

this notice in the **Federal Register**, the lands will be segregated from all other forms of appropriation under the public land laws, including the general mining laws, except for conveyance under the Recreation and Public Purposes Act and leasing under the mineral leasing laws.

For a period of 45 days from the date of publication of this notice in the **Federal Register**, interested parties may submit comments regrading the proposed lease/conveyance or classification of the lands to the Field Manager, Bureau of Land Management, Pinedale Field Office, P.O. Box 768, Pinedale, Wyoming 82941.

Any adverse comments will be evaluated by the State Director who may sustain, vacate, or modify the realty action. In the absence of any objections, this proposed realty action will become final.

Dated: October 18, 1999.

**Douglas Powell,**

*Acting Field Manager.*

[FR Doc. 99-27863 Filed 10-25-99; 8:45 am]

BILLING CODE 4310-22-M

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[CA-930-1430-ET, CACA 40671]

#### **Notice of Proposed Partial Revocation of Executive Order Dated February 26, 1852 and Public Land Order Number 4883, Proposed Withdrawal, Proposed Transfer of Jurisdiction, and Opportunity for Public Meeting; California**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice.

**SUMMARY:** The United States Navy has filed a notice of its intent to relinquish its withdrawal on 18.72 acres of public land, more or less, located in San Diego County, withdrawn by an Executive Order dated February 26, 1852, or Public Land Order number 4883, for military purposes. The National Park Service has filed an application to withdraw those 18.72 acres of public lands, more or less, to include them in the Cabrillo National Monument. The National Park Service has also requested that the administrative jurisdiction of those 18.72 acres, more or less, plus the 6.88 acres, more or less, previously withdrawn by Public Land Order number 5234, be permanently transferred to it. This notice closes the 18.72 acres of public lands, more or less, for up to 2 years from settlement, sale, location, or entry under the general land

laws, including the mining laws, and the operations of the mineral leasing laws and the Materials Act of 1947.

**DATES:** Comments and request for a public meeting must be received by January 25, 2000.

**ADDRESSES:** Comments and meeting requests should be sent to Sondra S. Humphries, Chief, Pacific Land Resources Program Center, Pacific West Region, National Park Service, 600 Harrison Street, Suite 600, San Francisco, California 94107-1372.

**FOR FURTHER INFORMATION CONTACT:** Gary Chulla, Realty Specialist, National Park Service, San Francisco office, 415-427-1410, or Terry M. DiMattio, Superintendent, Cabrillo National Monument, 619-557-5450.

#### **SUPPLEMENTARY INFORMATION:**

1. On October 5, 1999, a petition was approved allowing the National Park Service to file an application to withdraw the following described public lands from settlement, sale, location, or entry under the general land laws, including the mining laws, and to the operations of the mineral leasing laws and the Materials Act of 1947, subject to valid existing rights:

#### **San Bernardino Meridian**

*(a). Bayside Trail (Also Known as Sylvester Road)*

Commencing at a point on the easterly prolongation of the north line of the Cabrillo National Monument as shown on NAVFAC Drawing No. 6117948 on file in the Department of the Navy that bears thence South 89°56'36" East 378.53 feet from the northeast corner of said monument: thence South 12°06'18" East 105.96 feet to the True Point of Beginning of the herein described centerline, said point being on the arc of a 1,235.00-foot-radius curve concave northerly the center of which bears North 14°34'38" West from said True Point of Beginning; thence continuing South 12°06'18" East 46.84 feet to the beginning of a tangent 91.35-foot-radius curve concave westerly; thence southerly along the arc of said curve through a central angle of 31°25'40" a distance of 50.11 feet to the beginning of a tangent 59.49-foot-radius curve concave easterly; thence southerly along the arc of said curve through a central angle of 53°19'25" a distance of 55.37 feet to the beginning of a tangent 130.00-foot-radius curve concave westerly; thence southerly along the arc of said curve through a central angle of 55°08'06" a distance of 125.10 feet to a point of compound curvature with a 265.00-foot-radius curve; thence southwesterly along the arc of said

