

withdraw its objection to EPA's claim, and EPA will receive \$70,000 for its claim.

The United States entered into the Settlement Agreement in connection with a Prospective Purchaser Agreement between EPA and Way Conn Properties, Inc. ("Way Conn"), an LSA affiliate. The Prospective Purchaser Agreement provides that Way Conn will remove all remaining contaminated soil from the property and pay EPA \$200,000 subject to a \$50,000 credit for every dollar Way Conn expends above \$50,000 in soil removal and disposal for a maximum credit of \$50,000. The 2.5 acre parcel of property subject to the Prospective Purchaser Agreement is the primary asset of the bankruptcy estate, and is located at the head of the Hylabos Waterway in the Commencement Bay/ Near Shore Tidelands Superfund Site in Tacoma, Washington.

The Department of Justice will receive, for a period of fifteen (15) days from the date of this publication, comments relating to the proposed Settlement Agreement. 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 *In re Goodell*, DOJ Ref. #90-11-2-1125.

The proposed Settlement Agreement may be examined at the office of the United States Attorney, 800 Fifth Avenue, Seattle, Washington, 98104; the Region 10 Office of the Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington, 98105; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the proposed settlement Agreement may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$2.25 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel Gross,

Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.
[FR Doc. 96-26610 Filed 10-16-96; 8:45 am]

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Notice of Lodging of Partial Consent Decree Pursuant to the Safe Drinking Water Act

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed Partial Consent Decree in *United States v. Perry Phillips, et al.*, Civil Action No. 95-5578 (E.D.

Pa.), was lodged on September 27, 1996 with the United States District Court for the Eastern District of Pennsylvania. The proposed Partial Consent Decree resolves injunctive relief claims of the United States and the Commonwealth of Pennsylvania under the Safe Drinking Water Act ("Act") in a Complaint filed September 6, 1995 against Perry Phillips and Jeanne Phillips doing business as the Perry Phillips Mobile Home Park, which owns and operates a water system for approximately sixty residents of the Perry Phillips Mobile Home Park near Coatesville, Pennsylvania. The Complaint alleged violations of the maximum contaminant levels set forth in regulations implementing the Act for several volatile organic compounds detected in the water system for the mobile home park.

The proposed Partial Consent Decree requires Perry and Jeanne Phillips to construct a groundwater remediation system, to sample for volatile organic compounds on a monthly basis, and to notify EPA, the Pennsylvania Department of Environmental Protection ("PADEP") and the residents of the park of any violations of the Act or implementing regulations. The Partial Consent Decree reserves the rights of the United States and PADEP to seek a civil penalty at a later time.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed Partial Consent Decree. Comments 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. Perry Phillips, et al.*, DOJ Ref. 90-5-1-1-4151.

The proposed Partial 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; the Region III Office of the Environmental Protection Agency, 941 Chestnut Street, Philadelphia, PA 19107; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, DC 20005, 202-624-0892. A copy of the proposed Partial Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, DC 20005. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$9.25 (25 cents per page

reproduction costs), payable to the Consent Decree Library.

Joel M. Gross,

Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.
[FR Doc. 96-26616 Filed 10-16-96; 8:45 am]

BILLING CODE 4410-01-M

Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act

Notice is hereby given that on September 27, 1996 a proposed First Amended Consent Decree in *United States and State of California v. Shell Oil Company, Inc., et al.*, Case No. CV 91-0589 RJK(Ex) was lodged with the United States District Court for the Central District of California. This First Amended Consent Decree represents a settlement of claims against McAuley LCX Corporation ("McAuley") for costs incurred in connection with the McColl Superfund Site ("Site") in Fullerton, California under Section 107 of CERCLA, 42 U.S.C. § 9607.

Under this settlement between the United States and the State of California ("Plaintiffs") and McAuley, McAuley will pay the United States Environmental Protection Agency ("EPA") \$184,000 for past United States response costs. The First Amended Consent Decree also requires McAuley to pay the State of California \$66,000 for past State response costs.

A Consent Decree resolving claims against McAuley was previously lodged with the Court on December 1, 1995. However, subsequent to the lodging of that Consent Decree, EPA issued a Record of Decision ("ROD") regarding the groundwater remedy at the Site. As a result, the earlier Consent Decree has been amended to ensure that McAuley does not take actions that would adversely affect the implementation of this remedial action. Additionally, the First Amended Consent Decree more specifically describes the matters addressed in the Covenant Not to Sue. This First Amended Consent Decree is similar in all other material respects to the Consent Decree lodged on December 1, 1995.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed First Amended Consent Decree. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States and State*

of California v. Shell Oil Company, Inc., et al., D.J. Ref. 90-11-2-3A.

