

The Commission transmitted its determination in this investigation to the Secretary of Commerce on June 24, 1996. The views of the Commission are contained in USITC Publication 2976 (July 1996) entitled "Engineered Process Gas Turbo-Compressor Systems from Japan: Investigation No. 731-TA-748 (Preliminary)."

By order of the Commission.

Issued: July 1, 1996.

Donna R. Koehnke,
Secretary.

[FR Doc. 96-17427 Filed 7-8-96; 8:45 am]

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[Investigation No. 337-TA-372 Enforcement Proceeding]

Certain Neodymium-Iron-Boron Magnets, Magnet Alloys, and Articles Containing Same; Notice of Referral of Formal Enforcement Proceeding to an Administrative Law Judge for Issuance of a Recommended Determination

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the Commission has referred the formal enforcement proceeding instituted on April 25, 1996, in the above-captioned investigation to an administrative law judge for appropriate proceedings and the issuance of a recommended determination.

FOR FURTHER INFORMATION CONTACT: Jay H. Reiziss, Esq., Office of the General Counsel, U.S. International Trade Commission, telephone 202-252-3116.

SUPPLEMENTARY INFORMATION: On October 10, 1995, the Commission issued a notice that it had determined not to review an initial determination (Order No. 29) of the presiding administrative law judge in the above-captioned investigation granting a motion to terminate the investigation as to respondents San Huan New Materials High Tech, Inc., Ningbo Konit Industries, Inc., and Tridus International, Inc. (the "San Huan respondents") on the basis of a Consent Order, and subsequently issued the Consent Order. The Consent Order provides that the San Huan respondents:

shall not sell for importation, import into the United States or sell in the United States after importation or knowingly aid, abet, encourage, participate in, or induce the sale for importation, importation into the United States or sale in the United States after importation of neodymium-iron-boron magnets which infringe any of claims 1-3 of the '439 patent, or articles or products which

contain such magnets, except under consent or license from Crucible.

On March 4, 1996, complainant Crucible Materials Corporation filed a complaint alleging that the San Huan respondents had violated the Consent Order and seeking institution of a formal enforcement proceeding. Crucible requested that the Commission enforce the Consent Order, impose civil penalties, assess reasonable attorney's fees, and impose such other remedies and sanctions as are appropriate. On March 12 and 28, 1996, the San Huan respondents filed letters objecting, *inter alia*, to a formal enforcement proceeding and requesting that an informal enforcement proceeding instead be instituted.

On April 25, 1996, the Commission issued an Order instituting a formal enforcement proceeding and instructing the Secretary to transmit the enforcement proceeding complaint to the San Huan respondents through counsel for a response. On June 4, 1996, the San Huan respondents filed a response to the complaint, denying violation of the Consent Order and infringement of the patent claims at issue and requesting that the Commission deny all relief sought and terminate the enforcement proceeding with prejudice.

Having examined the San Huan respondents' response to the formal enforcement proceeding complaint filed by Crucible, and having found that issues concerning possible violation of the Commission's Consent Order remain, the Commission determined to refer the enforcement proceeding to Judge Paul J. Luckern for issuance of a recommended determination concerning whether San Huan New Materials High Tech, Inc., Ningbo Konit Industries, Inc., and/or Tridus International, Inc. are in violation of the Commission's Consent Order. The recommended determination is to be issued within six (6) months of the Commission Order referring the enforcement proceeding to the administrative law judge.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), and section 210.75 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.75).

Copies of the Commission's Order and all other nonconfidential documents filed in connection with this enforcement proceeding are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E

Street, S.W., Washington, D.C. 20436, telephone 202-205-2000. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

Issued: July 1, 1996.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 96-17426 Filed 7-8-96; 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 and the Resource Conservation and Recovery Act

In accordance with Department of Justice Policy, 28 CFR 50.7, 38 FR 19029, and 42 U.S.C. § 9622(d), notice is hereby given that on June 24, 1996, a proposed Consent Decree was lodged with the United States District Court for the Western District of Washington, *United States v. ASARCO Inc.*, Civil Action No. C91-5528B. The proposed Consent Decree settles claims asserted by the United States at the request of the United States Environmental Protection Agency (EPA) for releases of hazardous substances at the Asarco Smelter Operable Unit of the Commencement Bay Nearshore/Tideflats Superfund Site in Ruston and Tacoma, Washington. The defendant in the action is ASARCO Incorporated (Asarco). The claims of the United States on behalf of EPA are based upon contamination of the Asarco Smelter Site. The Asarco Smelter Site is comprised of the Asarco smelter facility, which is approximately sixty-seven acres in size, and the adjacent twenty-three acre slag peninsula.

In its amended complaint, the United States asserted claims against Asarco pursuant to Sections 106 and 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, 42 U.S.C. §§ 9606 and 9607(a), and Section 7003 of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6973, for injunctive relief to abate an imminent and substantial endangerment to public health or welfare or the environment due to the release or threatened release of hazardous substances at the Asarco Smelter Site. The United States also sought recovery of costs that have been and will be incurred in response to releases and

threatened releases of hazardous substances at the Asarco Smelter Site, and a declaration that Asarco is liable for such costs.