curve through a central angle of 15°42'44" a distance of 72.67 feet to the beginning of a tangent 100.00-foot-radius curve concave easterly; thence southerly along the arc of said curve through a central angle of 42°28'35" a distance of 74.14 feet to the beginning of a tangent 527.44-foot-radius curve concave westerly; thence southerly along the arc of said curve through a central angle of 17°56'20" a distance of 165.14 feet; thence tangent to said curve South 12°18'32" West 107.03 feet to the beginning of a tangent 500.00-foot-radius curve concave northwesterly; thence southwesterly along the arc of said curve through a central angle of 18°03'54" a distance of 157.65 feet to a point of compound curvature with a 90.00 foot-radius curve concave northwesterly; thence southwesterly along the arc of said curve through a central angle of 40°10'08" a distance of 63.10 feet to the beginning of a tangent 650.00-foot-radius curve concave southeasterly; thence southwesterly along the arc of said curve through a central angle of 10°38'46" a distance of 120.78 feet to the beginning of a tangent 103.00-foot-radius curve concave northerly; thence westerly along the arc of said curve through a central angle of 55°43'47" a distance of 100.18 feet to the beginning of a tangent 35.00-foot-radius curve concave southeasterly; thence westerly, southwesterly and southerly along the arc of said curve through a central angle of 150°30'03" a distance of 91.94 feet to a point of compound curvature with a 100.00-foot-radius curve concave northeasterly; thence southeasterly along the arc of said curve through a central angle of 32°52'30" a distance of 57.38 feet; thence tangent to said curve South 67°44'58" East 116.12 feet to the beginning of a tangent 100.00-foot-radius curve concave southwesterly; thence southeasterly and southerly along the arc of said curve through a central angle of 65°07'30" a distance of 113.66 feet; thence tangent to said curve South 02°37'28" East 86.76 feet to the beginning of a tangent 310.00-foot-radius curve concave westerly; thence southerly along the arc of said curve through a central angle of 18°37'46" a distance of 100.80 feet to the beginning of a tangent 45.00-foot-radius curve concave easterly; thence southerly along the arc of said curve through a central angle of 47°16'43" a distance of 37.13 feet to a point on the south line of the herein above described property that bears North 89°59'37" East 198.59 feet from the southwesterly corner thereof; commencing at the southeasterly corner of Cabrillo National Monument as described in Proclamation

No. 3273 of February 2, 1959; thence, North 89°59'37" East, 198.59 feet from said southeasterly Corner to the True Point of Beginning; thence South 31°16'30" East 12.15 feet to the beginning of a tangent 55.00-foot-radius curve concave southwesterly; thence southerly along the arc of said curve through a central angle of 28°36'30" a distance of 27.46 feet to a point of compound curvature with a 330.00-foot-radius curve concave westerly; thence southerly along the arc of said curve through a central angle of 20°23'45" a distance of 117.47 feet to a point of compound curvature with a 75.00-foot-radius curve concave northwesterly; thence southwesterly and westerly along the arc of said curve through a central angle of 69°08'46" a distance of 90.51 feet; thence tangent to said curve South 86°52'31" West 108.37 feet to the beginning of a tangent 95.00-foot-radius curve concave northerly; thence westerly along the arc of said curve through a central angle of 32°17'15" a distance of 53.53 feet to a point of reverse curvature with a 60.00-foot-radius curve concave southerly; thence westerly along the arc of said curve through a central angle of 70°16'58" a distance of 73.60 feet to a point of compound curvature with a 25.00-foot-radius curve concave easterly; thence southerly along the arc of said curve through a central angle of 61°22'48" a distance of 26.78 feet to point of compound curvature with a 175.00-foot-radius curve concave northeasterly; thence southeasterly along the arc of said curve through a central angle of 54°07'46" a distance of 165.33 feet; thence tangent to said curve South 66°37'46" East 88.66 feet to the beginning of a tangent 60.00-foot-radius curve concave southwesterly; thence southeasterly along the arc of said curve through a central angle of 49°28'15" a distance of 51.98 feet to a point of compound curvature with a 90.00-foot-radius curve concave westerly; thence southerly along the arc of said curve through a central angle of 45°28'13" a distance of 71.42 feet; thence tangent to said curve South 28°28'42" West 110.68 feet to the beginning of a tangent 400.00-foot-radius curve concave southeasterly; thence southwesterly along the arc of said curve through a central angle of 08°05'11" a distance of 56.45 feet to a point of compound curvature with a 60.00-foot-radius curve concave easterly; thence southerly along the arc of said curve through a central angle of 31°49'13" a distance of 33.32 feet to a point of reverse curvature with a 125.00 foot-radius curve concave northwesterly; thence southwesterly

along the arc of said curve through a central angle of 60°35'53" a distance of 132.20 feet.

The area described contains 2.72 acres, more or less, in San Diego County.

