

for Debtors' liability under CERCLA for response costs incurred and to be incurred by EPA in connection with the following Superfund sites: the *Breslube-Penn Superfund Site* in Coraopolis, Pennsylvania; the *Spectron Superfund Site* in Elkton, Maryland; the *Conservation Chemical Company of Illinois, Inc. Site* in Gary, Indiana; the *PCB Treatment, Inc. Superfund Site*, including one facility in Kansas City, Kansas and another facility in Kansas City, Missouri; the *Operating Industries, Inc. Superfund Site* in Monterey Park, California; and the *Waste Disposal, Inc. Superfund Site* in Santa Fe Springs, California; (2) an allowed secured claim of \$125,000 and an allowed general unsecured claim of \$250,000 for Debtors; liability under CERCLA for response costs incurred and to be incurred by the USDA Forest Service in connection with the *Elkhorn Mine and Mill Site* near Wise River, Montana; (3) an allowed general unsecured claim for \$30,000 for Debtors' liability for civil penalties for prepetition RCRA violations at the Bethlehem Lukens Plate Division in Coatesville, Pennsylvania; (4) an allowed administrative expense claim for \$165,000 and an allowed general unsecured claim for \$500,000 for Debtors' liability for civil penalties for prepetition and postpetition violations of the Clean Air Act, 42 U.S.C. 7401 *et seq.* (CAA), and regulations promulgated thereunder, at Bethlehem's Burns Harbor facility in Porter County, Indiana; and (5) an allowed general unsecured claim for \$137,191.11 resolving Debtors' liability relating to the Consent Decree judgment in *Duffy Brothers Construction Co., Inc. v. American Airlines, Inc.* (D. Mass 1997).

The Department of Justice will receive comments relating to the Settlement Agreement for a period of twenty (20) days from the date of this publication. 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, and should refer to *In re Bethlehem Steel Corporation, et al.* (Case Nos. 01-15288 (BRL) through 01-15308)(D.J. Ref. No. 90-11-3-07678). Commenters may request an opportunity for a public meeting in the affected area, in accordance with Section 7003(d) of RCRA 42 U.S.C. 6973(d).

The Settlement Agreement may be examined at the Office of the United States Attorney for the Southern District of New York, 33 Whitehall Street (8th Floor) New York, New York 10004, and at the United States Environmental

Protection Agency, Ariel Rios Building, 1200 Pennsylvania Avenue, NW., Washington, DC 20460. During the public comment period, the Agreement may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the Settlement Agreement may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044, or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax number (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 \$8.00 (25 cents per page reproduction cost) payable to the United States Treasury.

**Benjamin Fisherow,**

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## DEPARTMENT OF JUSTICE

### U.S. Marshals Service

#### Notice of Intent To Prepare a Draft Environmental Impact Statement

**AGENCY:** U.S. Marshals Service, Department of Justice.

**ACTION:** Notice of Intent to Prepare a Draft Environmental Impact Statement.

**SUMMARY:** Notice of Intent to Prepare a Draft Environmental Impact Statement (DEIS) for development of a contract detention facility to house persons in the custody of the U.S. Department of Justice. The contract detention facility is proposed to be located within a 50-mile radius of the U.S. Courthouse located at 1300 Victoria in Laredo, Texas.

#### Background

The United States Marshals Service (USMS) is the nation's oldest and most versatile federal law enforcement agency. Created by the Judiciary Act of 1789, the same legislation that established the federal judicial system, the USMS has served the nation through a variety of vital law enforcement activities. The Director, Deputy Director and 94 U.S. Marshals (appointed by the President or the Attorney General) direct the activities of 95 district offices and personnel stationed at more than 350 locations throughout the 50 states and U.S. territories. The USMS occupies a uniquely central position in the federal justice system and is involved in

virtually every federal law enforcement initiative. Approximately 4,000 Deputy Marshals and career employees perform a variety of nationwide, day-to-day missions.

During the past decade, the federal detainee population has experienced unprecedented growth as a result of expanded federal law enforcement initiatives and resources. The detainee population has increased by almost 1,000 percent, from approximately 4,000 in 1981 to over 45,000 today. These prisoners are being housed in a combination of local, state, federal and private facilities around the country. However, the growth in the detainee population is occurring at the same time that available space in local jails is decreasing. Local jail space is increasingly needed to house local offenders, leaving less space available for the contractual accommodation of federal detainees. These trends are projected to continue for the foreseeable future and present a major challenge for federal agencies such as the USMS to house detainees.

Faced with severe shortages in state and local bed space, especially in major metropolitan areas (federal court cities), as well as court-ordered caps on prisoner populations, the USMS is finding it increasingly difficult to local bedspace in state and local jails that have traditionally been used to house federal prisoners. Consequently, the USMS periodically contracts with the private sector for detention services or must house detainees farther and farther from their respective federal court cities. The resultant long-distance movement of federal detainees requires substantial amounts of USMS time and resources, and strains the Justice Prisoner and Alien Transportation System to its limit.

#### Proposed Action

The USMS has determined that there is a need to house up to 2,800 federal detainees within the Laredo, Texas area. The high level of USMS and U.S. Department of Homeland Security activity in the southwestern United States in general and Texas in particular requires more beds than are readily available in local or state facilities. The USMS has a particular need for detention facilities to be located near federal courthouses because of its responsibility to detain those individuals accused of violating federal laws.

In response to this need, the USMS is seeking to contract with a private detention contractor to provide a contractor-owned and operated facility capable of housing 2,800 detained individuals charged with federal