

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, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States, et al. v. The Burlington Northern and Santa Fe Railway Company*, D.J. Ref. 90-11-1-07321.

The Consent Decree may be examined at the Office of the United States Attorney, District of New Mexico, 201 Third St., NW., Ste. 900, Albuquerque, NM 87102. During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood (tonia.fleetwood@usdoj.gov), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$4.50 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Thomas A. Mariani, Jr.,

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

[FR Doc. 03-27254 Filed 10-28-03; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Air Act, the Comprehensive Environmental Response, Compensation, and Liability Act, and the Emergency Planning and Community Right-To-Know Act

In accordance with 28 U.S.C. section 50.7, notice is hereby given that on October 16, 2003, a proposed Consent Decree in *United States, et al. v. Chevron U.S.A. Inc.*, Civil Action No. C: 03-4650 MEJ, was lodged with the United States District Court for the Northern District of California.

In this action, the United States sought injunctive relief and penalties against Chevron U.S.A. Inc. ("Chevron"), pursuant to Section 113(b) of the Clean Air Act ("CAA"), 42 U.S.C. 7413(b), section 109(c) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9609(c), and

section 325(b) of the Emergency Planning and Community Right-to-Know Act ("EPCRA"), 42 U.S.C. 11045(b) (3), for alleged environmental violations at Chevron's petroleum refineries located in El Segundo, California; Richmond, California; Kapolei, Hawaii; Pascagoula, Mississippi; and Salt Lake City, Utah. The States of Hawaii and Utah, the Mississippi Commission on Environmental Quality, and the Bay Area Air Quality Management District of California have joined in this settlement as signatories to the Consent Decree.

The proposed Consent Decree requires Chevron to implement innovative pollution control technologies to greatly reduce emissions of nitrogen oxides ("NO_x") and sulfur dioxide ("SO₂") from refinery process units, to reduce the number and impact of flaring events, and to adopt facility-wide enhanced monitoring and fugitive emission control programs. In addition, Chevron will pay a civil penalty of \$3.5 million and perform supplemental environmental projects with a value of at least \$4.55 million.

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, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States, et al. v. Chevron U.S.A. Inc.*, D.J. Ref. 90-5-2-2-07629.

The Consent Decree may be examined at the Office of the United States Attorney for the Northern District of California, 450 Golden Gate Avenue, San Francisco, CA 94102 (attn: Charles O'Connor), and at U.S. EPA Region 8, 999 18th Street, Suite 300, Denver, CO 80202-2466 (attn: Cindy Reynolds). During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood (tonia.fleetwood@usdoj.gov), fax no (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy of the Consent Decree from the Consent Decree Library, please enclose a check in the amount of \$52.25

(25 cents per page reproduction cost) payable to the U.S. Treasury.

Robert D. Brook,

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

[FR Doc. 03-27256 Filed 10-28-03; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Air Act

Under 28 CFR 50.7, notice is hereby given that on October 15, 2003, a proposed consent decree in *United States v. Silgan Containers Corporation*, Civ. S-03-2166 LKK KJM, was lodged with the United States District Court for the Eastern District of California.

In this action, the United States sought injunctive relief and civil penalties under section 113(b) of the Clean Air Act ("CAA") against Silgan Containers Corporation for violations of permitting and new source review requirements of the CAA and the federally enforceable State Implementation Plan for California at Silgan's can manufacturing facilities located in Stockton, Modesto, Kingsburg, and Riverbank, California. The consent decree requires Silgan to: (1) Install air pollution control equipment and modify processes at its facilities, (2) modify its permits to reduce allowable emissions from its facilities, and (3) pay a civil penalty of \$659,900.

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, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Silgan Containers Corporation*, D.J. Ref. #90-5-2-1-06125.

The consent decree may be examined at the Office of the United States Attorney, 501 I Street, Suite 10-100, Sacramento, California, and at U.S. EPA Region 9, Office of Regional Counsel, 75 Hawthorne Street, San Francisco, California. During the public comment period, the consent decree may also be examined on the following Department of Justice Web site: <http://www.usdoj.gov/enrd/open.html>. A copy of the consent decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a

request to Tonia Fleetwood (tonia.fleetwood@usdoj.gov), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$5.25 (25 cents per pay reproduction cost) payable to the U.S. Treasury.

Ellen M. Mahan,

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

[FR Doc. 03-27257 Filed 10-28-03; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging Proposed Consent Decree

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States v. Vail Associates, Inc.*, (D. Colo.), Civil Action No. 03-D-2069 (BNB), was lodged with the United States District Court for the District of Colorado on October 17, 2003.