*(b). Point Loma Tidepool Area*

Beginning at a point in the Southerly boundary of the Cabrillo National Monument as described in Presidential Proclamation No. 3273 dated February 2, 1959, which said point is shown as Monument "E" and Point No. 49 on NAVFAC Drawing No. 6117948, Naval Ocean Systems Center Real Estate Summary Map, Sheet 6 of 6; thence South 89°56'07" East, 345.05 feet to Point No. 50 on the arc of a 1,030-foot-radius curve concave westerly; thence southerly along the arc of said curve through a central angle of 07°33'27", a distance of 135.86 feet to Point No. 51; thence tangent to said curve, South 04°05'38" East, 1,049.96 feet to Point No. 52, the beginning of a tangent 330.20-foot-radius curve, concave westerly; thence southerly along the arc of said curve, through a central angle of 22°58'46", a distance of 132.43 feet to Point No. 53; thence South 18°07'08" West, 100.12 feet to Point No. 54, the beginning of a tangent 235.23-foot-radius curve, concave easterly; thence southerly along the arc of said curve, through a central angle of 37°45'00", a distance of 154.98 feet to Point No. 55; thence North 19°37'52" West, 260.00 feet to the beginning of a tangent 150.00-foot-radius curve concave southwesterly; thence northwesterly and westerly along the arc of said curve, through a central angle of 90°00'00", a distance of 235.62 feet; thence South 70°22'08" West to the MLLW of the Pacific Ocean (a distance of 200 feet more or less); thence northerly along the shoreline MLLW to a point on a line which bears North 89°56'07" West from Monument "E"; thence South 89°56'07" East to the POINT OF BEGINNING Monument "E".

The area described contains 16 acres, more or less, in San Diego County.

2. Pursuant to a notice of intent to relinquish filed by the United States Navy, the Executive Order of February 26, 1852, and Public Land Order number 4883 will be revoked insofar as they affect the lands described above in paragraphs 1(a) and 1(b).

3. The National Park Service has requested that administrative jurisdiction of those lands described above in paragraphs 1(a) and 1(b), and that land withdrawn by Public Land Order number 5234 be permanently transferred to the National Park Service, so that the lands can be managed as part

of the Cabrillo National Monument and shall thereafter be subject to all laws and regulations applicable thereto, subject to valid existing rights. The 6.88 acres of land, more or less, withdrawn by Public Land Order number 5234 is known as the Point Loma Maintenance Area.

4. The purpose of the proposed withdrawal of the 18.72 acres of lands, more or less, is to: (a) Include those lands in the Cabrillo National Monument to facilitate the proper care and management of the Cabrillo National Monument and the historical landmarks and historical objects therein, (b) provide public access to the intertidal area, and (c) to preserve and protect sensitive coastal sage scrub habitat. The purpose of the proposed permanent transfer of jurisdiction is to include the 18.72 acres of lands, more or less, and the 6.88 acres of land, more or less, withdrawn by Public Land Order number 5234, in the Cabrillo National Monument, so that the lands can be managed as part of the Cabrillo National Monument and shall thereafter be subject to all laws and regulations applicable thereto, subject to valid existing rights.

5. For a period of 90 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed actions described in this notice, may present their views in writing to the Chief, Pacific Land Resources Program Center, National Park Service, at the address listed above. If the authorized officer determines that a public meeting should be held, it will be scheduled and conducted in accordance with 43 CFR 2310.3-1(c)(2). A notice of the time and place would be published in the **Federal Register** at least 30 days before the scheduled date of the public meeting.

6. The application will be processed in accordance with the regulations set forth in 43 CFR 2300.

7. For a period of 2 years from the date of publication of this notice in the **Federal Register**, the 18.72 acres of lands, more or less, will be segregated as specified above unless the application is denied or canceled or the withdrawal is approved prior to that date. The temporary uses which may be permitted during this segregative period are those which are compatible with the use of the lands, as determined by the Bureau of Land Management and the National Park Service.

Dated: October 20, 1999.

**Duane Marti,**

*Acting Chief, Branch of Lands.*

[FR Doc. 99-27936 Filed 10-25-99; 8:45 am]

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## DEPARTMENT OF JUSTICE

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

In accordance with the policy of the Department of Justice, 28 U.S.C. 50.7, and pursuant to Section 122(d)(2) of the Comprehensive Environmental Response Compensation and Liability Act, 42 U.S.C. 9601 *et seq.* ("CERCLA"), this supplemental notice is hereby given pertaining to a proposed consent decree in *United States v. Akzo Nobel A.B.*, Civ. No. 1:99-CV-731, relating to the Bofors-Nobel Superfund Site in Muskegon, Michigan. The proposed consent decree was lodged with the United States District Court for the Western District of Michigan on September 22, 1999. This supplemental notice is issued because the original notice, published on October 14, 1999, 64 FR 55747, inadvertently failed to state that the Department of Justice will receive comments from the public on the proposed consent decree for a period of 30 days following publication of this notice.

