

v. Cantrell, et al., Civil Action No. C-1-97-981 (S.D. Ohio) and *United States v. Ohio Power Co., et al.*, Civil Action No. C-1-98-247 (S.D. Ohio), and DOJ Reference Nos. 90-11-3-1756 and 90-11-3-1756/1.

The proposed consent decree may be examined at: (1) the Office of the United States Attorney for the Southern District of Ohio, 220 U.S. Courthouse, 100 East Fifth Street, Cincinnati, Ohio 45202 (contact Gerald Kaminski (513-684-3711)); and (2) the United States Environmental Protection Agency (Region 5), 77 West Jackson Boulevard, Chicago, Illinois 60604-3590 (contact Mony Chabria (312-886-6842)). A copy of the proposed 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 copies, please refer to the referenced cases and DOJ Reference Numbers, and enclose a check for \$6.50 (26 pages at 25 cents per page reproduction cost), made payable to the Consent Decree Library.

Walker B. Smith,

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

[FR Doc. 00-24082 Filed 9-19-00; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Lodging Consent Decree Under the Safe Drinking Water Act, 42 U.S.C. 300f et. seq.

Notice is hereby given that on August 31, 2000, a proposed Consent Decree ("Decree") in *United States and State of Arizona v. City of Phoenix, Arizona*, CV 001681PHXEHC, was lodged with the United States District Court for the District of Arizona. The United States filed this action pursuant to Section 1414(b) of the Safe Drinking Water Act ("SDWA"), 42 U.S.C. 300g-3(b), seeking injunctive relief and civil penalties for the Defendant's violation of various provisions of the SDWA and of 40 C.F.R. Part 411, the National Primary Drinking Water Regulations. The State of Arizona filed as a co-plaintiff for violations of Arizona statutes and regulations pertaining to drinking water.

The proposed Consent Decree with the City of Phoenix requires Phoenix to pay a civil penalty of \$350,000. The decree also sets out specific compliance measures that the City must implement regarding its public drinking water system. The City will also perform two supplemental environmental projects. The City will develop implementation strategies and implement measures to

address taste and odor problems in drinking water served to customers by the City. The City will spend \$1.26 million on this project. In addition, the City will sample to determine the presence of methyl tertiary butyl ether and ammonium perchlorate in various sources under different environmental conditions. The City will spend \$26,240 on this project.

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 Environmental and Natural Resources Division, Department of Justice, 950 Pennsylvania Avenue, NW., Washington, DC 20530, and should refer to *United States and State of Arizona v. City of Phoenix, Arizona*, and D.J. Ref. #90-5-1-1-4437.

The Decree may be examined at the U.S. EPA Region IX, 75 Hawthorne Street, San Francisco, California, 94015, and at the U.S. Attorney's Office, at United States Courthouse, 230 First Avenue, Phoenix, Arizona 85025. Copies of the decree may be obtained by mail from the Consent Decree Library, Department of Justice, P.O. Box 7611, Washington, DC 20044-7611. In requesting a copy, please enclose a check in the amount of \$7.50 (25 cents per page reproductions cost) payable to the Consent Decree Library.

Walker B. Smith,

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

[FR Doc. 00-24083 Filed 9-19-00; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act

In accordance with Departmental policy, 28 CFR 50.7, 38 FR 19029, and 42 U.S.C. 9622(d), notice is hereby given that on August 30, 2000, a proposed consent decree in *United States versus Burton Shaffer, et al.*, Civil Action No. 95-10023MLW, was lodged with the United States District Court for the District of Massachusetts. The proposed consent decree resolves certain claims under sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9606 and 9607, regarding the release and/or threat of release of hazardous substances at and from the Shaffer Landfill Operable Unit of the Iron Horse Park Superfund

Site in Billerica, Massachusetts. The settlers are owners/operators, generators and transporters involved with the disposal of hazardous substances at the Shaffer Landfill.

Pursuant to the proposed settlement, the performing settling defendants shall reimburse the United States for certain past response costs; pay future oversight costs; construct the Record of Decision for the Shaffer Landfill Operable Unit; implement operation and maintenance for 40 years; and perform certain groundwater monitoring. A group of cashout settling defendants shall collectively pay a total of \$627,234.40 to the United States, the Commonwealth of Massachusetts and the performing settling defendants. The cashout amount is based on the limited financial resources of these parties.

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 of the Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Benjamin Franklin Station, Washington, DC 20044, and should refer to *United States versus Burton Shaffer, et al.*, Civil Action No. 95-10023MLW, D.J. Ref. 90-11-3-90C.

The proposed consent decree may be examined at either of the following locations: (1) the Boston Office of the United States Attorney, District of Massachusetts; or (2) Region I, Office of the Environmental Protection Agency, One Congress Street, Boston, Massachusetts. A copy of the consent decree can be obtained by mail (without attachments) from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044. In requesting a copy of the consent decree (without attachments), please enclose a check in the amount of \$50.00 (25 cents per page reproduction cost) payable to the Consent Decree Library.

Bruce Gelber,

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

[FR Doc. 00-24081 Filed 9-19-00; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act

Notice is hereby given that a consent decree in *United States v. Warehouse 81 Limited Partnership, et al.*, Civil Action

No. 4:00-CV-1549 (M.D. Pa.) was lodged with the court on August 30, 2000.

