

Decree, payable to the Consent Decree Library.

Joel M. Gross,

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

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree and Proposed Prospective Purchaser Agreement Under the Comprehensive Environmental Response, Compensation, and Liability Act

Under 28 CFR 50.7, notice is hereby given that on April 18, 2000, a proposed Consent Decree in *United States v. Scott County Sportsmen's Association*, Case No. 30-00-CV-10052 (S.D. Iowa) was lodged with the United States District Court for the Southern District of Iowa, Davenport Division. The Consent Decree settles claims by the United States, against Scott County Sportsmen's Association (SCSA) under Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9607. The Complaint of the United States seeks past and future CERCLA response costs incurred by EPA in connection with the Nahant Marsh Superfund Site (the Site) and for damages for injuries to natural resources at the Site as determined by the Department of the Interior (Interior), the Natural Resource Trustee. Defendant SCSA owned property on the Site and used it for target and skeet shooting, resulting in releases of lead, a hazardous substance.

The Consent Decree requires SCSA to record a conservation easement for its 78-acre property at the Site in favor of the Iowa Natural Heritage Foundation (INHF) for preservation of the land as a reserve for wildlife and to prevent residential, commercial and industrial development of the land. The SCSA is required to transfer ownership of its property at the Site to the City of Davenport, Iowa (the City), and notify EPA of the transfer. All proceeds from the sale of the Property will be paid to the United States. The City agrees to pay the purchase price of \$86,000 to EPA (which will receive \$81,000) and to Interior (which will receive \$5,000) pursuant to a proposed Agreement and Covenant Not to Sue, or Prospective Purchaser Agreement, entered into between the United States and the City. Under the terms of the Prospective Purchaser Agreement, the City will also place a restrictive covenant on the land that restricts residential development.

In exchange for its commitments under the Consent Decree, Defendant SCSA will receive a covenant not to sue pursuant to Sections 106 and 107(a) of CERCLA, 42 U.S.C. 9606 AND 9607(a), for response actions and response costs relating to the Site. Defendant SCSA will also receive a covenant not to sue for natural resource damages under CERCLA.

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. Scott County Sportsmen's Association*, Case No. 3-00-CV-10052 (S.D. Iowa), D.J. Ref. No. 90-11-2-1372/1.

The Consent Decree may be examined at the office of the United States Attorney for the Southern District of Iowa, U.S. Courthouse Annex, 110 East Court Avenue, Suite 286, Des Moines, Iowa 50309. The Consent Decree may also be examined at the office of Region VII of the U.S. Environmental Protection Agency, 726 Minnesota Avenue, Kansas City, Kansas 66101. A copy of the Consent Decree may also 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 \$15.00 (with exhibits) (25 cents per page reproduction cost) payable to the Consent Decree Library. If requesting a copy of the Consent Decree exclusive of exhibits, please enclose a check in the amount of \$7.50 (25 cents per page reproduction cost) 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. 198-2000]

Privacy Act of 1974; System of Records

The Department of Justice proposes to modify the Office of the Inspector General Investigative Records System, JUSTICE/OIG-001, last published in the **Federal Register** on March 10, 1992 (57 FR 8476). The primary purpose of the system is to enable the Department's Office of the Inspector General to

conduct its responsibilities under the Inspector General Act of 1978, as amended by the Inspector General Act Amendments of 1988, 5 U.S.C. App. 3, including its responsibility to conduct and supervise investigations relating to programs and operations of the Department. The Department now proposes to modify the system by adding one new routine use, revising two existing routine uses, and making other minor revisions.

New routine use (i) will permit the Department to share information about investigations with complainants and victims in order to inform them about the progress and results of investigations arising from the matters of which they complained or were the victim.

In addition, two current routine uses are being revised. First, routine use (a) relating to disclosures of records indicating a violation or potential violation of law or contract to those entities responsible for investigating, prosecuting or enforcing those laws or contracts is being revised to make it clear that disclosure extends both to records that indicate such a violation or potential violation standing alone and to records that do so only when viewed in combination with other documents. Second, routine use (d) relating to disclosures made to other entities in connection with the assignment, hiring, retention, issuance or revocation of a security clearance, reporting of an investigation, letting of a contract, or the issuance or revocation of a license, grant, or other benefit to an individual by those entities is being modified in two respects: (1) To eliminate the requirement that information may be released only upon the request of a specified entity and (2) to permit information pertinent to the issuance or retention of a professional license to be shared with the relevant professional licensing organization.

Finally, the Department is making minor revisions to the 'System Location,' 'Retireability,' 'System Manager and Address,' and 'Retention and Disposal' sections to reflect current conditions. A typographical error in routine use (h) as it was originally published in the **Federal Register** (57 FR 8477), is also being corrected.

