

(MPC) owns 30 acres of land which are located in the BPSOU. The proposed decree is a cash-out of MPC's liability under Section 107(a) of CERCLA, 42 U.S.C. 9607(a), and settles potential claims under CERCLA § 106, 42 U.S.C. 9606 and Section 7003 of RCRA, 42 U.S.C. 6973. Under the terms of the proposed decree, MPC will pay the sum of \$100,000 to the EPA Hazardous Substances Superfund.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the consent decree.

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. Montana Power Company*, D.J. Ref. 90-11-3-1734. Commuters may request an opportunity for a public meeting in the affected area, in accordance with Section 7003 of RCRA, 42 U.S.C. 6973(d).

The Consent Decree may be examined at the Office of the United States Attorney, District of Montana, 2929 Third Avenue North, #400, Billings, MT 59103, at U.S. EPA Region VIII, 999 18th Street, Suite 700, Denver, CO 80202, 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 \$26.75 payable to the Consent Decree Library.

Bruce S. Gelber,

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

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Water Act 33 U.S.C. 1301, et seq.

Notice is hereby given that on April 23, 1999 a proposed Consent Decree ("Decree") in *United States v. Sinclair Oil Corporation*, Civil Action No. 98 CV 166B, was lodged with the United States District Court for the District of Wyoming. The United States filed this action pursuant to Sections 301 and 311 of the Clean Water Act, as amended by the Oil Pollution Act, 33 U.S.C. 1301 and 1321, as amended by the oil pollution Act, 33 U.S.C. 1301 and 1321, seeking injunctive relief and civil

penalties for the Defendant's discharge of oil from a rupture in its underground pipeline into a navigable water of the United States in violation of the Clean Water Act and the Oil Pollution Act.

The proposed Consent Decree requires the Defendant to either: (i) Repair and replace all sections of its pipeline manufactured by the same company that manufactured the ruptured pipe; or (ii) perform an ultrasonic "smart" pig of these portions of the pipeline, and repair or replace those portions as indicated by the results of the smart pig. In addition, Sinclair will pay a civil penalty of \$29,000, including interest, to the Oil Spill Liability Trust Fund. Finally, Sinclair will perform a Supplemental Environmental Project involving the replacement of 1000 feet of pipe from one of Sinclair's underground pipelines which passes under Casper Creek—a navigable water within a few miles of the spill site.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the 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. Sinclair Oil Corporation*, Civil Action No. 98 CV 166B, and D.J. Ref. #90-5-1-1-4424.

The Decree may be examined at the United States Department of Justice, Environment and Natural Resources Division, Denver Field Office, 999 -18th Street, North Tower Suite 945, Denver, Colorado, 80202 and the U.S. EPA Region VIII, 999 18th Street, 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 \$10 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 Resource Division.

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DEPARTMENT OF JUSTICE

Antitrust Division

[Civil No. 1:98CV02836]

Public Comments and Response on Proposed Final Judgment, *United States v. Pearson plc, Pearson Inc. and Viacom International Inc.*

Pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b)-(h), the United States of America hereby publishes below the comments received on the proposed Final Judgment in *United States v. Pearson, plc, Pearson Inc. and Viacom International Inc.*, Civil Action No. 1:98CV02836, filed in the United States District Court for the District of Columbia, together with the United States' response to the comments.

Copies of the comments and response are available for inspection in Room 215 of the U.S. Department of Justice, Antitrust Division, 325 7th Street, NW, Washington, DC 20530, telephone: (202) 514-2481, and at the Office of the Clerk of the United States District Court for the District of Columbia, United States Courthouse, Third Street and Constitution Avenue, NW, Washington, DC 20001. Copies of any of these materials may be obtained upon request and payment of a copying fee.

Constance K. Robinson,

Director of Operations, Antitrust Division.

Civil Action No. 1:98CV02836

Judge: James Robertson

Filed: April 22, 1999

PLAINTIFF'S RESPONSE TO PUBLIC COMMENTS

Pursuant to the requirements of the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b)-(h) (1997) ("Tunney Act") the United States hereby responds to the four public comments received regarding the proposed Final judgment in this case.

I. Background

On November 23, 1998, the United States filed the Complaint in this matter alleging that the acquisition by Pearson plc and its wholly owned subsidiary, Pearson Inc. (collectively "Pearson") of certain publishing businesses of Viacom International Inc. ("Viacom") would violate Section 7 of the Clayton Act, 15 U.S.C. 18. The Complaint alleges that Pearson and Viacom, two of the nation's largest publishers of textbooks and other educational materials, compete head-to-head in the development, marketing and sale of comprehensive elementary school science programs and in the development, marketing and sale of textbooks used in thirty-two college