

its consent to the settlement if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper or inadequate.

**DATES:** Comments on the proposed settlement and requests for a public meeting in New Bedford must be submitted on or before November 12, 1999.

**ADDRESSES:** The proposed settlement is available for public inspection at the New Bedford Free Public Library, 613 Pleasant Street, New Bedford, Massachusetts and at the offices of EPA, Region I, One Congress Street, Suite 1100, Boston, Massachusetts 02114-2023. A copy of the proposed settlement may be obtained from Eve S. Vaudo, U.S. Environmental Protection Agency, New England, Region I, One Congress Street, Suite 1100 (SES), Boston, Massachusetts 02114-2023, (617) 918-1089. Comments and requests for a public meeting should be addressed to Marianne Milette, Senior Enforcement Coordinator, U.S. Environmental Protection Agency, New England, Region I, 1 Congress Street, Suite 1100 (SEA), Boston, MA 02114-2023, and should refer to Proposed Administrative Agreement under Section 7003 of the Resource Conservation and Recovery Act; Aerovox Incorporated, New Bedford, Massachusetts; Docket No. RCRA-1-99-0054.

**FOR FURTHER INFORMATION CONTACT:** Eve S. Vaudo, Enforcement Counsel, U.S. Environmental Protection Agency, New England, Region I, 1 Congress Street, Suite 1100 (SES), Boston, MA 02114-2023, (617) 918-1089.

Dated: September 29, 1999.

**John P. DeVillars,**

*Regional Administrator, U.S. EPA, Region I.*  
[FR Doc. 99-26666 Filed 10-12-99; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6456-1; CWA-HQ-99-009]

### Clean Water Act Class II: Proposed Administrative Settlement, Penalty Assessment and Opportunity To Comment Regarding the Bell Atlantic Companies

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** EPA has entered into a consent agreement with the Bell Atlantic Companies ("BAC") to resolve violations of the Clean Water Act ("CWA"), and its implementing

regulations. BAC failed to prepare Spill Prevention Control and Countermeasure ("SPCC") plans for seven facilities where they stored diesel oil in above ground tanks. EPA, as authorized by CWA section 311(b)(6), 33 U.S.C. 1321(b)(6), has assessed a civil penalty for these violations. The Administrator, as required by CWA section 311(b)(6)(C), 33 U.S.C. 1321(b)(6)(C), is hereby providing public notice of, and an opportunity for interested persons to comment on, this consent agreement and proposed final order.

**DATES:** Comments are due on or before November 12, 1999.

**ADDRESSES:** Mail written comments to the Enforcement & Compliance Docket and Information Center (2201A), Docket Number EC-1999-011, Office of Enforcement and Compliance Assurance, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460. (Comments may be submitted on disk in WordPerfect 8.0 or earlier versions.) Written comments may be delivered in person to: Enforcement and Compliance Docket Information Center, U.S. Environmental Protection Agency, Rm. 4033, Ariel Rios Bldg., 1200 Pennsylvania Avenue, NW, Washington, DC. Submit comments electronically to [doCKET.oeca@epa.gov](mailto:doCKET.oeca@epa.gov). Electronic comments may be filed online at many Federal Depository Libraries.

The consent agreement, the proposed final order, and public comments, if any, may be reviewed at the Enforcement and Compliance Docket Information Center, U.S. Environmental Protection Agency, Rm. 4033, Ariel Rios Bldg., 1200 Pennsylvania Avenue, NW, Washington, DC. Persons interested in reviewing these materials must make arrangements in advance by calling the docket clerk at 202-564-2614. A reasonable fee may be charged by EPA for copying docket materials.

**FOR FURTHER INFORMATION CONTACT:** Davis Jones, Multimedia Enforcement Division (2248-A), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460; telephone (202) 564-2235; fax: (202) 564-0010; e-mail: [jones.davis@epa.gov](mailto:jones.davis@epa.gov).

**SUPPLEMENTARY INFORMATION:** *Electronic Copies:* Electronic copies of this document are available from the EPA Home Page under the link "Laws and Regulations" at the Federal Register—Environmental Documents entry (<http://www.epa.gov/fedrgstr>).

