

countries, Denmark, Ireland, and the United Kingdom, Article 27 of the DPPA excludes them from coverage unless the European Commission notifies the United States that Denmark, Ireland, or the United Kingdom has decided that the DPPA applies to its State. The EU has notified the United States that Ireland has agreed that the DPPA applies to it, and Ireland has been designated as a “covered country” above. With respect to Denmark and the United Kingdom, the Department of Justice intends to move promptly to designate each of those countries as a “covered country” on receiving notice, in accordance with the provisions of Article 27 of the DPPA, that the country has decided that the DPPA applies to it.

#### **Determinations and Designations Pursuant to Section 2(e)(1)**

For purposes of implementing section 2(e) of the Judicial Redress Act:

(1) The Attorney General has determined that information exchanged by the Federal agencies or components listed below with the above-designated countries and regional economic integration organization is within the scope of the DPPA;

(2) The Attorney General has obtained the concurrence of the head of the relevant agency, or of the head of the agency to which the component belongs, as needed, for the following “designated Federal agency or component” designations:

(a) *Designation of Federal agencies as a “designated Federal agency or component.”* The following Federal agencies, and all of their respective components, have each been designated as a “designated Federal agency or component,” effective on February 1, 2017, the date of the DPPA’s entry into force:

1. United States Department of Justice;
2. United States Department of Homeland Security;
3. United States Securities and Exchange Commission; and
4. United States Commodity Futures Trading Commission.

(b) *Designation of individual components of Federal agencies as a “designated Federal agency or component.”* The following components of a Federal agency have each been designated as a “designated Federal agency or component,” effective on February 1, 2017, the date of the DPPA’s entry into force:

1. Bureau of Diplomatic Security, United States Department of State;
2. Office of the Inspector General, United States Department of State;

3. Alcohol and Tobacco Tax and Trade Bureau, United States Department of the Treasury;

4. Financial Crimes Enforcement Network, Department of the Treasury;

5. Internal Revenue Service, Division of Criminal Investigation, Department of the Treasury;

6. Office of Foreign Assets Control, United States Department of the Treasury;

7. Office of the Inspector General, United States Department of the Treasury;

8. Office of the Treasury Inspector General for Tax Administration, United States Department of the Treasury; and

9. Special Inspector General for the Troubled Asset Relief Program, United States Department of the Treasury.

#### **Scope of EU Designation**

Designation of the European Union as a “covered country” is intended to ensure that records transferred by European Union institutional components, such as Europol, Eurojust, and OLAF (the European Antifraud Office), are treated as “covered records” pursuant to section 2(h)(4) of the Judicial Redress Act. Designation of the European Union as a “covered country” is not intended to, and does not, constitute designation of its member states as covered countries.

#### **Non-Retroactivity**

It is intended that no cause of action shall be afforded by the Judicial Redress Act retroactively with respect to any record transferred prior to the date of the DPPA’s entry into force on February 1, 2017.

#### **Non-Reviewable Determination**

In accordance with section 2(f) of the Judicial Redress Act, the determinations by the Attorney General described in this notice shall not be subject to judicial or administrative review.

Dated: January 17, 2017.

**Loretta E. Lynch,**

*Attorney General.*

[FR Doc. 2017-01381 Filed 1-19-17; 8:45 am]

**BILLING CODE 4410-14-P**

## **DEPARTMENT OF JUSTICE**

### **Notice of Lodging of Proposed Consent Decree Under the Clean Water Act**

On January 13, 2017, the Department of Justice lodged a Consent Decree with the United States District Court for the District of Columbia to resolve a claim under Section 309(b) and (d) of the Clean Water Act, 33 U.S.C. 1319(b) and

(d) filed against Potomac Electric Power Company (Pepco) in *United States et al. v. Pepco*, Civil Action No. 1:15-cv-01845, in which the United States alleged violations of the effluent limitations for metals and total suspended solids in Pepco’s National Pollutant Discharge Elimination System (“NPDES”) permit for Pepco’s Benning Street facility. The proposed consent decree obligates Pepco to put into place best management practices to address its stormwater discharges, including stormwater control devices to be inserted into drains and inlets; regular inspections and housekeeping; maintenance; training, and similar measures. Pepco also will design and install in-pipe treatment systems in targeted areas, to be put into place no later than December 31, 2017. Under the consent decree, Pepco also will pay a civil penalty of \$1.6 million, and design and perform a mitigation project to eliminate discharges from Outfall 101. If Pepco fails to implement the mitigation project, it must pay a stipulated penalty of \$500,000.