This proposed Consent Decree concerns a complaint filed by the United States against Vail Associates, Inc., pursuant to section 309(b) and (d) of the Clean Water Act, 33 U.S.C. 1319(b) and (d), to obtain injunctive relief from the impose civil penalties against the Defendant for violating the Clean Water Act by discharging pollutants without a permit into waters of the United States. The proposed Consent Decree resolves these allegations by requiring the Defendant to restore the impacted areas, perform mitigation and to pay a civil penalty.

The Department of Justice will accept written comments relating to this proposed Consent Decree for thirty (30) days from the date of publication of this Notice. Please address comments to Jon Lipshultz, U.S. Department of Justice, Environmental Defense Section, Environment and Natural Resources Division, P.O. Box 23986, Washington, DC 20026-3986 and refer to *United States v. Vail Associates, Inc.*, (D. Colo.), Civil Action No. 03-D-2069 (BNB), DJ #90-5-1-1-16527.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the District of Colorado, 901 19th Street, Denver, Colorado 80294-3589.

In addition, the proposed Consent Decree may be viewed at <http://www.usdoj.gov/enrd/open.html>.

Scott Schachter,

Assistant Chief, Environmental Defense Section, Environment & Natural Resources Division.

[FR Doc. 03-27255 Filed 10-28-03; 8:45 am]

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DEPARTMENT OF JUSTICE

[AAG/A Order No. 020-2003]

Privacy Act of 1974; System of Records

Pursuant to the Privacy Act of 1974 (5 U.S.C. 552a) and Office of Management and Budget (OMB) Circular No. A-130, the Department of Justice has completed a review of its Privacy Act system of records titled "Grievance Records, Justice/JMD-005," last published August 4, 1981 (46 FR 39706) and is making changes that will more accurately describe the records. The system of records is now renamed "The Department of Justice Grievance Records, DOJ-008," as it covers all current or former Department of Justice employees, except for employees of the Federal Bureau of Investigation (FBI), who have submitted grievances under the Agency Grievance Procedure or in accordance with a negotiated grievance procedure.

The Department of Justice Grievance Records System is a system of records relating to grievances filed by Department employees under the Agency Grievance Procedure or under a negotiated grievance procedure. The system contains all documents related to each grievance in the central personnel or administrative office of the bureau, office, board, or division where the grievance originated. Changes to the system of records include additional routine uses, editorial revisions which clarify system descriptions, changes to the system location, system manager(s) and address(es), and the schedule for retention and disposal. With respect to the last category, a change has been made to establish that all of the Department's grievance records are to be disposed of four (4) years after the closing of a case.

In accordance with 5 U.S.C. 552a (e)(4) and (11), the public has 30 days in which to comment on the modified system of records. The Office of Management and Budget (OMB), which has oversight responsibilities under the Privacy Act, requires a 40-day period in which to conclude its review of the system. Therefore, please submit any

comments by November 28, 2003. The public, OMB, and the Congress are invited to submit written comments to Mary Cahill, Management Analyst, Management and Planning Staff, Justice Management Division, Department of Justice, National Place Building, Room 1400, 1331 Pennsylvania Avenue NW., Washington, DC 20530.

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

Dated: October 17, 2003.

Paul R. Corts,

Assistant Attorney General for Administration.

JUSTICE/DOJ-008

SYSTEM NAME:

Department of Justice Grievance Records, Justice/DOJ-008.

SYSTEM LOCATION:

Records relating to grievances originating in a bureau (defined in 28 CFR 0.1) or an office, board, or division (defined in 28 CFR 0.1) are located in the central personnel or administrative office of the bureau, office, board, or division where the grievance originated, except for the Federal Bureau of Investigation (FBI), which is excluded from coverage under the Agency Grievance Procedure described in DOJ Order 1200.1, part 3, chapter 2.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current or former Department of Justice employees, except for employees of the FBI, who have submitted grievances under the Agency Grievance Procedure or in accordance with a negotiated grievance procedure.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system contains records relating to grievances filed by Department employees under the Agency Grievance Procedure or under a negotiated grievance procedure. These case files contain all documents related to each grievance, including statements of witnesses, reports of interviews and hearings, factfinder's and/or arbitrator's findings and recommendations, a copy of the original and final decision, and related correspondence and exhibits.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 7121; 5 CFR part 771.

PURPOSE(S):

The records are maintained and used by the Department to resolve employee concerns about working conditions, the administration of collective bargaining agreements, employee/supervisor relations, and work processes.