The proposed First Amended Consent Decree may be examined at the Office of the United States Attorney, Central District of California, Room 7516, Federal Building, 300 North Los Angeles Street, Los Angeles, California 90012 and at Region IX, Office of the Environmental Protection Agency, 75 Hawthorne Street, San Francisco, California 94105, and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the proposed Consent Decree and exhibits thereto may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy, please enclose a check in the amount of \$9.50 (25 cents per page reproduction cost) payable to the Consent Decree Library. Joel Gross,

Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.
[FR Doc. 96-26608 Filed 10-16-96; 8:45 am]

BILLING CODE 4410-01-M

[AAG/A Order No. 122-96]

Privacy Act of 1974; Modified System of Records

Pursuant to the Privacy Act of 1974 (5 U.S.C. 552a), the Department of Justice (DOJ), Drug Enforcement Administration (DEA), proposes to modify the following system of records previously published on June 9, 1994 (59 FR 29822): Investigative Reporting and Filing System, Justice/DEA-008.

Specifically, routine use (1) is being modified to permit State and local law enforcement agencies direct, "read only" electronic access to index date which was formerly accessed electronically by Federal law enforcement agencies only. Subpart B of the "Categories of Records in the System" has been modified to show that the index will permit law enforcement agencies to identify not only the existence of DEA case files as described in Subpart A, but also those of other law enforcement agencies, in order to request access to those files from the respective agency(s). Routine use (1) and the "Retrievability" section, respectively, show that other Federal, State, and local law enforcement agencies, together with DOJ law enforcement components, may have write access, but only to the index data generated by such agency or DOJ component to enable them to modify or delete their own date. Changes have been italicized.

Title 5 U.S.C. 552a(e)(4)(11) provide that the public be given a 30-day period in which to comment on proposed new routine use disclosures. The Office of Management and Budget (OMB), which has oversight responsibilities under the Act, requires a 40-day period in which to conclude its review of any proposal to add new routine use disclosures or make other major modifications. Access to these records (both Subpart A, the case files, and Subpart B, the automated index) by State and local law enforcement agencies is not new; however, direct, electronic access to the automated index is new.

You may submit any comments (by 30 days from the publication date of this notice). The public, OMB, and the Congress are invited to send written comments to Patricia E. Neely, Program Analyst, Information Management and Security Staff, Information Resources Management, Justice Management Division, Department of Justice, Washington, DC 20530 (Room 850, WCTR Building).

In accordance with 5 U.S.C. 552a(r), the Department has provided a report to OMB and the Congress on the proposed modification.

Dated: September 4, 1996.
Stephen R. Colgate,
Assistant Attorney General for
Administration.

JUSTICE/DEA-008

SYSTEM NAME:

Investigative Reporting and Filing System, Justice/DEA-008.

SYSTEM LOCATION:

Drug Enforcement Administration: 700 Army Navy Drive, Arlington, VA 22202; and field offices. For field office addresses, see appendix identified as "DEA Appendix—List of Record Location Addresses, Justice/DEA-999."

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

- A. Drug offenders
- B. Alleged drug offenders; and
- C. Persons suspected of drug offenses.
- D. Defendants.

Such individuals may include individuals registered with DEA and responsible for the handling, dispensing, or manufacturing of controlled substances under the Comprehensive Drug Abuse Prevention and Control Act of 1970.

CATEGORIES OF RECORDS IN THE SYSTEM:

Subpart A:

Subpart A is (1) a manual index (which serves as a backup to the automated index described in subpart B)

and (2) paper case file records consisting of: Criminal Investigative Files; Regulatory Audit and Investigative Files; and General Investigative Files. These files may include investigative and confidential informant reports and all documented findings and investigative "lead" information relative to preregistrant inspections, investigations, targeted conspiracies, and trafficking situations, etc. The reports pertain to the full range of DEA criminal drug enforcement and regulatory investigative functions that emanate from the Comprehensive Drug Prevention and Control Act of 1970.

For example, records in the Criminal Investigative Case Files may include a systematic gathering of information targeted on an individual or group of individuals operating in illegal drugs either in the United States or internationally; reports on individuals suspected or convicted of narcotics violations; reports of arrests; information on drug possession, sales, and purchases by such individuals; and information on the transport of such drugs, either inside the United States or internationally, by such individuals. Records in the Regulatory Audit and Investigative Files may include similar investigative reports regarding those individuals specifically identified under item C. of the "Categories of Individuals Covered by the System." Records in the General Investigative Files may generally include fragmentary or low priority information on an individual which is not significant enough to open a case file.

Subpart B:

Subpart B is an automated index containing limited, summary-type data which are extracted from and which point to the case files *maintained by DEA as described in subpart A above, or to files maintained by other Federal, State, or local law enforcement agencies*. Examples of such data include: Record number; subject name (person, business, vessel), aliases and soundex; personal data; (occupation(s), race, sex, date and place of birth, height, weight, hair color, eye color, citizenship, nationality/ethnicity, alien status); special considerations (fugitive armed/dangerous); resident and criminal address (business and personal); miscellaneous numbers (telephone, passport, drivers license, vehicles registration, social security number, etc.); relevant case file numbers, with indicators for active investigations; date/stamp (event) data. (Subpart B will contain no classified information.)