In the Consent Decree, Asarco agrees to implement the remedy set forth in EPA's Record of Decision (ROD) for the Asarco Smelter Site dated March 24, 1995. Asarco agrees to: (1) excavate approximately 160,000 cubic yards of soil and slag contaminated above action levels; (2) dispose of the contaminated soil and demolition debris designated as hazardous waste in an on-site containment facility (OCF) which meets or exceeds regulatory standards for hazardous waste landfills; (3) cap the entire Site with a low-permeability cap composed of layers of clean soils, gravel and clay; (4) demolish the remaining buildings and structures on the Site; (5) replace the entire surface water drainage system; (6) armor portions of the plant site and slag peninsula shoreline; (7) continue to monitor the sediments and groundwater under an Administrative Order on Consent currently in effect; and (8) develop and implement an enforceable program of restrictions and guidelines to supplement the actual cleanup activities to ensure that the remedial action remains protective and that development activities do not impact the long-term effectiveness of the cleanup. Asarco will also reimburse the United States for \$3,081,510.00 in past response costs that the United States has incurred relating to the Asarco Smelter Site and will reimburse the United States for all of its future response costs at the Site.

In exchange, Asarco will receive a covenant not to sue from the United States with respect to the Asarco Smelter Site for claims pursuant to Sections 106 and 107(a) of CERCLA and Section 7003 of RCRA.

The Department of Justice will receive written comments relating to the proposed Consent Decree for thirty (30) days from the date of publication of this notice. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, U.S. Department of Justice, Washington, D.C. 20530, and should refer to *United States v. ASARCO Inc.*, D.J. Ref. No. 90-11-2-698A. Commenters may request an opportunity for a public meeting in the affected area, in accordance with Section 7003 of RCRA.

The proposed Consent Decree and exhibits may be examined at the following locations: the Region 10 Office of EPA, 7th Floor Records Center, 1200 Sixth Avenue, Seattle, WA 98101; ASARCO Information Center, 5311 North Commercial, Ruston, Washington

98407; the Tacoma Public Library, Main Branch, 1102 Tacoma Avenue South, Northwest Room, Tacoma, WA 98402; and Citizens for a Healthy Bay, 771 Broadway, Tacoma, WA 98402. The complete Administrative Record for the Asarco Smelter Site may be reviewed at the EPA Region 10 office in Seattle and at the Main Branch of the Tacoma Public Library.

A copy of the Consent Decree and exhibits (if requested) may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. In requesting copies, please enclose a check in the amount of \$22.75 (without exhibits) or \$297.00 (with exhibits) (25 cents per page reproduction cost) payable to the "Consent Decree Library."

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

[FR Doc. 96-17311 Filed 7-8-96; 8:45 am]

BILLING CODE 4410-01-M

Drug Enforcement Administration

Importation of Controlled Substances; Notice of Application

Pursuant to Section 1008 of the Controlled Substances Import and Export Act (21 U.S.C. 958(i)), the Attorney General shall, prior to issuing a registration under this Section to a bulk manufacturer of a controlled substance in Schedule I or II and prior to issuing a regulation under Section 1002(a) authorizing the importation of such a substance, provide manufacturers holding registrations for the bulk manufacture of the substance an opportunity for a hearing.

Therefore, in accordance with Section 1311.42 of Title 21, Code of Federal Regulations (CFR), notice is hereby given that on February 23, 1996, Med-Pharmex Inc., 2727 Thompson Creek Road, Pomona, California 91767, made application to the Drug Enforcement Administration to be registered as an importer of pentobarbital (2270) a basic class of controlled substance listed Schedule II.

The firm plans to import pentobarbital to manufacture an euthanasia product for animals.

Any manufacturer holding, or applying for, registration as a bulk manufacturer of this basic class of controlled substance may file written comments on or objections to the application described above and may, at the same time, file a written request for a hearing on such application in

accordance with 21 CFR 1301.54 in such form as prescribed by 21 CFR 1316.47.

Any such comments or objections may be addressed, in quintuplicate, to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, United States Department of Justice, Washington, D.C. 20537, Attention: DEA Federal Register Representative (CCR), and must be filed no later than August 8, 1996.

This procedure is to be conducted simultaneously with and independent of the procedures described in 21 CFR 1311.42 (b), (c), (d), (e), and (f). As noted in a previous notice at 40 FR 43745-46 (September 23, 1975), all applicants for registration to import a basic class of any controlled substance in Schedule I or II are and will continue to be required to demonstrate to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration that the requirements for such registration pursuant to 21 U.S.C. 958(a), 21 U.S.C. 823(a), and 21 CFR 1311.42 (a), (b), (c), (d), (e), and (f) are satisfied.

Dated: July 1, 1996.

Gene R. Haislip,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 96-17337 Filed 7-8-96; 8:45 am]

BILLING CODE 4410-09-M

Immigration and Naturalization Service

Agency Information Collection Activities: Revision of Existing Collection; Comment Request

ACTION: Notice of Information Collection Under Review; Guam Visa Waiver Information.

The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for "sixty days" from the date listed at the top of this page in the Federal Register.

Request written comments and suggestions from the public and affected agencies concerning the proposed collection of information. Your comments should address one or more of the following four points:

(1) evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;