

Indiana, South Bend Division. The proposed consent decree resolves the United States' claims against defendants for natural resource damages resulting from operation and remediation of the Waste, Inc. Superfund Site located in Michigan City, LaPorte County, Indiana, for a total payment of \$603,000.

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, D.C. 20530, and should refer to *United States v. Indiana Department of Correction, et al.*, DOJ Ref. No. 90-11-3-1376/4.

The proposed consent decree may be examined at the office of the United States Attorney, 204 South Main Street, South Bend, Indiana 46601-2191; the Region 5 Office of the Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604; and at the Consent Decree Library, 1120 G Street, NW, 3rd 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, 3rd Floor, Washington, DC 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$4.75 (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. 99-16117 Filed 6-23-99; 8:45 am]

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DEPARTMENT OF JUSTICE

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

Notice is hereby given that on June 11, 1999, a proposed Consent Decree ("Decree") in *United States v. Kennecott Holdings Corporation et al.*, Civil No. 2:99CV0437K, was lodged with the United States District Court for the District of Utah. The United States filed this action pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9601, *et seq.*, to recover the past response costs incurred at or in connection with the Bingham Creek Channel Superfund Site southwest of Salt Lake City, Utah.

The proposed Consent Decree resolves claims against Holdings Corporation, formerly Kennecott Corporation, and Utah Copper Company ("Kennecott") under Sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, and Section 7003 of RCRA, 42 U.S.C. 9673, with respect to the Site as specifically defined in the Decree. Under the terms of the Decree the United States will recover response costs in the amount of \$265,000. Contribution and other potential claims of Kennecott against the United States are also resolved.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Decree. Comment should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to, *United States v. Kennecott Holdings Corporation*, Civil No. 2:99CV0437K, and D.H. Ref. # 90-11-2-1065. If requested, the United States will conduct a public meeting in the vicinity of West Jordan, Utah.

The Decree may be examined at the office of the U.S. Attorney for the District of Utah, 185 South State Street, Suite 400, Salt Lake City, UT 84111, at the U.S. EPA Region VIII, 999 18th Street, Superfund Records Center, Suite 500, Denver, CO 80202, and at the Consent Decree Library, 1120 G Street, N.W., 3rd Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 3rd Floor, Washington, D.C. 20005. In requesting a copy, please enclose a check in the amount of \$8.50 for the Decree (25 cents per page reproduction cost) payable to the Consent Decree Library.

Joel M. Gross,

*Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.*
[FR Doc. 99-16112 Filed 6-23-99; 8:45 am]

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DEPARTMENT OF JUSTICE

Consent Decree Pursuant to the Clean Water Act

In accordance with Departmental Policy, 28 CFR 50.7, 38 Fed. Reg. 19029, notice is hereby given that a proposed Consent Decree in *United States and State of New York v. Onondaga County*, Civil Action Number 91 Civ. 477 (HGM), was lodged with the United States District Court for the Northern District of New York on June 9, 1999.

In this action, the United States and State sought injunctive relief and penalties from defendants, Onondaga County, New York and the Commissioner of Onondaga County Department of Drainage and Sanitation, for violations of the Clean Water Act, 33 U.S.C. 1251 *et seq.*, and the County's State Pollutant Discharge Elimination System ("SPDES") permits. Under the Consent Decree, the County is required to conduct a broad EPA approved pre-treatment compliance program and must fully implement and enforce the provisions of the Pretreatment Program in SPDES permits. The County must also pay a penalty of \$624,000 and perform a nonpoint source Supplemental Environmental Project to reduce pollutants into the Onondaga Lake drainage area valued at \$750,000.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, written 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, D.C. 20530, and should refer to *United States and State of New York v. Onondaga County*, D.J. Ref. 90-5-1-1-3597.

The proposed Consent Decree may be examined at the Office of the United States Attorney, Northern District of New Jersey, 100 South Clinton Street, 9th Floor, Syracuse, New York, at U.S. EPA, Region II, 290 Broadway, New York, New York (contact Diane Gomes at (212) 637-3235), and at the Consent Decree Library, 1120 G Street, NW, 3rd Floor, Washington, DC 20005, (202) 624-0892. A copy of the Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW, 3rd Floor, Washington, DC. 20005. In requesting a copy, please enclose a check in the amount of \$14.00 (25 cents per page reproduction costs) payable to the Consent Decree Library.

Joel M. Gross,

Chief, Environmental Enforcement Section.
[FR Doc. 99-16110 Filed 6-23-99; 8:45 am]

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DEPARTMENT OF JUSTICE

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

Pursuant to Section 122(d)(2) of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9622(d)(2), and 28 C.F.R. § 50.7, notice is hereby given that

on June 3, 1999, a proposed Consent Decree in *United States v. Robert Bosch Corporation*, Civil Action No. 1:99-CV-414, was lodged with the United States District Court for the Western District of Michigan for a period of thirty day to facilitate public comment.

The settlement embodied in the proposed Consent Decree requires Bosch, the only settling party, to reimburse the Environmental Protection Agency ("EPA") all unreimbursed costs associated with, and to perform the remedy selected by EPA for, the Bosch/Bendix Braking Superfund Site located in St. Joseph, Michigan. The remedial action to be performed by Bosch will include soil vapor extraction, natural attenuation of contaminated groundwater together with monitoring of groundwater and a contingent groundwater remediation plan if contamination exceeds defined triggers, and deed restrictions and other institutional controls to assure that contaminated groundwater will not be used as drinking water.

