

check payable to the "U.S. Treasury," in the amount of \$96.75 for the proposed Consent Decree with all attachments, or for \$32.35 for the proposed Consent Decree only, to: Consent Decree Library, U.S. Department of Justice, P.O. Box 7611, Washington, DC 20044-7611. The check should refer to *United States and the State of Illinois v. Alpha Construction Co., et al.*, DJ #90-11-3-1767.

William Brighton,

Assistant Section Chief, Environmental Enforcement Section.

[FR Doc. 02-15234 Filed 6-17-02; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of a Modified Consent Decree Under the Clean Water Act and Toxic Substances Control Act

Notice is hereby given that on April 30, 2002, a proposed Modified Consent Decree and Judgment was lodged in *United States, et al. v. City of Gary, Indiana, et al.*, Civil Action Nos. H 78-29 and H 86-540, in the United States District Court for the Northern District of Indiana (Hammond Division).

Under previous resolutions of these civil actions, including the most recent one in 1992, the United States and certain agencies of the State of Indiana secured relief under the Clean Water Act and the Toxic Substances Control Act to address violations of those laws as they relate the wastewater treatment plant that is owned and/or operated by the Defendants—City of Gary, Indiana, and the Gary Sanitary District (a component of the City government).

While prior settlement of these enforcement actions have secured parts of the compliance and clean up sought by the United States and the State, the federal and state governments concluded that the Defendants needed to make additional efforts to secure compliance with the prior settlement. Negotiations over the appropriate scope and nature of that work resulted in the Modified consent Decree, which is signed by the Defendants, the United States, and the State, and which is now lodged with the District Court.

Like the prior settlement of these actions, the Modified Consent Decree proposed here addresses two major areas: the wastewater treatment plant and the Ralston Street Lagoon, which is located near the treatment plant and contains contaminated sludges and other wastes.

The Modified Consent Decree preserves many substantive provisions of the prior settlement, including

enforcement under the Decree of water pollution discharge limits that apply to the wastewater treatment plant.

The Modified Consent Decree imposes new requirements on the Defendants concerning the Ralston Street Lagoon, including (i) undertaking of a detailed assessment of competing methods for disposing of waste material in that lagoon, and (ii) completing the disposal method selected for the lagoon by the federal government, under criteria supplied by the Modified Consent Decree.

The Modified Consent Decree also requires the City and its Sanitary District to carry out some additional clean up of the contaminated sediment now found in the Grand Calumet River—which is the receiving water for the wastewater treatment plant. The Defendants also must pay a \$150,000 civil penalty under the Decree. Finally, the Office of Special Administrator, created under the prior settlement of this matter as part of encouraging compliance with settlement by the City, remains in place under the Modified Consent Decree.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Modified 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, DC 20044-7611. The comments should refer to *United States, et al. v. City of Gary, Indiana, et al.*, (N.D. Ind.), D.J. Ref. 90-5-1-1-2601B.

The Modified Consent Decree may be examined at the Office of the United States Attorney, Northern District of Indiana, at 5400 Federal Plaza, Suite 1500, Hammond, IN 46320. A copy of the Modified Consent 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, or by faxing a request to Tonia Fleetwood, fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy, please enclose a check in the amount of \$17.00 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Thomas A. Mariani, Jr.,

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

[FR Doc. 02-15324 Filed 6-17-02; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act and the Federal Water Pollution Control Act

Under 42 U.S.C. 9622(d)(2) and 28 CFR 50.7, notice is hereby given that on June 4, 2002, a proposed Consent Decree in *United States et al. v. Mulberry Phosphates, Inc.*, Civil Action No. 8-01-CV-692-T-23TGW, was lodged with the United States District Court for the Middle District of Florida.

In this action the United States sought natural resource damages for injuries to natural resources caused by a 1997 spill of over 50 million gallons of process water into the Alafia River from a phosphoric acid/fertilizer production facility owned by defendant Mulberry Phosphates, Inc. in Mulberry, Florida. The Florida Department of Environmental Protection and the Environmental Protection Commission of Hillsborough County are also parties to the settlement. Under the settlement, plaintiffs will recover: (1) Just over \$3.65 million to plan, implement, and oversee projects to restore oyster reef, estuarine wetlands and riverine habitat in the affected watershed to compensate for the natural resource injuries caused by the spill, and (2) approximately \$1 million to reimburse Federal, State and county agencies for costs each incurred in assessing the environmental damages.

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, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States et al. v. Mulberry Phosphates, Inc.*, D.J. Ref. 90-11-2-1368.

