

Agency, 726 Minnesota Avenue, Kansas City, Kansas; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 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, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy refer to the referenced case and enclose a check in the amount of \$5.50 (25 cents per page reproduction costs), payable to the Consent Decree Library.

**Joel M. Gross,**

Chief, Environmental Enforcement Section,  
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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree in an Oil Spill Case

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a consent decree was lodged in *In re Complaint of United States, as Owner of SS CAPE MOHICAN (O.N. 536672)*, for exoneration from or limitation of liability, Civil Action No. C97-1380 EDL (N.D. Cal.), on July 16, 1998 with the United States District Court for the Northern District of California.

On October 28, 1996, fuel oil in a stabilization tank on the SS CAPE MOHICAN flowed from the vessel into a drydock operated by San Francisco Drydock and overflowed from the drydock into San Francisco Bay (the "Oil Spill"). The United States has filed claims against San Francisco Drydock. San Francisco Drydock has filed claims against the United States. The State of California has filed claims against San Francisco Drydock and the United States.

The State of California and the United States have entered into a joint consent decree with San Francisco Drydock that resolves the claims asserted by both governments against San Francisco Drydock. Under the Consent Decree, San Francisco Drydock will pay the state and federal governments \$7,756,646 to settle the state and federal claims for response costs, assessment costs, and natural resources damages. Of that total, \$3.625 million is for natural resources damages under the trusteeship of the federal and state governments. The state and federal natural resources trustees presently plan to use the \$3.625 million to restore and enhance habitats, birds, marine aquatic species, public areas, and public services affected by the spill. The natural resources trustees will describe specific restoration

projects in one or more restoration plan proposals. Public comment on the specific projects will be sought before the trustees prepare the final restoration plan or plans.

Other federal components of the settlement include the recovery of Coast Guard and Navy response costs of \$1,239,198; Department of the Interior ("DOI") response costs of \$138,832; compensation for the oiling of historic ships in the amount of \$50,000; and National Oceanic and Atmospheric Administration response costs of \$120,630.

The State of California is recovering other amounts, including state response costs of \$1,757,984; state damage assessment costs of \$175,000; payments to the state environmental enhancement fund and the oil spill prevention and administration fund totaling \$175,000, and a civil penalty of \$50,000. In addition, the state and the San Francisco District Attorney's Office will jointly administer \$400,000 to be devoted to enhancing and protecting natural resources in or around, or affected by or having an effect on, San Francisco Bay.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the joint natural resources damages component of the proposed consent decree, the \$3.625 million. No comments are requested on the recovery of response costs or other matters. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and copied to Robert R. Klotz, Environmental Enforcement Section, U.S. Department of Justice, 301 Howard Street, Suite 870, San Francisco, CA 94105. Comments should refer to *In re Complaint of United States, as Owner of SS CAPE MOHICAN (O.N. 536672)*, for exoneration from or limitation of liability, Civil No. C97-1380 EDL, and DOJ No. 90-5-1-1-4407.

The proposed CAPE MOHICAN consent decree may be examined at the office of the United States Attorney, Northern District of California, 450 Golden Gate Avenue, San Francisco, California 94102; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 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, N.W., 4th Floor, Washington, D.C. 20005. To request a copy of the consent decree in *In re Complaint of United States, as Owner of SS CAPE MOHICAN (O.N.*

*536672)*, for exoneration from or limitation of liability, please refer to that case title, Civil No. C97-1380 EDL, and DOJ No. 90-5-1-1-4407, and enclose a check for the amount of \$9.50 (25 cents per page reproduction cost) payable to the Consent Decree Library.

**Joel Gross,**

Chief, Environmental Enforcement Section,  
Environment and Natural Resources Division,  
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## DEPARTMENT OF JUSTICE

### Antitrust Division

#### United States v. General Electric Company; Proposed Final Judgment and Competitive Impact Statement

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b) through (h), that a proposed Final Judgment, Stipulation, and Competitive Impact Statement have been filed with the United States District Court for the District of Montana, Missoula Division, in *United States v. General Electric Company*, Civil Action No. 96-121-M-CCL. Copies of the Complaint, proposed Final Judgment, and Competitive Impact Statement are available for inspection at the Department of Justice in Washington, DC, in Room 300, 325 Seventh Street, NW., and at the Office of the Clerk of the United States District Court for the District of Montana, 301 South Park, Room 542, Helena, MT 59626.

The Complaint in this case, filed in August 1996, alleged that General Electric had entered into agreements that violated Sections 1 and 2 of the Sherman Act, 15 U.S.C. 1 and 2, with hospitals in the United States. The District Court dismissed the government's Section 2 claims, leaving for adjudication whether GE's agreements, by restraining trade, had violated Section 1. The challenged agreements were part of license agreements between GE and the hospitals in which the hospitals agreed, as a condition for obtaining a license for GE's advanced diagnostic materials for the servicing of their GE imaging equipment (such as MRIs, CT scanners, x-ray machines, etc.), that they would not compete with GE in servicing medical equipment for others.

The proposed Final Judgment enjoins GE from restraining, in connection with such licenses, a licensee's right to service medical equipment for third parties. Section IV(B) of the Final Judgment prohibits GE from requiring