

DATES: OMB has up to 60 days to approve or disapprove the information collection but may respond after 30 days. Therefore, public comments should be submitted to OMB by June 3, 1999, in order to be assured of consideration.

FOR FURTHER INFORMATION CONTACT: To request a copy of the information collection request, explanatory information and related form, contact John A. Trelease at (202) 208-2783, or electronically to jtreleas@osmre.gov.

SUPPLEMENTARY INFORMATION: The Office of Management and Budget (OMB) regulations at 5 CFR 1320, which implementation provisions of the Paperwork Reduction Act of 1995 (Pub. L. 104-13), require that interested members of the public and affected agencies have an opportunity to comment on information collection and recordkeeping activities (see 5 CFR 1320.8(d)). OSM has submitted a request to OMB to renew approval of the collection of information in 30 CFR Part 774, Revision; renewal; and transfer, assignment, or sale of permit rights. OSM is requesting a 3-year term of approval for this information collection activity.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control number for this collection of information is 1029-0088, and is identified in 30 CFR 774.10.

As required under 5 CFR 1320.8(d), a **Federal Register** notice soliciting comments on these collections of information was published on January 13, 1999 (64 FR 2231). No comments were received. This notice provides the public with an additional 30 days in which to comment on the following information collection activity:

Title: 30 CFR Part 774—Revision; renewal; and transfer, assignment, or sale of permit rights.

OMB Control Number: 1029-0088.

Summary: These regulations and sections 506(d), 511(a)(1) and 511(b) of SMCRA provide that persons seeking permit revisions, permit renewals, or the transfer, sale, or assignment of permit rights for surface coal mining operations must submit relevant information to the regulatory authority to allow the regulatory authority to determine whether the applicant and application meet the requirements for approval.

Frequency of Collection: On occasion.

Decription of Respondents: Coal mine operators and State regulatory authorities.

Total Annual Responses: 5,442.

Total Annual Burden Hours: 100,470.

Send comments on the need for the collection of information for the performance of the functions of the agency; the accuracy of the agency's burden estimates; ways to enhance the quality, utility and clarity of the information collection; and ways to minimize the information collection burden on respondents, such as use of automated means of collection of the information, to the following address. Please refer to OMB control number 1029-0088 in all correspondence.

ADDRESSES: Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Department of Interior Desk Officer, 725 17th Street, NW, Washington, DC 20503. Also, please send a copy of your comments to John A. Trelease, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave, NW, Room 210—SIB, Washington, DC 20240, or electronically to jtreleas@osmre.gov.

Dated: April 27, 1999.

Richard G. Bryson,

Chief, Division of Regulatory Support.

[FR Doc. 99-11124 Filed 5-3-99; 8:45 am]

BILLING CODE 4310-05-M

DEPARTMENT OF JUSTICE

Notice; 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, and section 122 of CERCLA, 42 U.S.C. 9622, notice is hereby given that on April 5, 1999, a proposed *De Minimis* partial Consent Decree in *United States v. American Jetway Corporation, et. al.*, Civil Action No. 98-73295, was lodged with the United States District Court for the Eastern District of Michigan, Southern Division. This consent decree represents a settlement of claims of the United States against American Renovating Company for reimbursement of response costs and injunctive relief in connection with the Metamora Landfill Superfund Site ("Site") pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601 *et seq.*

Under this settlement with the United States, American Renovating Company will pay \$20,078 in reimbursement of response costs incurred by the United States Environmental Protection Agency at 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 of the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. American Jetway Corporation, et. al.*, D.J. Ref. 90-11-3-289/1.

The proposed Consent Decree may be examined at the Office of the United States Attorney, Eastern District of Michigan, Southern Division, 211 West Fort Street, Suite 2300, Detroit, MI 48226, at the Region 5 Office of the Environmental Protection Agency, 77 West Jackson Street, Chicago, Illinois 60604-3590, and at the Consent Decree Library, 1120 G Street, NW, 3rd Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed 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 \$5.25 (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. 99-11072 Filed 5-3-99; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Consent Decree Under The Resource Conservation and Recovery Act and Clean Water Act

Notice is hereby given that a consent decree in *United States and State of Texas v. Encycle/Texas, Inc. and ASARCO, Inc.*, Civil Action No. H-99-1136 (S.D. Tx.) was lodged with the United States District Court for the Southern District of Texas on April 15, 1999.

In this action the United States and State of Texas sought injunctive relief and civil penalties under Section 3008(a) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. 6928(a), and the United States sought injunctive relief and civil penalties under Section 309 (b) and (d) of the Clean Water Act ("CWA"), 33 U.S.C. 1319 (b) and (d). The decree resolves civil penalty and injunctive relief claims of the United States and Texas against Encycle/Texas, Inc. ("Encycle") and ASARCO Inc. ("ASARCO") under RCRA for alleged violations of hazardous waste regulations associated with

materials management practices at Encycle's facility in Corpus Christi, Texas and ASARCO's facilities in: East Helena, Montana; El Paso, Texas; and Amarillo, Texas. The consent decree also resolves civil penalty and injunctive relief claims of the United States against ASARCO under the CWA for alleged unpermitted discharges and permit violations at ASARCO's Tennessee mines.