The Consent Decree may be examined at the Federal Court House, Sam M. Gibbons United States Courthouse, 800 N. Florida Avenue, Clerk's Office-Second Floor, Tampa, Florida, 33602. A copy of the Consent 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

\$14.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Ellen Mahan,

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

[FR Doc. 02-15235 Filed 6-17-02; 8:45 am]

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DEPARTMENT OF JUSTICE

[AAG/A Order No. 271-2002]

Privacy Act of 1974; System of Records

Pursuant to the Privacy Act of 1974 (5 U.S.C. 552a), notice is given that the Federal Bureau of Prisons (Bureau) proposes to modify its system of records formerly entitled, "custodial and Security Record System, JUSTICE/BOP-001". The system notice, which was last published on September 28, 1978 (43 FR 44732), is now being modified and will become effective sixty (60) days from the date of publication.

As previously published, the system included investigative and physical security data concerning current and former inmates under the custody of the Attorney General and thereby of the Bureau of Prisons under 18 U.S.C. 4042. The Bureau is expanding this system to include additional categories of investigative data compiled by staff from the Bureau's Office of Intelligence and is deleting those categories of data that are contained in another system of records entitled, "Inmate Central Record System, JUSTICE/BOP-005." Staff in the Bureau's Office of Intelligence, Correctional Program Division, examine and investigate serious incidents and institution disturbances to protect inmates, Bureau staff, and the public. The Bureau has developed a record system to keep track of incidents and disturbances and to aid in investigatory efforts. This system enables Bureau staff to investigate and document prison disturbances, and verify reported incidents to other law enforcement authorities, courts, and administrative bodies when necessary. To reflect the additional data, this system is being re-named the "Prison Security and Intelligence Record System, JUSTICE/BOP-001."

The Bureau has also reorganized and expanded the routine uses, re-designated the system manager, clarified access procedures and updated the sections relating to storage and safeguards to reflect technological advances and new agency practices now in effect. In addition, the Bureau has

updated the statutory authority citations.

Title 5 U.S.C. 552a(e)(4) and (11) provide that the public be provided a thirty (30) day period in which to comment on the routine uses of a new system. The Office of Management and Budget (OMB), which has oversight responsibilities under the Act, requires that it be given a forty (40) day period in which to review the system.

Therefore, please submit any comments by July 18, 2002. The public, OMB and Congress are invited to send written comments to Mary Cahill, Management and Planning Staff, Justice Management Division, Department of Justice, Washington, DC 20530 (1400 National Place Building).

A description of the system is provided below. In addition, the Department of Justice has provided a report on the proposed system to OMB and the Congress, in accordance with the Privacy Act, 5 U.S.C. 552a.

Dated: June 5, 2002.

Robert F. Diegelman,

Acting Assistant Attorney General For Administration.

JUSTICE/BOP-001

SYSTEM NAME:

Prison Security and Intelligence Record System.

SYSTEM LOCATION:

Records may be retained at any of the Bureau's facilities, the Regional Offices and the Central Office. A list of current addresses is contained in 28 CFR part 503 and on the Internet at <http://www.bop.gov>.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former inmates under the custody of the Attorney General and/or the Director of the Bureau of Prisons.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records in this system include: (a) Identification information including name, register number (if an inmate), and fingerprint information; (b) Information concerning escape plots, assaults, and disturbances; (c) Investigate reports; (d) Intelligence information; (e) Confidential Informant information; (f) FBI referral records; (g) Telephone call records.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

This system is established and maintained under the authority of 18 U.S.C. 3621, 4042, and 5003.

PURPOSE OF THE SYSTEM:

The records in this system are maintained to assist the Bureau in

investigating and documenting inmate incidents and prison disturbances for purposes of guarding the safety of other inmates, Bureau staff and the general public. This system assists Bureau staff in gathering and organizing information on serious prison incidents such as escape plots, inmate assaults, major prison disturbances, investigative reports and confidential informant information. This system is necessary to better ensure prison security and better protect inmates, staff and the public.

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

Relevant data from this system may be disclosed as follows:

(a) As permitted in the Privacy Act, 5 U.S.C. 552a(b)(1), to officers and employees of the Department of Justice who have a need for the information in the performance of their duties;

(b) To federal, state, local, tribal, international and foreign law enforcement officials who have a need for the information to perform their duties *e.g.*, in the course of apprehensions, investigations, possible criminal prosecutions, civil court actions, regulatory proceedings, inmate disciplinary hearings, parole hearings, responding to emergencies, or other law enforcement activity; information may also be disclosed to such law enforcement agencies in order to solicit or obtain data needed by prison officials for law enforcement purposes;

(c) To a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of an individual who is the subject of the record;

(d) To the National Archives and Records Administration (NARA) and to the General Services Administration in records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906;

(e) In a proceeding before a court, grand jury, or administrative or regulatory body when the records are determined by the Department of Justice to be arguably relevant to the proceeding;

(f) To a federal, state, or local licensing agency or association which requires information concerning the suitability or eligibility of an individual for a license or permit;

(g) To contractors, grantees, experts, consultants, students, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for the federal government, when necessary to