

consent decree resolves the United States' claims under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9601 *et seq.*, on behalf of the U.S. Environmental Protection Agency ("EPA") against thirty potentially responsible parties relating to certain response costs that have been or will be incurred at or from a Site known as the Gallup's Quarry Superfund Site ("Site") located in the Town of Plainfield, Connecticut, and the performance of the remedial action at the Site.

The Consent Decree requires the defendants to fund and perform the selected remedy, specifically natural attenuation of contaminants in the soil and groundwater, a long-term sampling and analysis program, implementation of institutional controls to restrict the site use, five year site reviews to assure that the remedy continues to protect human health and the environment, and to pay certain of the United States' future costs at 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. Any comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. Ashland, Inc., et al.*, D.J. Ref. 90-11-2-934A.

The proposed consent decree may be examined at the Office of the United States Attorney for the District of Connecticut, 450 Main Street, Hartford, Ct., 06103; and at the Region I Office of the Environmental protection Agency, One Congress Street, Boston, MA., 02114-2023. A copy of the proposed consent decree may be obtained by mail from the Consent Decree Library, P.O. Box 7611, Washington, DC 20044. When requesting a copy please refer to the referenced case and enclosed a check made payable to the Consent Decree Library in the amount of \$26.00 (there is a 25 cent per page reproduction costs).

**Joel Gross,**

*Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*  
[FR Doc. 00-4971 Filed 3-1-00; 8:45 am]

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**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Consent Decree Pursuant to the Clean Air Act, Clean Water Act and Resource Conservation and Recovery Act**

In accordance with Departmental policy, 28 C.F.R. 50.7, notice is hereby given that a proposed consent decree in *United States v. California Office of State Printing*, Civil No. CS-00-294-DFL/PAN was lodged on February 11, 2000, with the United States District Court for Eastern District of California.

The consent decree settles claims for civil penalties and injunctive relief against the California Office of State Printing ("OSP") under the Clean Air Act, Clean Water Act and the Resource Conservation and Recovery Act and regulations promulgated thereunder. The complaint sought injunctive relief and civil penalties against OSP pursuant to Section 113(b) of the Clean Air Act, 42 U.S.C. 7413(b); Sections 309(b) and (d) of the Clean Water Act, 33 U.S.C. 1319 (b) and (d); and Sections 3008(a) and (g) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. 6928(a) and (g), for violations of the Clean Air Act, Clean Water Act, and RCRA and the regulations promulgated thereunder, including the Sacramento Metropolitan Air Quality Management District ("SMAQMD") Rules 201 (formerly numbered as Rule 50), 202, 441, and 450 and title 22 of the California Code of Regulations, Sections 66262.10 to 66262.70. The violations occurred at the State Printing facility located at 344 North 7th Street, Sacramento, California.

Pursuant to the consent decree, OSP will pay a civil penalty of \$320,500 and will operate under interim emission limits set forth in the consent decree until OSP's application for permits from the SMAQMD has been resolved. OSP will also certify that it is in compliance with the provisions of the Clean Water Act and the Resource Conservation and Recovery Act that it violated.

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. California Office of State Printing*, DOJ Ref. # 90-7-1-900.

The proposed consent decree may be examined at the office of the United States Attorney, for the Eastern District of California, 650 Capitol Mall,

Sacramento, CA 95814 (916) 554-2766; and the Region IX Office of the Environmental Protection Agency, 75 Hawthorne Street, San Francisco, CA. A copy of the proposed consent decree may be obtained by mail from the 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 \$6.50 (25 cents per page reproduction costs), payable to the Consent Decree Library.