The decree requires Encycle and ASARCO Inc. to: revise Encycle/Texas, Inc.'s hazardous waste management procedures; perform appropriate RCRA corrective action at Encycle and ASARCO's El Paso facility; develop and use innovative metals recycling technology at Encycle; perform an auto and truck tire recycling project at El Paso; implement an enhanced corporate-wide environmental management and compliance auditing system at ASARCO's operating domestic facilities. The settlement also includes payment of civil penalties for alleged past violations totaling \$5.5 million (\$2 million to be paid to the State of Texas), and performance of the following supplemental environmental projects: a permanent 30 acre environmental conservation area for public use to be maintained by ASARCO in Corpus Christi; an air quality project to reduce particulate pollution in the El Paso area; and, a wetlands restoration project at ASARCO's Coy Mine in Tennessee.

The Department of Justice will accept written comments relating to the proposed consent decree for thirty (30) days from the date of publication of this notice. Please address comments to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044 and refer to *United States and State of Texas v. Encycle, Texas, Inc. and ASARCO Inc.* (S.D. Tx.), DJ Ref. #: 90-7-1-910, 90-7-1-910/1, and 90-7-1-890.

Copies of the proposed consent decree may be examined at the Office of the United States Attorney, 910 Travis Street, Houston, Texas 77002; at the U.S. Environmental Protection Agency, Region VI, 1445 Ross Avenue, Dallas, Texas 75202, and at the Consent Decree Library, 1120 G Street, N.W., 3rd Floor, Washington, D.C. 20005, (202) 624-8892. A copy of the consent decree may also be obtained in person or by mail at the Consent Decree Library, 1120 G Street, N.W., 3rd Floor, Washington, D.C. 20005. When requesting a copy of the decree by mail, please enclose a check in the amount of \$72.25 for a copy including exhibits, or \$31.50 for a copy excluding exhibits (twenty-five

cents per page reproduction costs) payable to the "Consent Decree Library."

Joel M. Gross,

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

[FR Doc. 99-11074 Filed 5-3-99; 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

Notice is hereby given that on March 18, 1999 a proposed consent decree in *United States v. National Wood Preservers, Inc., et al.*, Civil Action No. 96-CV-5269, was lodged with the United States District Court for the Eastern District of Pennsylvania.

In this action, the United States sought recovery of approximately \$7 million in response costs incurred as well as costs to be incurred by the United States in response to the release or threatened release of hazardous substances at the Havertown PCP Superfund Site ("Site"), located in Havertown Township, Delaware County, Pennsylvania. The Consent Decree will resolve the claims against one of the defendants, the Estate of Clifford Rogers, by providing for the sale of the portion of the Site currently owned by the Estate, which is its only remaining asset, and pay to the United States 80% of the proceeds.

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, Washington, DC 20530, and should refer to *United States v. National Wood Preservers, Inc., et al.*, DOJ reference #90-11-3-1680.

The proposed consent decree may be examined at the Office of the United States Attorney, Eastern District of Pennsylvania, 615 Chestnut Street, Suite 1250, Philadelphia, PA 19106; at U.S. EPA Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103-2029; and at the Consent Decree Library, 1120 G Street, NW, 3rd Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed consent decrees 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 \$7.25 (25 cents per page reproduction cost) payable to the Consent Decree Library.

Joel M. Gross,

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

[FR Doc. 99-11073 Filed 5-3-99; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Antitrust Division

United States, State of Illinois, and State of Missouri v. Allied Waste Industries, Inc. and Browning-Ferris Industries, Inc.; Proposed Final Judgment and Competitive Impact Statement

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b)-(h), that a Complaint, Hold Separate Stipulation and Order, and a proposed Final Judgment were filed with the United States District Court for the District of Columbia in *United States, State of Illinois and State of Missouri v. Allied Waste Industries, Inc., and Browning-Ferris Industries, Inc.*, Civil No. 1:99CV 00894 on April 8, 1999. A Competitive Impact Statement was filed on April 21, 1999. The proposed Final Judgment is subject to approval by the Court after the expiration of the statutory 60-day public comment period and compliance with the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b)-(h).

The Complaint alleged that the proposed acquisition by Allied Waste Industries, Inc. ("Allied") of certain small container waste hauling assets from Browning-Ferris Industries, Inc. ("BFI") in the St. Louis market would violate Section 7 of the Clayton Act, 15 U.S.C. 18. The St. Louis market was defined as the City of St. Louis and St. Louis County in Missouri, and the Illinois counties of St. Clair, Madison, and Monroe. The proposed Final Judgment, filed at the same time as the Complaint, required Allied, among other things (1) to divest 12 of BFI's small container waste hauling routes serving the St. Louis market and related assets; (2) to offer less restrictive contracts to small container commercial waste hauling customers, and (3) not to acquire any commercial waste hauling assets in the St. Louis market for five years.

A Competitive Impact Statement filed by the United States describes the Complaint, the proposed Final Judgment, the industry, and the remedies to be implemented by Allied. Copies of the Complaint, Hold Separate