

available for public review at the Salmon BLM Office on Highway 93 South in Salmon, Idaho during regular business hours (7:30 a.m. to 4:15 p.m.), Monday through Friday, except holidays. Individual respondents may request confidentiality. If you wish to withhold your name or street address from public review or disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment or protest. Such request will be honored to the extent allowed by law. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

Dated: December 4, 1998.

Fritz U. Rennebaum,
District Manager.

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DEPARTMENT OF THE INTERIOR

National Park Service

Alcatraz Island Historic Structure Preservation-Construction Program; Golden Gate National Recreation Area, San Francisco County; Notice of Intent To Prepare an Environmental Impact Statement

SUMMARY: In accord with § 102(2)(C) of the National Environmental Policy Act, Golden Gate National Recreation Area is undertaking a conservation planning and impact analysis process to identify alternatives for (and assess potential impacts of) construction activities necessary to rehabilitate and preserve structures and sites which contribute to the island's National Historic Landmark status. Enhancing visitor and employee safety is also an objective. Notice is hereby given that the National Park Service will prepare an Environmental Impact Statement (EIS) to aid planning for and implementation of this program.

Background

Alcatraz Island is within the boundary of Golden Gate National Recreation Area, a unit of the National Park System comprised of coastal lands in Marin, San Francisco, and San Mateo counties, California. Alcatraz Island, prominently located in San Francisco Bay, is a National Historic Landmark and an important breeding site for several waterbird species and western gulls in San Francisco Bay. Facilities and recreational opportunities on

Alcatraz Island attract more than 1.4 million visitors annually.

Recent management and use of Alcatraz Island has been guided by a Development Concept Plan (DCP) which was completed in 1993. An Environmental Assessment (EA) was prepared to evaluate foreseeable effects of carrying out the DCP (among other considerations, potential impacts to historic resources, biological resources, human health and safety, and park visitation were addressed). A Finding of No Significant Impact was approved on August 3, 1993 by the Acting Regional Director, Western Region. Prescribed mitigations to safeguard breeding bird populations included timing and location restrictions for proposed construction activities foreseen at that time.

Although originally many elements of construction addressed in the DCP fit within the seasonal restrictions that were identified, several historic rehabilitation and related projects have recently been deemed necessary. These may require construction schedules which would extend beyond the seasonal restrictions. Also, the breeding and nesting seasons for Alcatraz avifauna have been found to fluctuate, sometimes extending as much as 2 months beyond previously known periods. Moreover, visitation has increased, and has the potential for further growth. The constrained construction periods, recently identified rehabilitation needs, possibility of undocumented archeological resources and artifacts, new information about avifaunal activity, and other factors necessitate undertaking a new conservation planning and impact analysis effort.

Alternatives Identified to Date

Proposed construction that would be outside the scope of the existing DCP will be detailed and evaluated. At this time it is anticipated that the impact analysis would focus primarily on the effects of proposed construction activities on the island's breeding bird populations. The construction required to rehabilitate National Landmark contributing structures and features is envisioned to be phased over a 3-5 year period. To date, 12 projects are foreseen that could necessitate some degree of activity outside the currently prescribed seasonal restrictions—these include rehabilitation of the cellhouse, water tower and guard tower from the federal prison era, two civil war era structures, and the dock. Installation of photovoltaic electrical panels on the roof of a prison era building, stabilization of a failing slope, and

reconstruction of a former greenhouse are also proposed.

In addition to the above construction needs, other alternatives currently envisioned include: no action; and adherence to existing mitigations and seasonal restrictions.

Scoping/Decision Process

The existing DCP/EA provides a useful baseline which must be corroborated or updated. The NPS encourages local and regional agencies, park partners, visitors, and other interested parties to assist in this effort. Anyone wishing to be incorporated on a mailing list may respond to: Alcatraz Preservation Construction Program EIS; Attn: Olivia Shinomoto; Golden Gate National Recreation Area; Building 201 Fort Mason; San Francisco, CA 94123.

As already highlighted in local and regional news media, a public scoping meeting will be held at park headquarters (Building 201 Fort Mason) on December 11 at 8:00 am; also on that date an information open house meeting will be held at the same location from 3-6 pm. For details about these meetings, contact Olivia Shinomoto at (415) 561-4821. Written comments conveying information or sharing issues and concerns are welcomed; these should be addressed to the Superintendent (address as above) and must be postmarked no later than January 9, 1999.

Availability of the Draft EIS (DEIS) for review and written comment will be announced by **Federal Register** notice, as well as via local and regional news media and direct mailing. At this time the DEIS is anticipated to be available for public review during winter 1999. In addition to written responses, a formal comment opportunity will be provided via public hearing held under the auspices of the GGNRA Advisory Commission (full details will be available after January 9, 1999 and may be obtained from the project contact noted above). If the focus of the EIS is substantiated through the public involvement and agency consultation process, then it is anticipated that a Final EIS (FEIS) could be released during summer 1999. Subsequently, Notice of any Record of Decision would be published in the **Federal Register** no sooner than thirty (30) days after the FEIS is distributed. The official responsible for the final decision is the Regional Director, Pacific West Region, National Park Service.

Dated: December 3, 1998.

James R. Shevock,

Acting Regional Director, Pacific West.

