

of an annuity to cover the living expenses of the owner.

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, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, D.C. 20044-7611, and should refer to *United States v. Jane Doe, as Executrix of the Estate of Edmund Barbera, et al.*, DOJ Ref. #90-11-3-1142A.

The proposed consent decree may be examined at the office of the United States Attorney for the Southern District of New York, 100 Church Street, New York, New York, 10007 (contact Assistant United States Attorney Kathy S. Marks); and the Region II Office of the Environmental Protection Agency, 290 Broadway, New York, New York, 10007-1866 (contact Assistant Regional Counsel Cynthia Psoras). A copy of the proposed consent decree may be obtained by mail from the Consent Decree Library, P.O. Box 7611, Washington, D.C. 20044-7611. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$7.00 (25 cents per page reproduction costs) for the Consent Decree, payable to the Consent Decree Library.

**Bruce S. Gelber,**

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

[FR Doc. 00-6744 Filed 3-17-00; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Proposed Consent Decree

In accordance with 28 CFR 50.7(b), notice is hereby given that a proposed Consent Decree in *United States v. Fisher Sand & Gravel Co.*, Civil Action No. 98-CV-0276-D (D. Wyo.), was lodged with the United States District Court for the District of Wyoming on March 8, 2000. Final approval of the proposed Consent Decree is subject to the requirements of 28 CFR 50.7.

In this case, the United States filed suit against Fisher Sand & Gravel Co., Emulsified Asphalt, Inc. of Wyoming, and others for alleged violations of Clean Water Act sections 301 and 404. The Complaint alleges that the defendants discharged dredged or fill material into waters of the United States within Deer Creek near Glenrock, Wyoming, without a permit issued by

the United States Army Corps of Engineers.

The United States and the defendants have reached agreement on the terms of a proposed Consent Decree. Under the proposed settlement, the defendants will complete restoration, perform three to five years of monitoring, be enjoined against future unauthorized discharges, and pay a civil penalty.

The Department of Justice will receive written comments on the proposed Consent Decree for a period of 30 days from the date of publication of this notice. Comments should be addressed to Joshua E. Swift, Trial Attorney, U.S. Department of Justice, Environment & Natural Resources Division, Environmental Defense Section, P.O. Box 23986, Washington, DC 20026, and refer to *United States v. Fisher Sand & Gravel Co.*, Civil Action No. 98-CV-0276-D (D. Wyo.), DJ# 90-5-1-1-05204.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the District of Wyoming, 2120 Capitol Avenue, Room 2131, Cheyenne, Wyoming 82001. The telephone number of the Clerk's Office is (307) 772-2145.

**Letitia J. Grishaw,**

*Chief, Environmental Defense Section Environment & Natural Resources Division.*

[FR Doc. 00-6745 Filed 3-17-00; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decrees Under the Comprehensive, Environmental Response, Compensation and Liability Act ("CERCLA")

Notice is hereby given that four proposed consent decrees in *United States v. Mountain Metal Company, et al.*, Civil Action No. CV-98-2562-S, and one proposed consent decree in *United States v. Mountain Metal Company, et al.*, Civil Action No. CV-98-C-2562-S and consolidated action *Exide Corporation and Johnson Controls, Inc., v. Aaron Scrap Metals, et al.*, Civil Action No. CV-98-J-2886-S, were lodged on March 7, 2000, with the United States District Court for the Northern District of Alabama, Southern Division.

In these actions, the United States and Exide Corporation and Johnson Control, Inc. have sought injunctive relief and recovery of response costs under Sections 106(a) and 107 of CERCLA, 42 U.S.C. 9606(a) and 9607, against over forty generator defendants with respect to the Interstate Lead Company ("ILCO") Superfund Site, located in

Leeds, Jefferson County, Alabama ("the Site").

The United States has now agreed to settlement of its claims under Sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, for existing contamination at the Site with respect to five defendants: Battery Post, Inc. ("Battery Post"), Goldsboro Iron & Metal Company, Inc. ("Goldsboro"), Micon Metals, Inc. ("Micon") Omega Tire & Sales ("Omega") and V.H. Holmes & Sons, Inc. ("V.H. Holmes"). Battery Post will pay \$6,000 plus interest over a twelve month period to the United States to resolve its claims. Micon will pay \$500 with 30 days of Decree entry, to the United States to resolve its claims. Omega will pay \$1,000 within 30 days of Decree entry, to the United States to resolve its claims. V.H. Holmes will pay \$20,000 plus interest within one year of Decree entry, to the United States to resolve its claims. Goldsboro will pay the United States \$195,750, plus interest, within 30 days of proposed consent decree entry to resolve its claims. Goldsboro will also pay Exide Corporation and Johnson Control, Inc., a total of \$479,250 in principal plus interest, with \$104,250 paid with 30 days of proposed consent decree entry, and 30 monthly payments of \$12,500 plus interest to resolve the claims in the consolidated action.

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 decrees. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, P.O. Box 7611, Department of Justice, Washington, DC 20044, and should refer to *United States v. Mountain Metal Company, et al.*, Civil Action No. CV-98-C-2562-S and consolidated action *Exide Corporation and Johnson Controls, Inc., v. Aaron Scrap Metals, et al.*, Civil Action No. CV-98-J-2886-S and DOJ #90-11-2-108/2.