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, Washington, D.C. 20530, and should refer to *United States v. Robert Bosch Corporation* D.J. Ref. No. 90-11-2-06028.

The Consent Decree may be examined at the Office of the United States Attorney, Western District of Michigan, 3300 Ionia Avenue, Grand Rapids, Michigan 49503, at the Region 5 Office of the United States Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, IL 60604-3590, and at the Consent Decree Library, 1120 G Street, N.W., 3rd Floor, Washington, D.C. 20005. A copy of the Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 3rd Floor, Washington, D.C. 20005. In requesting a copy, please refer to the above-referenced case and enclose a check in the amount of \$23.75 (25 cents per page reproduction cost) payable to the Consent Decree Library.

Joel M. Gross,

*Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.*
[FR Doc. 99-16109 Filed 6-23-99; 8:45 am]

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DEPARTMENT OF JUSTICE

[AAG/Order No. 168-99]

Privacy Act of 1974; Notice of the Removal of a System of Records

Pursuant to the provisions of the Privacy Act of 1974 (5 U.S.C. 552a), the Immigration and Naturalization Service (INS), Department of Justice is removing a published Privacy Act system of records entitled: "Position Accounting/Control System (PACS), JUSTICE/INS-003" (JUSTICE/INS-003 was most recently published on March 10, 1992 (57 FR 8483).)

JUSTICE/INS-003 is being removed because PACS duplicates JUSTICE/JMD-003, "Department of Justice Payroll System." (JUSTICE/JMB-003 was most recently published on April 13, 1999 (64 FR 18054).)

Therefore, the "PACS," is removed from the Department's compilation of Privacy Act systems.

Dated: June 10, 1999.

Stephen R. Colgate,

*Assistant Attorney General for
Administration.*

[FR Doc. 99-16119 Filed 6-23-99; 8:45 am]

BILLING CODE 4410-CJ-M

DEPARTMENT OF JUSTICE

Antitrust Division

United States v. Motorola, Inc. and Nextel Communications, Inc.

Notice is hereby given that Nextel Communications, Inc. ("Nextel") has moved to modify the Final Judgment entered by this Court on July 25, 1995. In a stipulation filed with the Court, the Department of Justice ("Department") has tentatively consented to modification of the Judgment, but has reserved the right to withdraw its consent pending receipt of public comments. On October 27, 1994, the United States filed a civil antitrust complaint, *United States v. Motorola, Inc. & Nextel Communications, Inc.*, Civil No. 1:94CV02331 (TFH) (D.D.C.), seeking to enjoin a proposed transaction between Nextel and Motorola which, it alleged, would violate Section 7 of the Clayton Act, as amended, 15 U.S.C. § 18. Nextel, then the nation's largest provider of specialized mobile radio ("SMR"), or dispatch services, had agreed to acquire most of Motorola's dispatch business. The complaint alleged that the Nextel/Motorola transaction was likely to reduce competition substantially in fifteen (15) major cities in the United States in the market for trunked SMR services.

The Final Judgment, filed contemporaneously with the complaint and entered by the Court on July 25, 1995, after review pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(b)-(h), contained three provisions designed to remedy the anticompetitive effects of the transaction: (1) Nextel and Motorola were required to divest themselves of substantially all of their SMR channels in the 900 MHz radio band and to release, upon request of the license holders, substantially all the 900 MHz SMR channels they managed in a number of large cities; (2) Nextel and Motorola, jointly, were prohibited from holding or acquiring more than thirty (30) 900 MHz channels in Boston, Chicago, Dallas, Houston, Los Angeles, San Francisco, Miami, Orlando, New York, Philadelphia, Denver, and Washington, DC (the "Category A Cities"), and ten (10) 900 MHz channels in Detroit and Seattle (the "Category B Cities"); and (3) Nextel and Motorola were required to sell 42 800 MHz channels to an independent service provider in Atlanta, Georgia. These provisions were specifically designed to preserve competition for trunked SMR customers by limiting for ten years the 900 MHz spectrum Nextel and Motorola would own and control and by ensuring that there would be sufficient 900 MHz capacity to permit the entry of new trunked SMR service providers.

Many of the 900 MHz channels divested pursuant to the Final Judgment were acquired by Geotek Communications, Inc. ("Geotek"), which acquired additional 900 MHz channels and used the spectrum to offer dispatch services in competition with Nextel. However, Geotek's efforts to enter the dispatch market ultimately failed, and its sizable blocks of the 900 MHz licenses in metropolitan areas nationwide will be available for use by some other firm.

On February 16, 1999, Nextel filed a Motion to Vacate Consent Decree, a motion which, if granted, would have allowed Nextel to acquire the Geotek licenses, as well as additional 900 MHz spectrum. The United States opposed Nextel's request for immediate termination of the decree. The Court scheduled an evidentiary hearing on Nextel's motion to vacate the decree to begin on June 14, 1999. Thereafter, on the eve of that hearing, the United States and Nextel reached agreement on the terms of a proposed modification of the Final Judgment, and signed a Stipulation reflecting that agreement, as well as their agreement that proceedings in connection with Nextel's motion to vacate the decree should be stayed