### I. Background

The following Bell Atlantic Companies failed to prepare SPCC plans: Bell Atlantic-Pennsylvania, Inc.,

a telecommunications company incorporated in the State of Pennsylvania and located at 1717 Arch Street, Philadelphia, PA 19103; Telesector Resources Group, Inc., a telecommunications company incorporated in the State of Delaware and located at 1095 Avenue of the Americas, New York, NY 10036; Bell Atlantic Yellow Pages Company, a company incorporated in the State of Delaware and located at 35 Village Road, Middleton, MA 01949; and Bell Atlantic Global Networks, Inc. and BA Video Services Company both telecommunications companies incorporated in the State of Delaware and located at 1320 N. Court House Road, Arlington, VA 22201. The Bell Atlantic Companies disclosed, pursuant to the EPA "Incentives for Self-Policing: Discovery, Disclosures, Correction and Prevention of Violations" ("Audit Policy"), 60 FR 66706 (December 22, 1995), that they failed to prepare SPCC plans for seven facilities where they stored diesel oil in above ground storage tanks, in violation of the CWA section 311(b)(3) and 40 CFR Part 112. EPA determined that the BAC met the criteria set out in the Audit Policy for a 100% waiver of the gravity component of the penalty. As a result, EPA waived the gravity based penalty (\$17,850) and proposed a settlement penalty amount four thousand, eight hundred and eighty-two dollars (\$4,882). This is the amount of the economic benefit gained by the BAC, attributable to their delayed compliance with the SPCC regulations. The Bell Atlantic Companies have agreed to pay this amount in civil penalties. EPA and BAC negotiated and signed an administrative consent agreement, following the Consolidated Rules of Procedure, 40 CFR 22.13, on October 6, 1999 (*In Re: The Bell Atlantic Companies*, Docket No. CWA-HQ-99-009). This consent agreement is subject to public notice and comment under CWA section 311(b)(6), 33 U.S.C. 1321(b)(6).

Under CWA section 311(b)(6)(A), 33 U.S.C. 1321 (b)(6)(A), any owner, operator, or person in charge of a vessel, onshore facility, or offshore facility from which oil is discharged in violation of the CWA section 311 (b)(3), 33 U.S.C. 1321 (b)(3), or who fails or refuses to comply with any regulations that have been issued under CWA section 311 (j), 33 U.S.C. 1321(j), may be assessed an administrative civil penalty of up to \$137,500 by EPA. Class II proceedings under CWA section 311(b)(6) are conducted in accordance with 40 CFR Part 22.

The procedures by which the public may comment on a proposed Class II

penalty order, or participate in a Clean Water Act Class II penalty proceeding, are set forth in 40 CFR 22.45. The deadline for submitting public comment on this proposed final order is November 12, 1999. All comments will be transferred to the Environmental Appeals Board ("EAB") of EPA for consideration. The powers and duties of the EAB are outlined in 40 CFR 22.04(a).

Pursuant to CWA section 311(b)(6)(C), EPA will not issue an order in this proceeding prior to the close of the public comment period.

#### List of Subjects

Environmental protection.

Dated: October 6, 1999.

**Melissa P. Marshall,**

*Director, Multimedia Enforcement Division,  
Office of Enforcement and Compliance  
Assurance.*

[FR Doc. 99-26660 Filed 10-12-99; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

[FRL-6456-2; CWA-HQ-99-005]

#### Clean Water Act Class II: Proposed Administrative Settlement, Penalty Assessment and Opportunity To Comment Regarding MCI WORLDCOM, Inc.

**AGENCY:** Environmental Protection  
Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** EPA has entered into a consent agreement with MCI WORLDCOM, Inc. ("MCI WorldCom") to resolve violations of the Clean Water Act ("CWA"), and its implementing regulations. MCI WorldCom failed to prepare Spill Prevention Control and Countermeasure ("SPCC") plans for forty-three facilities where it stored diesel oil in above ground tanks and three facilities where it stored diesel oil in underground tanks. EPA, as authorized by CWA section 311(b)(6), 33 U.S.C. 1321(b)(6), has assessed a civil penalty for these violations. The Administrator, as required by CWA section 311(b)(6)(C), 33 U.S.C. 1321(b)(6)(C), is hereby providing public notice of, and an opportunity for interested persons to comment on, this consent agreement and proposed final order.