**Joel M. Gross,**

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

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**DEPARTMENT OF JUSTICE**

**[AAG/A Order No. 194-2000]**

**Privacy Act; System of Records**

Pursuant to the Privacy Act of 1974 (5 U.S.C. 552a), notice is given that the Federal Bureau of Prisons (Bureau) proposes to modify a system of records. Specifically, the "National Institute of Corrections Technical Assistance Resource Persons Directory, JUSTICE/BOP-101" (last published on April 18, 1983, (48 FR 16556,)) has been re-titled, the "National Institute of Corrections Technical Resource Provider Record System, JUSTICE/BOP-101."

This system, which will become effective 60 days from the date of publication, has been revised to include an expanded group of individuals who provide training and technical assistance to correctional agencies through the National Institute of Corrections (NIC). These individuals are now referred to as Technical Resource Providers (TRPs). The system is being re-titled to reflect this new term.

The Bureau is further modifying the system to add a statement on the purpose of this system and to add new categories of records and new record source categories. Appropriate sections have been revised to reflect technological advances and new agency practices regarding the storage, retrieval, access, retention and disposal of records in the system. The system manager has been re-designated from the Technical Assistance Manager to the Director, National Institute of Corrections.

The Routine Use section has been re-organized to group similar Routine Uses together. Two new Routine Uses have been added to allow for disclosure to law enforcement officials for law enforcement purposes and to employees and/or contractors of the National

Archives and Records Administration and the General Services Administration for records management inspections pursuant to 44 U.S.C. 2904 and 2906.

The Office of Management and Budget (OMB), which has oversight responsibilities under the Privacy Act, requires that it be given a 40-day period in which to review the system. The public, OMB, and the Congress are invited to send written comments to Mary Cahill, Management and Planning Staff, Justice Management Division, Department of Justice, Washington, DC 20530 (1400 National Place Building).

A description of the modified system of records is provided below. In addition, in accordance with 5 U.S.C. 552a(r), the Department has provided a report to OMB and the Congress on the proposed modification.

Dated: February 14, 2000.

**Stephen R. Colgate,**  
Assistant Attorney General for  
Administration.

#### JUSTICE/BOP-101

##### SYSTEM NAME

National Institute of Corrections  
Technical Resource Provider Record  
System.

##### SYSTEM LOCATION

Records may be retained at the National Institute of Corrections (NIC) headquarters in Washington, DC or in NIC field Offices, e.g., the NIC Academy campus currently located in Longmont, Colorado.

##### CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM

Individuals who have been identified and have agreed to provide technical and/or training assistance to state, local, tribal, foreign and international correctional agencies in order to strengthen and improve the practice of corrections. These individuals are referred to as Technical Resource Providers (TRPs).

##### CATEGORIES OF RECORDS IN THE SYSTEM

Records in this system include: (1) Identification and/or logistical information for each TRPs, including name, mailing address and telephone numbers; (2) resume and/or biographical information of each TRP, including educational and work experience; (3) program information concerning the subject area of expertise and descriptive comments provided by each TRP; and (4) records generated by the system listing TRPs *i.e.* database

printouts which include information enumerated in (1), (2), and (3) above.

##### AUTHORITY FOR MAINTENANCE OF THE SYSTEM

This system is established and maintained under the authority of 18 U.S.C. 4352.

##### PURPOSE(S)

Recent technological developments are making it possible for the National Institute of Corrections (NIC) to consolidate and automate its directory of individuals available to provide technical and/or training assistance to corrections agencies. These individuals are currently called Technical Resource Providers (TRPs) and the information about each TRP that is contained in this system assists NIC in identifying appropriate TRPs to staff corrections seminars and provide technical assistance.

##### ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES

##### RELEVANT DATA FROM THIS SYSTEM WILL BE DISCLOSED AS FOLLOWS:

(a) To federal agencies, and/or state, local, tribal, foreign and international government agencies that have a need for the information in the performance of their official duties.

(b) To individuals, groups or private correction companies who request technical assistance and/or training in corrections.

(c) To officials and/or contractors of federal, state, local, tribal, foreign and international law enforcement agencies for law enforcement purposes such as investigations, possible criminal prosecutions, civil court actions, and/or regulatory proceedings.