Any of the proposed consent decrees may be examined at the Office of the United States Attorney, Northern District of Alabama, 200 Robert S. Vance Federal Building & Courthouse, 1800 5th Ave. N., Room 200, Birmingham, AL 35203-2198, and at U.S. EPA Region 4, Atlanta Federal Center, 61 Forsyth Street, S.W. Atlanta, Georgia 30303. A copy of the Consent Decree also may be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044. In requesting a copy, please enclose a check in the amount of \$8.00 (25 cents per page reproduction costs) per

Consent Decree, payable to the Consent Decree Library.

**Joel M. Gross,**

*Chief, Environmental Enforcement Section,  
Environment and Natural Resources Division.*  
[FR Doc. 00-6748 Filed 3-17-00; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Air Act

Under the policy set out at 28 CFR 50.7, notice is hereby given that on February 29, 2000, a proposed Consent Decree (Decree) in *United States of America v. Tampa Electric Company*, Civil Action No. 99-2524 CIV-T-23F, was lodged with the United States District Court for the Middle District of Florida.

In this enforcement action under the Clean Air Act involving alleged violations of requirements intended to prevent the deterioration of air quality, the United States sought injunctive relief and civil penalties from Tampa Electric Company, the owner and operator of the coal-fired electric generating stations known as Gannon and Big Bend. Those stations are located in Hillsborough County, Florida, near the City of Tampa. The United States alleged that Tampa Electric failed to comply with the requirements of the Clean Air Act at Big Bend and Gannon by failing to seek permits prior to making major modifications to parts of these facilities and by failing to install appropriate pollution control devices to control emissions of air pollutants from those facilities.

The Decree requires Tampa Electric to undertake various steps at Big Bend and Gannon in order to reduce the emission of various air pollutants, including the following measures: optimize operation and use of existing pollution control equipment; observe limits on use of fuels in generating electricity; install new pollution control equipment; and meet various emission limits for certain air pollutants, namely: oxides of nitrogen, sulphur dioxide and particulate matter. Also under the Decree, Tampa Electric must undertake a series of additional pollution control or mitigation projects (at a cost of at least \$10 million) that are related to the emission of oxides of nitrogen at Tampa Electric's generating stations and to the examination of air quality in the Tampa Bay area. Tampa Electric is also required to pay a civil penalty of \$3.5 million.

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, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States of America v. Tampa Electric Power Company*, D.J. Ref. 90-5-2-1-06932.

The Decree may be examined at the Office of the United States Attorney, 400 N. Tampa Street, Suite 3200, Tampa, Florida 33602, and at U.S. EPA Region 4, Office of Regional Counsel, 61 Forsyth Street, S.W., Atlanta, Georgia 30303. A copy of the Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611. In requesting a copy, please enclose a check in the amount of \$15.25 (25 cents per page reproduction cost), payable to the Consent Decree Library.

**Bruce S. Gelber,**

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

[FR Doc. 00-6747 Filed 3-17-00; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Antitrust Division

#### **United States v. AlliedSignal Inc. and Honeywell Inc., Case No. 1:99 CV 02959 (PLF) (D.D.C.); Response to Public Comments on Antitrust Consent Decree**

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b)-(h), that on March 9, 2000, the United States filed its responses to public comments on the proposed Final Judgment in *United States v. AlliedSignal Inc. and Honeywell Inc.* Case No. 1:99 CV 02959 (PLF) (D.D.C., filed November 8, 1999), with the United States District Court for the District of Columbia.

On November 8, 1999, the United States filed a Complaint which alleged that AlliedSignal's proposed merger with Honeywell would violate Section 7 of the Clayton Act, 15 U.S.C. 18, by substantially lessening competition in the traffic alert and collision avoidance systems ("TCAS") market, the search and surveillance weather radar ("SSWR") market, the reaction and momentum wheel market, and the inertial systems market. The proposed Final Judgment, also filed on November 8, 1999, requires AlliedSignal and Honeywell to divest the TCAS business

of Honeywell located in Glendale, Arizona; the SSWR business of AlliedSignal located in Olathe, Kansas; the space and navigation business of AlliedSignal located in Teterboro, New Jersey; the mechanical rate gyroscope business of AlliedSignal located in Cheshire, Connecticut, and a related repair business in Newark, Ohio; the microSCIRAS technology business of AlliedSignal located in Redmond, Washington, or, in the alternative, the micro-electro-mechanical systems inertial sensor business of Honeywell located in Minneapolis and Plymouth, Minnesota; and the AlliedSignal micromachined silicon accelerator and micromachined accelerometer gyroscope technology business.

Public comment was invited within the statutory 60-day comment period. The public comments and the United States' responses thereto are hereby published in the **Federal Register** and have been filed with the Court. Copies of the Complaint, Hold Separate Stipulation and Order, proposed Final Judgment, Competitive Impact Statement, and the United States' Certificate of Compliance with Provisions of the Antitrust Procedures and Penalties Act (to which the public comments and the United States' responses are attached) are available for inspection in Room 215 of the Antitrust Division, Department of Justice, 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, 333 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 & Merger Enforcement,  
Antitrust Division.*

### INSPEC Japan

January 17, 2000

Mr. J. Robert Kramer II

Chief, Litigation II Section, Antitrust Division, United States Department of Justice, 1401 H Street, N.W., Suite 3000, Washington D.C. 20530

Dear Sir: *Subject: Antitrust Case # 1:99CV02959, United States of America v. Allied Signal Inc and Honeywell Inc. Invitation to submit written comment*

My company, INSPEC International Co. Ltd., a Japanese registered corporation, is a long term Supplier to Honeywell of an electro-mechanical sub-assembly which is used in the TCAS cockpit display, as well as a number of individual piece parts.