, Kentucky. Reserve Energy, Ltd. is a limited partnership. Western Crude Reserves, Inc. is the corporate general partner of Reserve Energy. In 1993, Reserve Energy transferred the wells to defendant Kish Resources PLC. Under the proposed settlement, Western Crude Reserves, Inc. and Reserve Energy, Ltd. will provide $75,000 in financial assurance for plugging abandoned injection wells, and the field will be transferred to a nonparty, Trinity Group, LLC. (''Trinity''), for the purpose of bringing the wells into regulatory compliance pursuant to a schedule set forth in an Administrative Order on Consent (''AOC'') entered between Trinity and EPA. Under the AOC, Trinity will provide $50,000 in financial assurance and will plug or case and cement the injection wells over the course of three years. Under this settlement, EPA will obtain the injunctive relief it seeks to bring the field into compliance, plus a

total of $125,000 in financial assurance, in case Trinity does not fulfill its obligations.

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. *Western Crude Reserves, Inc. et al.*, DOJ Ref. #90–112–859.

The proposed consent decree may be examined at the office of the United States Attorney, 1441 Main Street, Suite 500 Columbia, South Carolina (803) 929–3000; the Region IV Office of the Environmental Protection Agency, 100 Alabama Street, SW, Atlanta, Georgia 30303; and at the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005, (202) 624–0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of $6.25 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel M. Gross,

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

[FR Doc. 97–799 Filed 1–13–97; 8:45 am]

BILLING CODE 4410–15–M

Federal Bureau of Investigation

Implementation of Section 104 of the Communications Assistance for Law Enforcement Act

AGENCY: Federal Bureau of Investigation (FBI).

ACTION: Second Notice and request for comments.

SUMMARY: The FBI is providing a second notification of the requirements for actual and maximum capacity of communication interceptions, pen register and trap and trace device-based interceptions that telecommunications carriers may be required to conduct to support law enforcement's electronic surveillance needs, as mandated in section 104 of the Communications Assistance for Law Enforcement Act (CALEA). On October 16, 1995, the FBI published an Initial Notice for comment (60FR53643); and on November 9, 1995, the comment period was extended until January 16, 1996. After reviewing the comments received, the FBI is issuing this Second Notice for comment.

DATES: Written comments must be received on or before February 13, 1997.

ADDRESSES: Comments should be submitted in triplicate to the Telecommunications Industry Liaison Unit (TILU), Federal Bureau of Investigation, P.O. Box 220450, Chantilly, VA 20153–0450.

FOR FURTHER INFORMATION CONTACT: Contact TILU at (800) 551–0336. Please refer to your question as a capacity notice question. Because the appendices referred to in this Notice are voluminous, they are not contained herein but are available in a public reading room located at Federal Bureau of Investigation Headquarters, 935 Pennsylvania Ave. N.W., Washington, D.C. 20535. To review the appendices, interested parties should contact Ms. Eloise Lee at FBI Headquarters, telephone number (202) 324–3476, to schedule an appointment (48 hours in advance).

I. Background

A. Purpose of CALEA

On October 25, 1994, President Clinton signed into law the Communications Assistance for Law Enforcement Act (CALEA) (Public Law 103–414, 47 U.S.C. 1001–1010). Its objective is to make clear a telecommunications carrier's duty to cooperate in the interception of communications for law enforcement purposes. (For purposes of this notice, the word ''interception'' refers to the interception of both call-content and call-identifying information.) CALEA was enacted to preserve law enforcement's ability, pursuant to court order or other lawful authorization, to access call-content and call-identifying (pen registers and trap and trace) information in an ever-changing telecommunications environment.

In 1968 when Congress statutorily authorized court-ordered electronic surveillance, there were no technological limitations on the number of interceptions that could be conducted. However, the onset of new and advanced technologies has begun to erode the ability of the telecommunications industry to support law enforcement's interception needs. To preserve communications interception as a vital investigative tool, the Congress determined that technological solutions must be employed necessitating greater levels of assistance from telecommunications carriers.

The intent of CALEA is to define and clarify the level of technical assistance required from telecommunications carriers. CALEA does not alter or expand law enforcement's fundamental statutory authority to conduct interceptions. It simply seeks to ensure that after law enforcement obtains legal authority, telecommunications carriers will have the necessary technical ability to fulfill their statutory obligation to accommodate requests for assistance.

B. Capacity Notice Mandate

Because many future interceptions will be fulfilled through equipment controlled by telecommunications carriers, CALEA obligates the Attorney General to provide carriers with information they will need (a) to be capable of accommodating the actual number of simultaneous interceptions law enforcement might conduct as of October 25, 1998, and (b) to size and design their networks to accommodate the maximum number of simultaneous interceptions that law enforcement might conduct after October 25, 1998. (Although actual and maximum capacity determinations represent estimates for October 25, 1998, and thereafter, telecommunications carrier compliance with capacity requirements is, by terms of CALEA, required by 3 years after issuance of the Final Notice.) These two information elements are referred to in CALEA as ''actual'' and ''maximum'' capacity requirements. In accordance with section 104 of CALEA, the FBI, which has been delegated CALEA implementation responsibilities from the Attorney General, must provide notice of law enforcement's future actual and maximum capacity requirements. The statute defines these requirements as follows:

For actual capacity: The actual number of communication interceptions, pen registers, and trap and trace devices, representing a portion of the maximum capacity, that the Attorney General estimates that government agencies authorized to conduct electronic surveillance may conduct and use simultaneously by the date that is 4 years after the date of enactment of CALEA.

For maximum capacity: The maximum capacity required to accommodate all of the communication interceptions, pen registers, and trap and trace devices that the Attorney General estimates that government agencies authorized to conduct electronic surveillance may conduct and use simultaneously after the date that is 4 years after the date of enactment of CALEA.

Although CALEA requires the Attorney General to estimate the actual number of communication