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**Joel M. Gross,**

*Chief, Environmental Enforcement Section,  
Environment and Natural Resources Division.*  
[FR Doc. 98-26977 Filed 10-7-98; 8:45 am]

BILLING CODE 4410-15-M

## DEPARTMENT OF JUSTICE

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

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States v. Machnik Bros., Inc.*, Civil No. 3:98-CV-1828 (D. Conn.), was lodged with the United States District Court for the District of Connecticut on September 15, 1998. The proposed Decree concerns alleged violations of sections 301(a) and 404 of the Clean Water Act, 33 U.S.C. 1311(a) and 1344, resulting from Defendant's unauthorized discharge of approximately 190 cubic yards of dredged material into Niantic Bay, Niantic, Connecticut. The Defendant was hired by the Niantic Bay Yacht Club to perform maintenance dredging the Niantic Bay pursuant to permit issued by the Corps of Engineers, but violated the conditions of the permit by disposing of the dredged material in the Bay instead of at an authorized upland location.

The proposed Consent Decree would require the payment of a civil penalty and would permanently enjoin the Defendant from future violations of the Clean Water Act.

The U.S. Department of Justice will receive written comments relating to the proposed Consent Decree for a period of thirty (30) days from the date of publication of this notice. Comments should be addressed to Sharon E. Jaffe, Assistant United States Attorney, District of Connecticut, 915 Lafayette Blvd., Room 309, Bridgeport, CT 06604, and should refer to *United States v. Machnik Bros., Inc.*, Civil No. 3:98-CV-1828 (D. Conn.).

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the District of

Connecticut, 450 Main Street, Hartford, CT 06103.

**Letitia J. Grishaw,**

*Chief, Environmental Defense Section,  
Environment and Natural Resources Division,  
United States Department of Justice.*

[FR Doc. 98-26980 Filed 10-7-98; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of First Amendment to Modify Consent Decree Under Clean Air Act

Notice is hereby given that a proposed First Amendment To Modify Consent Decree in *United States v. USS/KOBE Steel Company*, Case No. 1:92CV1928, was lodged on *September 25, 1998* with the United States District Court for the Northern District of Ohio. The proposed First Amendment modifies a consent decree that was entered by the district court on November 23, 1992, in an action brought under the Clean Air Act.

The proposed First Amendment To Modify Consent Decree requires the defendant to pay a stipulated penalty in the amount of \$440,000 and modifies some of the injunctive relief provided for in the original consent decree that was entered in 1992 by adding continuous emission monitoring, an interim CO limit, and significantly increased stipulated penalties.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed First Amendment To Modify Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, U.S. Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044, and should refer to *United States v. USS/KOBE Steel Company*, Case No. 1:92CV1928, D.J. Ref. 90-5-2-1-1714A.

The proposed First Amendment To Modify Consent Decree may be examined at any of the following offices: (1) the United States Attorney for the Northern District of Ohio, 1800 Bank One Center, 600 Superior Avenue, East, Cleveland, Ohio 44114-2600 (contact Assistant U.S. Attorney Arthur I. Harris); (2) the U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590 (contact Assistant Regional Counsel Debra Klassman); and (3) at the Consent Decree Library, 1120 G Street, N.W., Third Floor, Washington, D.C. 20005, (202) 624-0892. Copies of the proposed Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street,

N.W., Third Floor, Washington, D.C. 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$5.75 (25 cents per page reproduction charge) payable to Consent Decree Library.

**Joel M. Gross,**

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

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## DEPARTMENT OF JUSTICE

### Antitrust Division

#### United States of America vs. Aluminum Company of America and Alumax Inc.; Public Comments and Plaintiff's Response

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b)-(h), that the Public Comments and Plaintiff's Response have been filed with the United States District Court of the District of Columbia in *United States v. Aluminum Company of America and Alumax, Inc.*, Civ. Action No. 9801497 (PLF).

On June 15, 1998, the United States filed a civil antitrust Complaint alleging that the proposed acquisition of Alumax Inc. ("Alumax") by Aluminum Company of America ("Alcoa") would violate Section 7 of the Clayton Act, 15 U.S.C. 18. The Complaint alleged that Alumax and Alcoa are the two largest of the three producers of aluminum cast plate ("cast plate") in the world. Alcoa's proposed acquisition of Alumax would have combined under single ownership almost 90% of the cast plate manufacturing business in the world. As a result, the proposed acquisition would substantially lessen competition in the manufacture and sale of cast plate world wide in violation of Section 7 of the Clayton Act.

Public comment was invited within the statutory 60-day comment period. The one comment received, and the response thereto, is hereby published in the **Federal Register** and filed with the Court. Copies of these materials may be obtained on request and payment of a copying fee.

**Constance K. Robinson,**

*Director of Operations, Antitrust Division.*

Pursuant to the requirements of the Antitrust Procedures and Penalties Act ("APPA"), 15 U.S.C. 16(b)-(h) ("Tunney Act"), the United States hereby responds to the single public comment received regarding the proposed Final Judgment in this case.