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Joel M. Gross,

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

[FR Doc. 99-12376 Filed 5-14-99; 8:45 am]

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DEPARTMENT OF JUSTICE

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

Under 28 CFR 50.7, and section 122 of CERCLA, 42 U.S.C. 9622, notice is hereby given that on April 28, 1999, a proposed Consent Decree in *United States versus Cannelton Industries, Inc.*, Civil Action No. 2:99cv92, was lodged with the United States District Court for the Western District of Michigan, Northern Division.

In this action the United States sought the reimbursement of response costs in connection with the Cannelton Industries Site in Sault Ste. Marie, Chippewa County, Michigan ("the Site") pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601 *et seq.* The Consent Decree settles the United States claims against Cannelton Industries, Inc. for response costs incurred as a result of the release or threatened release of hazardous substances at the Site. According to the terms of the Consent Decree, Cannelton Industries, Inc. will pay the United States \$1,700,000.00.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Consent Decree. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States versus Cannelton Industries, Inc.*, D.J. Ref. 90-11-3-06360.

The Consent Decree may be examined at the Office of the United States Attorney, Western District of Michigan, 330 Ionia Avenue, NW, Suite 501, Grand Rapids, Michigan 49503, at the

Region 5 Office of the Environmental Protection Agency, 77 West Jackson Street, Chicago, Illinois 60604-3590, and at the Consent Decree Library, 1120 G Street, N.W., 3rd Floor, Washington, DC 20005, (202) 624-0892. A copy of the Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 3rd Floor, Washington, DC 20005. In requesting a copy, please enclose a check in the amount of \$5.00 (20 pages at 25 cents per page reproduction cost) payable to the Consent Decree Library.

Joel M. Gross,

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

[FR Doc. 99-12336 Filed 5-14-99; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Clean Air Act

In accordance with 28 CFR 50.7, notice is hereby given that on April 29, 1999, a proposed consent decree in *United States v. City of Chicago, Illinois*, Civil Action No. 1:97-CV-06897, was lodged with the United States District Court for the Northern District of Illinois.

In this action, the United States sought civil penalties for alleged violations of the Clean Air Act, 42 U.S.C. 7401 *et seq.*, and the Illinois State Implementation Plan resulting from emissions into the atmosphere from "Waste-To-Energy" trash incineration facility located at 700 North Kilbourn Avenue in Chicago, Illinois. Under the terms of the proposed consent decree, the City of Chicago will pay a civil penalty of \$200,000 and perform four supplemental environmental projects at a cost of \$700,000 to resolve the United States' claims. The first two projects require the City to spend \$450,000 to remove and dispose of contaminated soils at two abandoned sites near the incinerator. The third project requires the City to spend \$100,000 to construct a Lead Safe House. The Lead Safe House will serve as a temporary residence for low-income Chicagoans while lead abatement work is being undertaken in their homes. The fourth project requires the City to spend \$150,000 on a lead abatement projects in Northwest Chicago.

The Department of Justice will receive comments relating to the proposed consent decree for a period of thirty (30) days from the date of this publication. 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. City of Chicago, Illinois*, Civil Action No. 1:97-CV-06897, and Department of Justice Reference No. 90-5-2-1-1930.

The proposed consent decree may be examined at the Office of the United States Attorney, Northern District of Illinois, 219 South Dearborn Street, Chicago, Illinois 60604; the Region 5 Office of the Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590; and at the Consent Decree Library, 1120 G Street, NW, 3rd 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, 3rd Floor, Washington, DC 20005. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$6.59 (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. 99-12337 Filed 5-14-99; 8:45 am]

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DEPARTMENT OF JUSTICE

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

Notice is hereby given that on April 2, 1999 a proposed Consent Decree ("Decree") in *United States v. Thomas Plating Company, Inc. et al.*, Civil Action No. 98-N-1536, was lodged with the United States District Court for the District of Colorado. The United States filed this action pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9601, *et seq.*, to recover the past response costs incurred at or in connection with the Thomas Plating facility in Englewood, Colorado.

The proposed Consent Decree resolves claims against Thomas Plating Company, Inc., and F. Jerome Thomas. Under the terms of the proposed Consent Decree the United States will recover response costs in the amount of \$270,000 and the settling defendants are obligated to sell, recycle, or arrange for the proper transport and disposal of fourteen drums of plating chemicals and plating equipment remaining at the now abandoned Thomas Plating facility.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the 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 v. Thomas Plating Company, Inc. et al.*, Civil Action No. 98-N-1536, and D.J. Ref. # 90-11-2-1327.

The Decree may be examined at the United States Department of Justice, Environment and Natural Resources Division, Denver Field Office, 999 18th Street, North Tower Suite 945, Denver, Colorado, 80202, and the U.S. EPA Region VIII, 999 18th Street, Superfund Records Center, Suite 500, Denver, Co. 80202, and at the Consent Decree Library, 1120 G Street, NW., 3rd Floor, Washington, DC 20005, (202) 624-0892. A copy of the Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW, 3rd Floor, Washington, DC 20005. In requesting a copy, please enclose a check in the amount of \$4.00 for the Decree (25 cents per page reproduction cost) payable to the Consent Decree Library.