Comments should be transmitted by mail to the attention of Lois J. Schiffer, Assistant Attorney General, Environment and Natural Resources Division, United States Department of Justice, Washington, DC 20530 and should include the reference DJ# 90-11-3-191A.

**Bruce S. Gelber,**

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

[FR Doc. 99-27960 Filed 10-25-99; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of consent Decree Pursuant to the Clean Air Act and the Clean Water Act

Under 28 CFR 50.7, notice is hereby given that on October 6, 1999, a proposed consent decree in *United States v. Almond Investment Co. and Almond Products, Inc.* Civil Action No. 1:99 CV 783, was lodged with the United States District Court for the Western District of Michigan.

In this action, the United States sought injunctive relief and civil penalties under Section 113(b) of the Clean Air Act, 42 U.S.C. 7413(b), for violations of the federally approved Michigan State Implementation Plan ("SIP") and Title V of the Clean Air Act at one of Almond Investment Co.'s Muskegon, Michigan, facilities. Specifically, the Complaint alleges the Almond Investment Co. violated various permitting and volatile organic compound emission requirements in Mich. Admin. Code §§ 336.1201(1), 336.1220, 336.1621(1), 336.1621(5) of the Michigan State Implementation Plan, Title V of the Clean Air Act, 42 U.S.C. 7661-7661f, and Mich. Admin. Code § 336.1210 at its Muskegon, Michigan, facility located at 6435 Schamber Drive.

In addition, the United States sought injunctive relief and civil penalties under Section 309(b) and (d) of the Clean Water Act ("CWA"), 33 U.S.C. 1319(b), (d), for violations of Section 307(d) of the Clean Water Act, 33 U.S.C. 1317(d), and certain pretreatment standards in 40 CFR 413.44(c), (g), 413.54(c), (g), with respect to wastewater discharges at Almond Investment Co.'s Muskegon, Michigan, facility located at 1239 E. Broadway.

Almond Products, Inc., purchased the two Muskegon facilities from Almond Investment Co. in May 1999. Almond Products, Inc., is named as a defendant pursuant to Fed. R. Civ. P. 19 as a party that is necessary for complete relief.

The proposed decree provides for injunctive relief pursuant to which Almond Products, Inc., has permanently disconnected one of the coating lines at the Schamber facility and will install a thermal oxidizer at one of the remaining coating lines. At the Broadway facility, Almond Products, Inc., will prepare a baseline monitoring report reflecting current operations and will develop and implement an operation and maintenance plan to ensure compliance with applicable pretreatment limits. Almond investment Co. will pay a civil penalty of \$50,000, based on an ability-to-pay analysis, to resolve claims under the Clean Air Act, the Michigan SIP, and the Clean Water Act.

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, DC 20530, and should refer to *United States v. Almond Investment Co. and Almond Products, Inc.*, DOJ Ref. # 90-5-2-1-06732.

The proposed consent decree may be examined at the Office of the United States Attorney for the Western District of Michigan, 330 Ionia Ave., NW, Ste. 501 Grand Rapids, Michigan 49503, and at U.S. EPA Region 5, 77 West Jackson Boulevard, Chicago, IL 60604. A copy of the proposed consent decree may also be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$5.50 (25 cents per page reproduction costs), payable to the Consent Decree Library.

**Bruce S. Gelber,**

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

[FR Doc. 99-27902 Filed 10-25-99; 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 and the Resource Conservation and Recovery Act

Under 28 CFR 50.7 and 42 U.S.C. 9622(i), notice is hereby given that on October 5, 1999, a proposed Consent Decree in *United States v. ASARCO, Inc., et al.*, Civil Action No. 99-1399, was lodged with the United States District Court for the District of Kansas.

This Consent Decree settles claims against ASARCO, Incorporated, Cyprus Amax Minerals Company, Gold Fields Mining Corporation, Blue Tee Corp., NL Industries, Inc., The Doe Run Resources Corporation and Sun Company, Inc. In this action, brought pursuant to sections 106 and 107 of Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. 9696 and 9607 and section 7003 of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6973, on behalf of the United States Environmental Protection Agency ("EPA"), the United States sought the performance of response work by the defendants at the Baxter Springs and Treece Subsites ("the Subsites") of the Cherokee County Superfund Site in Cherokee County, Kansas pursuant to the Record of Decision, dated August 20, 1997 ("ROD"). Additionally, the United States sought reimbursement of past response costs as well as future oversight costs. Under the Consent Decree, defendants will perform response work in accordance with the ROD, will provide a cash payment for