The proposed decree resolves claims of the United States against Warehouse 81 Limited Partnership and Michael Sabia under sections 106 and 107 of the Comprehensive Environmental Response, Compensation and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9606 and 9607, for response costs and actions at the MW Manufacturing Superfund Site in Valley Township, Montour County, PA. The decree requires the defendants to reimburse the United States \$31,000 in response costs and to implement specified response actions selected by EPA for 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. 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. Warehouse 81 Limited Partnership*, Civil Action No. 4:00-CV-1549 (M.D. Pa.), DOJ Ref. #90-11-3-06793.

The proposed consent decree may be examined and copies at the Office of the United States Attorney, Room 1162, Federal Building, 228 Walnut Street, Harrisburg, PA 17108; or at the Region III Office of the Environmental Protection Agency, c/o Thomas Cinti, Assistant Regional Counsel, 1650 Arch Street, Philadelphia, PA 19103. A copy of the proposed consent decree may be obtained by mail from the Consent Decree Library, P.O. Box No. 7611, Washington, DC 20044. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$9.00 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Walker Smith,

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

[FR Doc. 00-24084 Filed 9-19-00; 8:45 am]

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DEPARTMENT OF JUSTICE

Antitrust Division

United States v. SBC Communications Inc. et al; Proposed Final Judgment and Competitive Impact Statement

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. Section 16(b) through (h), that a proposed Final Judgment has been

filed with the United States District Court for the District of Columbia in *United States of America v. SBVC Communications Inc. et al.*, 1:00CV02073 (PLF). On August 30, 2000, the United States filed a Complaint alleging that the proposed joint venture between SBC Communications and BellSouth Corporation would lessen competition in the markets for wireless mobile telephone services in 16 geographic markets in violation of Section 7 of the Clayton Act, 15 U.S.C. 18. The proposed Final Judgment, filed at the same time as the Complaint, requires defendants to divest one of their two wireless telephone businesses in each market where these businesses overlap geographically. 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 200, 325 Seventh Street, NW., and at the Office of the Clerk of the United States District Court for the District of Columbia.

Public comment is invited within 60 days of the date of this notice. Such comments, and responses thereto, will be published in the **Federal Register** and filed with the Court. Comments should be directed to Donald J. Russell, Chief, Telecommunications Task Force, Antitrust Division, Department of Justice, 1401 H. Street, NW., Room 8000, Washington, DC 20530 (Telephone: (202) 514-5621).

Constance K. Robinson,

Director of Operations and Merger Enforcement.

Stipulation

It is stipulated by and between the undersigned parties, by their respective attorneys, as follows:

(1) The Court has jurisdiction over the subject matter of this action and over each of the parties hereto, and venue of this action is proper in this Court.

(2) The parties stipulate that a Final Judgment in the form hereto attached may be filed and entered by the Court, upon the motion of any party or upon the Court's own motion, at any time after compliance with the requirements of the Antitrust Procedures and Penalties Act, 15 U.S.C. 16, and without further notice to any party or other proceedings, provided that plaintiff has not withdrawn its consent, which it may do at any time before entry of the proposed Final Judgment by serving notice thereof on defendants and by filing that notice with the Court.

(3) Defendants shall abide by and comply with the provisions of the

proposed Final Judgment pending entry of the Final Judgment by the Court, or until expiration of time for all appeals of any Court ruling declining entry of the proposed Final Judgment, and shall, from the date of the signing of this Stipulation, comply with all the terms and provisions of the proposed Final Judgment as through the same were in full force and effect as an order of the Court.

(4) This Stipulation shall apply with equal force and effect to any amended proposed Final Judgment agreed upon in writing by the parties and submitted to the Court.

(5) In the event plaintiff withdraws its consent, Final Judgment pursuant to this Stipulation, the time has expired for all appeals of any Court ruling declining entry of the proposed Final Judgment, and the Court has not otherwise ordered continued compliance with the terms and provisions of the proposed Final Judgment, then the parties are released from all further obligations under this Stipulation, and the making of this Stipulation shall be without prejudice to any party in this or any other proceeding.

(6) Defendants represent that the divestiture ordered in the proposed Final Judgment can and will be made, and that defendants will later raise no claims of hardship or difficulty as grounds for asking the Court to modify any of the divestiture provisions contained therein.

Dated: August 30, 2000.

For Plaintiff United States of America

Joel I. Klein,
Assistant Attorney General.
A. Douglas Melamed,
Principal Deputy Assistant Attorney General.
Constance K. Robinson,
Director of Operations and Merger Enforcement.

Donald J. Russell,
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U.S. Department of Justice, Antitrust Division, 1401 H. Street, N.W., Suite 8000, Washington, D.C. 20530, (202) 514-5621.

Date Signed: August 28, 2000.

For SBC Communications Inc.

Wm. Randolph Smith, D.C. Bar No. 356402,
Crowell & Moring LLP, 1001 Pennsylvania Avenue, N.W., Washington, D.C. 20004, (202) 624-2500.

Date Signed: August 25, 2000.

For BellSouth Corporation

Bernard A. Nigro, Jr., D.C. Bar No. 412357,
Fried, Frank, Harris, Shriver & Jacobson,
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