5 U.S.C. 552a(e)(4) and (11) provide that the public be given thirty days in which to comment on these proposed changes. Any comments must be submitted in writing to Mary Cahill, Management Analyst, Management and Planning Staff, Justice Management Division, Department of Justice, Washington, DC 20530 by June 21, 2000.

As required by 5 U.S.C. 552(r) and Office of Management and Budget (OMB) implementing regulations, the Department of Justice has provided a report on the proposed changes to OMB and the Congress.

A modified system description is set forth below.

Dated: May 8, 2000.

Stephen R. Colgate, Assistant Attorney General for Administration.

JUSTICE/OIG-001

SYSTEM NAME:

Office of the Inspector General Investigative Records.

SYSTEM LOCATION:

U.S. Department of Justice, Office of the Inspector General, 950 Pennsylvania Ave., NW, Washington, DC 20530-0001 and 1425 New York Ave., NW, Suite 7100, Washington, DC 20530. During the course of an investigation, records are also kept in the investigations field offices, the addresses of which are listed on the OIG's website at http://www.usdoj.gov/org.

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

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(a) In the event that a record, either by itself or in combination with other information, indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order pursuant thereto, or a violation or potential violation of a contract, the relevant record may be disclosed to the appropriate agency, whether Federal, state, local, foreign, or international, charged with the responsibility or investigating or prosecuting such violation, enforcing or implementing such statute, rule, regulation, or order, or with enforcing such contract.

* * * * *

(d) A record may be disclosed to a Federal, State, local, foreign, or international agency, or other public authority or professional licensing organization, in connection with the assignment, hiring, or retention of an individual, the issuance or revocation of a security clearance, the reporting of an investigation of an individual, the letting of a contract, or the issuance or revocation of a license, grant, or other benefit by such an entity, to the extent

that the information is relevant and necessary to that entity's decision on the matter. No disclosure will be made under this paragraph unless the Inspector General or his designee determines that the information is sufficiently reliable to support a referral to another office within the Department of Justice or to another Federal, state, or local agency for criminal, civil, administrative, personnel, or regulatory action.

* * * * *

(h) Information permitted to be released to the news media and the public pursuant to 28 CFR 50.2 may be made available, unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

(i) Information may be disclosed to complainants and victims to the extent necessary to provide them with information concerning the progress or results of the investigation or case arising from the matters of which they complained or were the victim.

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RETRIEVABILITY:

Each OIG investigation is assigned a case number and all records relating to a particular investigation are filed and retrieved by that case number. In some instances, records may also be retrievable by the surnames of subjects, witnesses, and/or complainants.

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RETENTION AND DISPOSAL:

Records in this system are retained and disposed of in accordance with the schedule approved by the Archivist of the United States, Job Number NI-60-97-4.

SYSTEM MANAGER(S) AND ADDRESS:

Office of the General Counsel, Office of the Inspector General, Department of Justice, 950 Pennsylvania Avenue, NW, Room 4261, Washington, DC 20530-0001.

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DEPARTMENT OF LABOR

Employment and Training Administration

Investigations Regarding Certifications of Eligibility To Apply for NAFTA Transitional Adjustment Assistance

Petitions for transitional adjustment assistance under the North American Free Trade Agreement-Transitional Adjustment Assistance Implementation Act (Public Law 103-182), hereinafter called (NAFTA-TAA), have been filed with State Governors under Section 250(b)(1) of Subchapter D, Chapter 2, Title II, of the Trade Act of 1974, as amended, are identified in the Appendix to this Notice. Upon notice from a Governor that a NAFTA-TAA petition has been received, the Director of the Division of Trade Adjustment Assistance (DTAA), Employment and Training Administration (ETA), Department of Labor (DOL), announces the filing of the petition and takes action pursuant to paragraphs (c) and (e) of Section 250 of the Trade Act.

The purpose of the Governor's actions and the Labor Department's investigations are to determine whether the workers separated from employment on or after December 8, 1993 (date of enactment of Pub. L. 103-182) are eligible to apply for NAFTA-TAA under Subchapter D of the Trade Act because of increased imports from or the shift in production to Mexico or Canada.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing with the Director of DTAA at the U.S. Department of Labor (DOL) in Washington, DC provided such request if filed in writing with the Director of DTAA not later than June 1, 2000.

Also, interested persons are invited to submit written comments regarding the subject matter of the petitions to the Director of DTAA at the address shown below not later than June 1, 2000.

Petitions filed with the Governors are available for inspection at the Office of the Director, DTAA, ETA, DOL, Room C-4318, 200 Constitution Avenue, NW, Washington, DC 20210.

Signed at Washington, DC this 16th day of May 2000.

Grant D. Beale, Program Manager, Division of Trade Adjustment Assistance