

Action No. 96-583 (W.D. Pa.), was lodged with the United States District Court for the Western District of Pennsylvania on December 30, 1997.

In this action the United States sought civil penalties under Section 311(b)(3) of the Clean Water Act, 33 U.S.C. § 1321(b)(3) for a discharge of gasoline from a pipeline into a pond and unnamed tributary of the West Branch of Richard Run near the Village of Robinson, Pennsylvania in May 1994. The consent decree provides that the defendants will pay a civil penalty of \$40,000 to the United States. The defendants have already paid a civil penalty of \$40,000 to the Commonwealth of Pennsylvania regarding the subject discharge.

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 v. Atlantic Pipeline Co. And Sun Pipeline Co.*, DJ Ref. #90-5-1-4317.

Copies of the proposed Consent Decree may be examined at the Office of the United States Attorney, Western District of Pennsylvania, 633 U.S. Post Office and Courthouse, Pittsburgh, PA 15219; the Region III Office of the Environmental Protection Agency, 841 Chestnut Building, Philadelphia, Pennsylvania 19107; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. 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., 4th Floor, Washington, D.C. 20005, (202-624-0892). When requesting a copy by mail, please enclose a check in the amount of \$3.75 (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,
Department of Justice.

[FR Doc. 98-1709 Filed 1-23-98; 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

In accordance with Departmental policy, 28 CFR § 50.7, notice is hereby given that a proposed Settlement Order in *United States v. City and County of San Francisco, CA, et al.*, No. 97-10030-ST (D. Oregon), was lodged on September 30, 1997, with the United States District Court for the District of Oregon. With regard to the Defendants, the Consent Decree resolves a claim filed by the United States on behalf of the United States Environmental Protection Agency ("EPA") pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, *as amended*, 42 U.S.C. §§ 9601, *et seq.*

The United States entered into the Settlement Order in connection with the Environmental Pacific Corporation Site located in Amity, Yamill County, Oregon, approximately 42 miles southwest of Portland. The Settlement Order provides that the Settling Defendant will reimburse the United States a total of \$815.89 for past costs incurred by the United States 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 Settlement Order. 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. City and County of San Francisco, CA, et al.*, DOJ Ref. #90-11-2-1080B.

The proposed Settlement Order may be examined at the office of the United States Attorney, 888 SW. 5th Avenue, Portland, Oregon 97204; the Region 10 office of the Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington; and at the Consent Decree Library, 1120 G Street, NW., 4th 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., 4th Floor, Washington, DC 20005. In requesting a copy refer to the referenced case and enclose a check in the amount of \$5.75 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Bruce S. Gelber,

Deputy Chief, Environmental Enforcement Section.

[FR Doc. 98-1708 Filed 1-23-98; 8:45 am]

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DEPARTMENT OF JUSTICE

Federal Bureau of Prisons

Notice of Intent To Prepare a Draft Environmental Impact Statement (DEIS) for the Privatized Corrections Contracting Mandate

AGENCY: Federal Bureau of Prisons, Department of Justice.

ACTION: Notice of Intent to Prepare a Draft Environmental Impact Statement (DEIS).

SUMMARY:

Proposed Action: The U.S. Department of Justice, Federal Bureau of Prisons (Bureau) has been given the responsibility for accommodating within the Federal Prison system inmates currently housed by the District of Columbia's Department of Corrections (DCDC). In doing so, the Bureau has been mandated by Congress in the D.C. Revitalization Act to seek private contractors to accommodate a portion of the DCDC's inmate population. Over the next several months, the Bureau will prepare Request for Proposals to be sent to prospective contractors requesting proposals to house in private contract facilities approximately 2,200 DCDC sentenced felons by December 31, 1999 and at least 50 percent of all DCDC sentenced felons by September 30, 2003.

To ensure compliance with the National Environmental Policy Act (NEPA) of 1969, as amended, the Bureau is undertaking preparation of a Program Draft Environmental Impact Statement (DEIS). Topics to be studied as part of the DEIS include, but are not limited to: services, cultural resources, land uses, social and economic factors, hazardous materials, air and noise quality, among others. In furtherance of NEPA, the Bureau will host a Scoping Meeting which all interested persons are invited to attend. The purpose of this Scoping Meeting is to afford the public, regulatory agency representatives, and elected officials an opportunity to learn about and voice their interests and environmental concerns regarding the Bureau's implementation of the required privatization action.

The Scoping Meeting is being held to provide for timely public comments and understanding of Federal plans and programs with possible environmental consequences required by NEPA. The Scoping Meeting will be held 7:00 P.M., Wednesday, January 28, 1998 at St. Luke's Church (church hall meeting room), 4925 East Capitol Street, SE., Washington, DC.

Alternatives: In developing the DEIS, the options of "no action" and

“alternative sites” for the proposed facility will be fully and thoroughly examined.

Scoping Process: During the preparation of the DEIS, there will be numerous other opportunities for public involvement.

DEIS Preparation: Public notice will be given concerning the availability of the DEIS for public review and comment.