The publication of this notice opens a period for public comment on the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States et al. v. Pepco*, Civil Action No. 1:15-cv-01845, DOJ number 90-5-1-1-11336. All comments must be submitted no later than 30 days after the publication date of this notice. Comments may be submitted either by email or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By email .....	pubcomment-ees.enrd@usdoj.gov.
By mail .....	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, D.C. 20044-7611.

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department Web site: <https://www.justice.gov/enrd/consent-decrees>. We will provide a paper copy of the Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Please enclose a check or money order for \$ 16.00 (25 cents per page reproduction cost) payable to the United States Treasury. For a paper copy

without the exhibits and signature pages, the cost is \$15.00.

**Robert Brook,**

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

[FR Doc. 2017-01255 Filed 1-19-17; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

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

On January 17, 2017, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Eastern District of Wisconsin in the lawsuit entitled *United States and the State of Wisconsin v. NCR Corp., et al.*, Civil Action No. 10-cv-910.

In 2010, the United States and the State of Wisconsin filed this action under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9601 *et seq.* ("CERCLA"). The United States and the State brought claims against NCR Corporation ("NCR"), Appvion, Inc. ("Appvion"), and other defendants for recovery of response costs and natural resource damages, as well as enforcement of an administrative cleanup order issued by the U.S. Environmental Protection Agency ("EPA"), concerning polychlorinated biphenyl contamination in sediment at the Lower Fox River and Green Bay Superfund Site in northeastern Wisconsin (the "Site"). Most of the original defendants entered into earlier, court-approved settlements with the United States and the State.

The proposed Consent Decree with two remaining defendants—NCR and Appvion—would require NCR to continue and complete the ongoing sediment remediation work at the Site, which is currently being performed under EPA's cleanup order. The settlement requires NCR to finish most of that work by the end of 2018, including the dredging and off-Site disposal of contaminated sediment located in the last few miles of the Lower Fox River and Green Bay. In return, the United States and the State agree not to continue pursuing their claims for the Site against NCR and Appvion under sections 106 and 107 of CERCLA. Under EPA's cleanup order and prior court orders in the litigation, other defendants will have primary responsibility for long-term monitoring

and maintenance of specially-engineered sediment containment caps installed in some portions of the river. The United States and the State also will continue their pursuit of cost recovery claims against one non-settling defendant, P.H. Glatfelter Company.

The publication of this notice opens a period for public comment on the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States and the State of Wisconsin v. NCR Corp., et al.*, D.J. Ref. No. 90-11-2-1045/3. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By email .....	<a href="mailto:pubcomment-ees.enrd@usdoj.gov">pubcomment-ees.enrd@usdoj.gov</a> .
By mail .....	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department Web site: <https://www.justice.gov/enrd/consent-decrees>. We will provide a paper copy of the Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Please enclose a check or money order for \$17.50 (25 cents per page reproduction cost) payable to the United States Treasury.

**Randall M. Stone,**

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

[FR Doc. 2017-01416 Filed 1-19-17; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Consent Decree Under the Safe Drinking Water Act

On January 13, 2017, the Department of Justice filed a complaint and lodged a proposed Consent Decree with the United States District Court for the District of Kansas in the lawsuit entitled *United States v. The City of Pretty Prairie, Kansas*, Civil Action No. 17-cv-01014.

In this action under 42 U.S.C. 300f *et seq.* of the Safe Drinking Water Act ("SDWA") and the regulations promulgated thereunder at 40 CFR part 141, the United States sought civil penalties for violations of the Maximum Contaminant Level for nitrate of 10 milligrams per Liter. The proposed Decree requires Defendants to perform injunctive relief and pay to the United States civil penalties of \$1,500.00 within thirty (30) days of the entry of the Decree.

The publication of this notice opens a period for public comment on the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. The City of Pretty Prairie, Kansas*, D.J. Ref. No. 90-5-1-1-11526. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By email .....	<a href="mailto:pubcomment-ees.enrd@usdoj.gov">pubcomment-ees.enrd@usdoj.gov</a> .
By mail .....	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). We will provide a paper copy of the Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Please enclose a check or money order for \$11.75 (25 cents per page reproduction cost) payable to the United States Treasury.

**Susan Akers,**

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

[FR Doc. 2017-01427 Filed 1-19-17; 8:45 am]

**BILLING CODE 4410-15-P**