**DATES:** Comments are due on or before November 12, 1999.

**ADDRESSES:** Mail written comments to the Enforcement & Compliance Docket and Information Center (2201A), Docket Number EC-1999-012, Office of

Enforcement and Compliance Assurance, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460. (Comments may be submitted on disk in WordPerfect 8.0 or earlier versions.) Written comments may be delivered in person to: Enforcement and Compliance Docket Information Center, U.S. Environmental Protection Agency, Rm. 4033, Ariel Rios Bldg., 1200 Pennsylvania Avenue, NW., Washington, DC. Submit comments electronically to [doCKET.oeca@epa.gov](mailto:doCKET.oeca@epa.gov). Electronic comments may be filed online at many Federal Depository Libraries.

The consent agreement, the proposed final order, and public comments, if any, may be reviewed at the Enforcement and Compliance Docket Information Center, U.S. Environmental Protection Agency, Rm. 4033, Ariel Rios Bldg., 1200 Pennsylvania Avenue, NW., Washington, DC. Persons interested in reviewing these materials must make arrangements in advance by calling the docket clerk at 202-564-2614. A reasonable fee may be charged by EPA for copying docket materials.

#### FOR FURTHER INFORMATION CONTACT:

Philip Milton, Multimedia Enforcement Division (2248-A), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460; telephone (202) 564-2235; fax: (202) 564-0010; e-mail: [milton.philip@epa.gov](mailto:milton.philip@epa.gov).

**SUPPLEMENTARY INFORMATION:** *Electronic Copies:* Electronic copies of this document are available from the EPA Home Page under the link "Laws and Regulations" at the **Federal Register**—Environmental Documents entry (<http://www.epa.gov/fedrgstr>).

#### I. Background

Respondent's corporate offices are located at 500 Clinton Center Drive, Clinton, Mississippi 39056. In June 1998, EPA began investigating Respondent. As a result of the investigation, Respondent provided information indicating that they had failed to prepare SPCC plans for forty-three facilities where it stored diesel oil in above ground storage tanks and three underground storage tanks, in violation of the CWA section 311(b)(3) and 40 CFR Part 112. As a result, EPA proposed a settlement penalty amount of \$137,500 dollars. This is the maximum administrative penalty allowable by law. MCI WorldCom has agreed to pay this amount in civil penalties. EPA and MCI WorldCom negotiated and signed an administrative consent agreement, following the Consolidated Rules of Procedure, 40 CFR 22.13, on September 30, 1999 (*In Re: MCI WORLDCOM, Inc.*,

Docket No. CWA-HQ-99-005). This consent agreement is subject to public notice and comment under CWA section 311(b)(6), 33 U.S.C. 1321(b)(6).

Under CWA section 311(b)(6)(A), 33 U.S.C. 1321 (b)(6)(A), any owner, operator, or person in charge of a vessel, onshore facility, or offshore facility from which oil is discharged in violation of the CWA section 311 (b)(3), 33 U.S.C. 1321 (b)(3), or who fails or refuses to comply with any regulations that have been issued under CWA section 311 (j), 33 U.S.C. 1321(j), may be assessed an administrative civil penalty of up to \$137,500 by EPA. Class II proceedings under CWA section 311(b)(6) are conducted in accordance with 40 CFR Part 22.

The procedures by which the public may comment on a proposed Class II penalty order, or participate in a Clean Water Act Class II penalty proceeding, are set forth in 40 CFR 22.45. The deadline for submitting public comment on this proposed final order is November 12, 1999. All comments will be transferred to the Environmental Appeals Board ("EAB") of EPA for consideration. The powers and duties of the EAB are outlined in 40 CFR 22.04(a).

Pursuant to CWA section 311(b)(6)(C), EPA will not issue an order in this proceeding prior to the close of the public comment period.

#### List of Subjects

Environmental protection.

Dated: September 30, 1999.

**Melissa P. Marshall,**

*Director, Multimedia Enforcement Division,  
Office of Enforcement and Compliance  
Assurance.*

[FR Doc. 99-26661 Filed 10-12-99; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

[FRL-6455-3]

#### Proposed Administrative Penalty Assessment and Opportunity To Comment

**AGENCY:** Environmental Protection  
Agency ("EPA").

**ACTION:** Notice of proposed assessment of Clean Water Act Class II administrative penalty and opportunity to comment.

**SUMMARY:** EPA is providing notice of a proposed administrative penalty assessment for alleged violations of the Clean Water Act ("Act"). EPA is also providing notice of opportunity to comment on the proposed assessment.