Joel M. Gross,

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

[FR Doc. 99-12338 Filed 5-14-99; 8:45 am]

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DEPARTMENT OF JUSTICE

Antitrust Division

United States v. Citadel Communications Corporation, Triathlon Broadcasting Company, and Capstar Broadcasting Corporation

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. Section 16(b) through (h), that a proposed Final Judgment, Stipulation and Amended Competitive Impact Statement have been filed with the United States District Court for the District of the District of Columbia in *United States of America v. Citadel Communications Corporation*, Capstar Broadcasting Corporation and Triathlon Broadcasting Company, Civil Action No. 99-CV01043. On April 30, 1999, the United States filed an Amended Complaint alleging that the Joint Sales Agreement ("JSA") in Colorado Springs, Colorado, and Spokane, Washington and Triathlon's acquisition of certain radio stations in Spokane, Washington violates Section One of the Sherman Act, 15 U.S.C. 1. The proposed Final

Judgment, filed the same time as the Complaint, requires Citadel and Capstar to terminate the JSA pursuant to the Final Judgment and Capstar to divest a particular station in Spokane, Washington. Copies of the Amended Complaint, proposed Final Judgment and Amended Competitive Impact Statement are available for inspection at the Department of Justice in Washington, D.C. in Room 200, 325 Seventh Street, N.W., and at the Office of the Clerk of the United States District Court for the District of the District of Columbia.

Public comment is invited within 60 days of the date of this notice. Such comments, and responses thereto, will be published in the **Federal Register** and filed with the Court. Comments should be directed to Craig W. Conrath, Chief, Merger Task Force, Antitrust Division, Department of Justice, 1401 H St N.W., Suite 4000, Washington, D.C. 20530 (telephone: (202) 307-0001).

Rebecca P. Dick,

Director of Civil Non-Merger Enforcement.

Stipulation

It is stipulated by and between the United States Department of Justice Antitrust Division ("Antitrust Division"), Citadel Communications Corporation ("Citadel"), and Capstar Broadcasting Corporation ("Capstar"), by their respective attorneys, as follows:

1. This Court has jurisdiction over the subject matter of this action and the parties have agreed to waive all objections to personal jurisdiction and venue in the United States District Court for the District of Columbia.

2. The parties stipulate that a Final Judgment in the form hereto attached may be filed and entered by the Court, upon the motion of any party or upon the Court's own motion, at any time after compliance with the requirements of the Antitrust Procedures and Penalties Act, 15 U.S.C. 16, and without further notice to any party or other proceedings, provided that plaintiff has not withdrawn its consent, which it may do at any time before the entry of the proposed Final Judgment by serving notice thereof on defendants and by filing that notice with the Court.

3. Defendants shall abide by and comply with the provisions of the proposed Final Judgment pending entry of the Final Judgment by the Court, or until expiration of time for all appeals of any Court ruling declining entry of the proposed Final Judgment, and shall, from the date of the signing of this Stipulation by the parties, comply with all the terms and provisions of the proposed Final Judgment as though the

same were in full force and effect as an Order of the Court.

4. Citadel and Capstar have agreed to terminate the Citadel-Triathlon Joint Sales Agreement ("JSA") (defined in Section II(e) of the Final Judgment) pursuant to the Final Judgment, but subject to Paragraph 9 of this stipulation. In addition, the parties have agreed to make certain transfers of radio stations. Capstar's transfer of KEYF-FM to Citadel in Spokane is part of the agreement memorialized in the Final Judgment.

5. The parties have agreed to take the following actions that the United States has agreed not to oppose. In Colorado Springs, Capstar has agreed to transfer KSPZ-FM, KVOR-AM, and KTWK-AM to Citadel while Citadel has agreed to transfer KKLI-FM to Capstar. In Spokane, Capstar has agreed to transfer KEYF-FM and KEYF-AM to Citadel. Also in Spokane, Citadel has entered into an agreement with an unrelated third party to acquire KNJY-FM. Although the Final Judgment is not contingent upon these exchanges and acquisitions, the Antitrust Division has analyzed the transactions and has no objection to them.

6. Citadel and Capstar state that there are no agreements or understandings between them that will affect how they will program or format the radio stations that they own in Colorado Springs or Spokane.

7. This Stipulation shall apply with equal force and effect to any amended proposed Final Judgment agreed upon in writing by the parties and submitted to the Court. In the event plaintiff withdraws its consent, as provided in paragraph 2 above, or in the event the proposed Final Judgment is not entered pursuant to this Stipulation, the time has expired for all appeals of any Court ruling declining entry of the proposed Final Judgment, and the Court has not otherwise ordered continued compliance with the terms and provisions of the proposed Final Judgment, then the parties are released from all further obligations under this Stipulation, and the making of this Stipulation shall be without prejudice to any party in this or any other proceeding.

8. Defendants represent that the JSA will be terminated and the divestiture of KEYF-FM will be made as ordered, and that defendants will later raise no claim of hardship or difficulty as grounds for asking the Court to modify any of the divestiture provisions contained therein.

9. If Capstar does not acquire Triathlon Broadcasting Company by June 2, 1999, the Antitrust Division will