(d) to employees and/or contractors of the National Archives and Records Administration and General Services Administration in records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

##### POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM

##### STORAGE

Information maintained in the system is stored in hard copy and/or electronic media in NIC facilities via a configuration of personal computer, client/server, and mainframe systems architecture. Computerized records are maintained on hard disk, floppy diskettes, magnetic tapes and/or optical disks. Documentary records are maintained in manual file folders and/or index cards.

##### RETRIEVABILITY

Records are retrievable by identification/logistical information, e.g. name and address of TRP, and/or by the subject area of expertise.

##### SAFEGUARDS

Information is safeguarded in accordance with Department of Justice and Bureau of Prisons rules and policy governing automated information systems security and access. These safeguard include the maintenance of records and technical equipment in restricted areas, e.g. locked offices and locked file cabinets in controlled-access buildings, and the required use of proper passwords and user identification codes to access the system. Only those NIC personnel who require access to perform their official duties may access the system equipment and the information in the system.

##### RETENTION AND DISPOSAL

Electronic records generated by the system are retained until such time as the records no longer serve the purpose described by this system. At such time, these records may be updated and/or incorporated into an appropriate, published system or records with an approved retention schedule, or otherwise destroyed by shredding and/or degaussing. Documentary records are retained for eight (8) years and then destroyed by shredding.

##### SYSTEM MANGER(S) AND ADDRESS

Director, National Institute of Corrections, Room 5007, 320 First St. NW, Washington, DC 20534.

##### NOTIFICATION PROCEDURE

Inquiries concerning this system should be directed to the System Manager listed above.

##### RECORD ACCESS PROCEDURES

All requests for records may be made in writing to the Director, National Institute of Corrections, Room 5007, 320 First St. NW, Washington, DC 20534, and should be clearly marked "Privacy Act Request."

##### CONTESTING RECORD PROCEDURES

Same as above.

##### RECORD SOURCE CATEGORIES

Records are generated by individuals listed as a TRP, by NIC staff, and/or staff from other correctional and/or other law enforcement agencies.

**SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT**

None.

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**DEPARTMENT OF LABOR****Occupational Safety and Health Administration**

[Docket No. NRTL-2-98]

**NSF International, Application for Expansion of Recognition****AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.**ACTION:** Notice.

**SUMMARY:** This notice announces the application of NSF International (NSF) for expansion of its recognition as a Nationally Recognized Testing Laboratory (NRTL) under 29 CFR 1910.7, and presents the Agency's preliminary finding. This preliminary finding does not constitute an interim or temporary approval of this application.

**DATES:** Comments submitted by interested parties must be received no later than May 1, 2000.

**ADDRESSES:** Send comments concerning this notice to: Office of Technical Programs and Coordination Activities, NRTL Program, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW, Room N3653, Washington, D.C. 20210.

**FOR FURTHER INFORMATION CONTACT:** Bernard Pasquet, Office of Technical Programs and Coordination Activities, NRTL Program at the above address, or phone (202) 693-2110.

**SUPPLEMENTARY INFORMATION:****Notice of Application**

The Occupational Safety and Health Administration (OSHA) hereby gives notice that NSF International (NSF) has applied for expansion of its current recognition as a Nationally Recognized Testing Laboratory (NRTL). NSF's expansion request covers the use of additional test standards.

OSHA recognition of an NRTL signifies that the organization has met the legal requirements in Section 1910.7 of Title 29, Code of Federal Regulations (29 CFR 1910.7). Recognition is an acknowledgment that the organization can perform independent safety testing and certification of the specific products covered within its scope of recognition, and is not a delegation or grant of government authority. As a result of recognition, OSHA can accept products "properly certified" by the NRTL.

OSHA processes applications related to an NRTL's recognition following requirements in Appendix A to 29 CFR 1910.7. This appendix requires that the Agency publish this public notice of the preliminary finding on an application.