[FR Doc. 98-32756 Filed 12-9-98; 8:45 am]

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DEPARTMENT OF JUSTICE

Lodging of Consent Decree Pursuant to the Clean Air Act

Notice is hereby given that a proposed consent decree in *United States v. AES/Ntron, Inc.*, Civil Action No. 98-1983, was lodged on November 20, 1998 with the United States District Court for the Eastern District of Pennsylvania. The United States filed this action pursuant to the Clean Water Act to obtain penalties and injunctive relief for AES/Ntron, Inc.'s violations of the National Recycling and Emissions Reduction Program contained in 42 U.S.C. 671g and 40 CFR part 82, Subpart F, and the requirements to provide information to the U.S. Environmental Agency in accordance with 42 U.S.C. 7614.

The Consent Decree requires AES-Ntron, Inc. to pay \$80,000 in civil penalties for its violations. In addition, the Consent Decree requires AES-Ntron, Inc. to notify customers that the machines it sold were not certified as required by federal regulations and to test certain machines to determine whether they meet regulatory standards.

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, D.C. 20530, and should refer to *United States v. AES/Ntron, Inc.*, DOJ Ref. #90-5-2-1-2091.

The proposed consent decree may be examined at the office of the United States Attorney, 615 Chestnut Street, Twelfth Floor, Philadelphia, Pennsylvania 19106; the Region III Office of the Environmental Protection Agency, 1650 Arch Street, Philadelphia, Pennsylvania 19103; and at the Consent Decree Library, 1120 G Street, N.W., 3rd Floor, Washington, D.C. 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, N.W., 3rd Floor, Washington, D.C. 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$4.75 (25 cents per page

reproduction costs) for each decree, payable to the Consent Decree Library.

Joel M. Gross,

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

[FR Doc. 98-32858 Filed 12-9-98; 8:45 am]

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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 proposed consent decree in *United States v. ARCO*, Civil Action No. 89-039-BU-PGH (D. Mont.) and *Montana v. ARCO*, Civil Action No. 83-317-HLN-PGH (D. Mont.), was lodged on November 16, 1998 with the United States District Court for the District of Montana. The United States filed its action pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act to recover costs incurred and to be incurred in cleaning up three Superfund Sites in southwestern Montana. The State of Montana filed its action pursuant to CERCLA and State law to recover natural resource damages arising from the injury or destruction of natural resources within the same area. The Confederated Salish and Kootenai Tribes of the Flathead Reservation intervened in *Montana v. ARCO*, asserting claims for the recovery of natural resource damages as well.

The Consent Decree provides for the following: (1) ARCO's payment of \$80 million toward the ongoing remediation of one operable unit ("the SST OU"), which represents 100% of the total projected costs of that work, with provisions for the payment of cost overruns by ARCO, the State of Montana, and EPA; (2) ARCO's payment of \$3.9 million towards the United States' \$14.7 million in past costs related to the SST OU; (3) ARCO's payment of a \$1.8 million civil penalty for its failure or refusal to comply with the Administrative Order requiring it to perform the remedy at the SST OU; (4) payment of \$2 million to the Superfund to settle ARCO's counterclaims against the United States related to the SST OU; (5) ARCO's commitment to a schedule to settle the rest of the United States' cost recovery claims for the three Sites, together with an "earnest money" deposit of \$15 million towards past cost if settlement is not reached on the remainder of the case; (6) ARCO's payment of \$1.7 million in cash and ARCO's creation of 400 acres of replacement wetlands in settlement of

the U.S. Fish and Wildlife Service's claims for natural resource damages (work valued at approximately \$3.3 million); (7) the creation of an additional 1,200 acres of wetlands by the State of Montana and the Confederated Salish and Kootenai Tribes of the Flathead Reservation to further compensate the U.S. Fish and Wildlife Service; (8) commitments by the State and the Tribes to perform restoration work related to the creation of bull trout habitat within the Clark Fork River Basin; and (9) ARCO's payment of \$18.3 million to the Tribes in compensation for their natural resource damages claims. The proposed Consent Decree also provides that the United States covenants not to sue or take administrative action against ARCO, its officers, directors and employees to the extent such officers', directors', and employees' liability arises solely from their status as officers, directors, or employees, pursuant to Sections 106, 107(a) of CERCLA, 42 U.S.C. 9606, 9607(a) and Section 7003 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. 6973 at the SST OU, except as specifically provided in the consent decree. This settlement is contingent upon entry of a State Consent Decree that was lodged on June 19, 1998 and settles the claims of the State of Montana for natural resource damages at certain locations within the Basin. The State Consent Decree provides for the recovery of \$133 million in cash and \$2 million in land. Together, therefore, the two settlements result in recovery of at least \$100.9 million in response costs and \$158.2 million in natural resource damages.

The Department of Justice will provide a RCRA public meeting in the affected area if requested and will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed consent decree. Comments and/or a request for a RCRA public meeting 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. ARCO*, DOJ Ref. #90-11-2-430.

The proposed consent decree may be examined at the office of the United States Attorney, Western Federal Savings and Loan Building, 2929 3rd Avenue, North, Suite 400, Billings, Montana 59101, the Montana Field Office, Environmental Protection Agency, Federal Building 301 South Park, Drawer 10096 Helena, MT 59626-0096, and at the Consent Decree Library, 1120 G Street, NW., 3rd Floor, Washington, DC 20005, (202) 624-0892.