Address: Questions concerning the proposed action and the DEIS can be answered by: David J. Dorworth, Chief, Site Selection & Environmental Review Branch, Federal Bureau of Prisons, 320 First Street, N.W., Washington, D.C. 20534, Telephone: (202) 514-6470, Telefacsimile: (202) 616-6024, ddorworth@BOP.gov.

Dated: January 21, 1998.

Jeff B. Ratliff,

Acting Chief, Site Selection and Environmental Review Branch.

[FR Doc. 98-1794 Filed 1-23-98; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

Revised Schedule of Remuneration for the UCX Program

Under Section 8521(a)(2) of title 5 of the United States Code, the Secretary of Labor is required to issue from time to time a Schedule of Remuneration specifying the pay and allowances for each pay grade of members of the military services. The schedules are used to calculate the base period wages and benefits payable under the program of Unemployment Compensation for Ex-servicemembers (UCX Program).

The revised schedule published with this Notice reflects increases in military pay and allowances which were effective in January 1998.

Accordingly, the following new Schedule of Remuneration, issued pursuant to 20 CFR 614.12, applies to “First Claims” for UCX which are effective beginning with the first day of the first week which begins after April 4, 1998.

Pay grade	Monthly rate
(1) Commissioned Officers:	
0-10	\$11,402
0-9	11,364
0-8	10,462
0-7	9,457
0-6	8,082
0-5	6,773
0-4	5,556

Pay grade	Monthly rate
0-3	4,491
0-2	3,586
0-1	2,713
(2) Commissioned Officers With Over 4 Years Active Duty As An Enlisted Member Or Warrant Officer:	
0-3E	5,146
0-2E	4,282
0-1E	3,549
(3) Warrant Officers:	
W-5	6,035
W-4	5,154
W-3	4,309
W-2	3,666
W-1	3,176
(4) Enlisted Personnel:	
E-9	4,672
E-8	3,958
E-7	3,457
E-6	3,026
E-5	2,588
E-4	2,156
E-3	1,897
E-2	1,791
E-1	1,571

The publication of this new Schedule of Remuneration does not revoke any prior schedule or change the period of time any prior schedule was in effect.

Signed at Washington, DC., on January 15, 1998.

Raymond J. Uhalde,

Acting Assistant Secretary of Labor.

[FR Doc. 98-1787 Filed 1-23-98; 8:45 am]

BILLING CODE 4510-30-M

PENSION AND WELFARE BENEFITS ADMINISTRATION

[Application No. D-10429]

Notice of Proposed Individual Exemption to Amend and Replace Prohibited Transaction Exemption (PTE) 96-14 Involving Morgan Stanley & Co. Incorporated (MS&Co) and Morgan Stanley Trust Company (MSTC), Located in New York, NY

AGENCY: Pension and Welfare Benefits Administration, U.S. Department of Labor.

ACTION: Notice of proposed individual exemption to modify and replace PTE 96-14.

SUMMARY: This document contains a notice of pendency before the Department of Labor (the Department) of a proposed individual exemption which, if granted, would amend and replace PTE 96-14 (61 FR 10032, March 12, 1996). PTE 96-14, as clarified by a Notice of Technical Correction dated June 4, 1996 (61 FR 28243), permits the lending of securities to MS&Co and to

any other U.S. registered broker-dealers affiliated with MSTC (the Affiliated Broker-Dealers; collectively, the MS Broker-Dealers) by employee benefit plans with respect to which the MS Broker-Dealer who is borrowing such securities is a party in interest or for which MSTC acts as directed trustee or custodian and securities lending agent. In addition, PTE 96-14 permits MSTC to receive compensation in connection with securities lending transactions. These transactions are described in a notice of pendency that was published in the **Federal Register** on August 11, 1995 at 60 FR 41118. PTE 96-14 is effective as of March 12, 1996.

If granted, the proposed exemption would replace PTE 96-14 but would incorporate by reference the facts, representations and virtually all of the conditions that are contained in the notice, the final exemption and the technical correction. However, Condition (9) of PTE 96-14, which has been redesignated herein as Condition (12), would be amended. Condition (9) of PTE 96-14 provides that—

Only plans whose total assets have a market value of at least \$50 million will be permitted to lend securities to the MS Broker-Dealers. In the case of 2 or more plans maintained by a single employer or controlled group of employers, the \$50 million requirement may be met by aggregating the assets of such plans if the assets are commingled for investment purposes in a single master trust;

The applicants have requested that this condition be modified to allow two or more plans which are maintained by the same employer, controlled group of corporations or employee organization (the Related Plans) as well as two or more plans which are not maintained by the same employer, controlled group of corporations or employee organization (the Unrelated Plans), whose assets are invested in a single, commingled investment vehicle that is managed by a fiduciary which is independent of the MS Broker-Dealers, to aggregate their assets within the pooled investment vehicle in order to satisfy the \$50 million investment threshold for lending securities to MS Broker-Dealers. However, the fiduciary exercising investment discretion over the pooled vehicle, particularly if the fiduciary is an outside manager, must possess some minimum level of investor sophistication by satisfying an “outside business” test.

In addition, the Department has decided to revise certain of the conditions contained in PTE 96-14. In this regard, the Department has added several new conditions to the pendency notice relating to such matters as disclosures, compensation, outside