The most recent notices published by OSHA for the NSF recognition covered its initial recognition, which OSHA announced on August 8, 1998 (63 FR 46082) and granted on December 10, 1998 (63 FR 68309).

The current address of the NSF facility (site) recognized by OSHA is: NSF International, 789 Dixboro, Ann Arbor, Michigan 48105.

**General Background on the Application**

NSF has submitted a request, dated December 17, 1998 (see Exhibit 6A), to expand its recognition as an NRTL for six (6) additional test standards. Also, NSF has submitted a similar request, dated March 1, 1999 (see Exhibit 6B), for four (4) other test standards. OSHA has determined that two of the standards listed in the December 17 request are not "appropriate test standards," as specified in 29 CFR 1910.7(c). Therefore, the expansion will only cover the eight (8) test standards listed below. OSHA temporarily withheld its consideration of NSF's requests pending notification by the NRTL of the certification of its first products under the NRTL Program. The Agency imposed a condition requiring such a notification when it recognized NSF. However, NSF recently informed the NRTL Program staff that it has not performed this certification. NSF would appear to have less opportunity to do so without this expansion, and the NRTL Program office has decided to proceed with granting NSF's requests. OSHA will continue to impose the condition for notification, which we state again in this notice.

NSF seeks recognition for testing and certification of products to demonstrate compliance to the eight (8) test standards listed below, and OSHA has determined the standards are appropriate, as prescribed by 29 CFR 1910.7(c). OSHA's recognition of any NRTL for a particular test standard is limited to equipment or materials (*i.e.*, products) for which OSHA standards require third party testing and certification before use in the workplace. As a result, the Agency's recognition of an NRTL for a test standard excludes any product(s), falling within the scope of the test standard, for which OSHA has no such requirements.

ANSI/UL 94 Tests for Flammability of Plastic Materials for Parts in Devices and Appliances

ANSI/UL 621 Ice Cream Makers  
ANSI/UL 651 Schedule 40 and 80 PVC Conduit

ANSI/UL 651A Type EB and A Rigid PVC Conduit and HDPE Conduit  
ANSI/UL 749 Household [Electric] Dishwashers

UL 763 Motor-Operated Commercial Food Preparing Machines  
ANSI/UL 1081 [Electric] Swimming Pool Pumps, Filters, and Chlorinators  
UL 1821 Thermoplastic Sprinkler Pipe and Fittings for Fire Protection

The designations and titles of the above test standards were current at the time of the preparation of this notice.

**Condition**

As previously mentioned, OSHA included a condition in the **Federal Register** notice for the recognition of NSF, published on December 10, 1998 (63 FR 68309). The condition currently applies to NSF and will continue to apply as part of the expansion. The condition is as follows:

Within 30 days of certifying its first products under the NRTL Program, NSF will notify the OSHA NRTL Program Director so that OSHA may review NSF's implementation of procedures for testing and follow-up inspections of products covered within the scope of the above-listed test standards.

**Preliminary Finding on the Application**

NSF has submitted acceptable requests for expansion of its recognition as an NRTL. In processing these requests, OSHA did not perform an on-site review of NSF's NRTL testing facilities. However, NRTL Program assessment staff reviewed information pertinent to the request and, in a memo dated October 21, 1999 (see Exhibit 7), recommended the expansion of NSF's recognition to include the additional test standards listed above.

Following a review of the application file, the assessor's recommendation, and other pertinent documents, the NRTL Program staff has concluded that OSHA can grant, to the NSF facility listed above, the expansion of recognition to use the additional eight (8) test standards, with the condition to be applied as noted. The staff therefore recommended to the Assistant Secretary that the applications be preliminarily approved.

Based upon the recommendation of the staff, the Assistant Secretary has made a preliminary finding that the NSF International facility listed above can meet the recognition requirements, as prescribed by 29 CFR 1910.7, for the