

and continuities of material culture, the Etchemin are considered the ancestral culture of the present-day Passamaquoddy Indian Tribe and the Penobscot Indian Nation.

Based on the above mentioned information, officials of the Robert S. Peabody Museum of Archaeology have determined that, pursuant to 43 CFR 10.2 (d)(1), the human remains listed above represent the physical remains of two individuals of Native American ancestry. Officials of the Robert S. Peabody Museum of Archaeology have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity which can be reasonably traced between these Native American human remains and the Passamaquoddy Indian Tribe and the Penobscot Indian Nation.

This notice has been sent to officials of the Passamaquoddy Indian Tribe and the Penobscot Indian Nation. Representatives of any other Indian tribe that believes itself to be culturally affiliated with these human remains should contact James W. Bradley, Director, Robert S. Peabody Museum of Archaeology, Phillips Academy, Andover, MA 01281; telephone: (508) 749-4490, before June 23, 1997. Repatriation of the human remains to the Passamaquoddy Indian Tribe and the Penobscot Indian Nation may begin after that date if no additional claimants come forward.

Dated: May 16, 1997.

Francis P. McManamon,

*Departmental Consulting Archeologist,
Manager, Archeology and Ethnography
Program.*

[FR Doc. 97-13463 Filed 5-21-97; 8:45 am]

BILLING CODE 4310-70-F

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree; Pursuant to the Clean Water Act

In accordance with Departmental Policy, 28 CFR § 50.7, notice is hereby given that a proposed Final Consent Decree in *United States v. Stewart I. Cottingham*, Civil No. 4:97-1075-22 (D.S.C.), was lodged with the United States District Court for the District of South Carolina on April 18, 1997. The proposed Consent Decree concerns alleged violations of sections 301(a) and 404 of the Clean Water Act, 33 U.S.C. §§ 1311(A) and 1344, resulting from the unauthorized discharge of fill material into approximately 0.8 acre of forested wetlands adjacent to the Little Pee Dee River in Dillon, South Carolina. The fill material, consisting of concrete blocks, bricks, building materials, and wood

chips, was deposited into the wetlands in conjunction with the construction of a roadway through the property.

The proposed Final Consent Decree would provide for the payment of a \$2,000 civil penalty and would permanently enjoin the Defendant from performing future work in wetlands without the required permit(s) from the U.S. Army Corps of Engineers. The unauthorized fill material was satisfactorily removed from the wetlands, with the exception of a portion of the roadway which will remain in place under authority of Nationwide Permit No. 32.

The U.S. Department of Justice will receive written comments relating to the proposed Consent Decree for a period of thirty (30) days from the date of publication of this notice. Comments should be addressed to R. Emery Clark, Assisted United States Attorney, District of South Carolina, 1441 Main Street, Suite 500, Columbia, S.C. 29201 and should refer to *United States v. Stewart I. Cottingham*, Civil No. 4:97-1075-22 (D.S.C.).

The proposed Final Consent Decree may be examined at the Clerk's Office, United States District Court for the District of South Carolina, Florence Division, John L. McMillan Federal Building, 401 W. Evans Street, Florence, South Carolina 29503.

Letitia J. Grishaw,

*Chief, Environmental Defense Section,
Environment and Natural Resources Division,
United States Department of Justice.*

[FR Doc. 97-13392 Filed 5-21-97; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decrees Related to the Fred Ramsey Superfund Site Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act and the Resource Conservation and Recovery Act

Notice is hereby given that two proposed consent decrees were lodged in *United States v. Fred Ramsey et al.*, Civil Action No. 7:96-CV-14 (HL) (M.D. Ga.) on May 7, 1997, with the United States District Court for the Middle District of Georgia. The consent decrees settle claims against separate defendants brought under section 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. § 9607(a), for response costs incurred by the United States at the Fred Ramsey Tank Superfund Site ("Site") in Valdosta, Georgia. These costs were incurred

when EPA removed three abandoned aboveground storage tanks, one abandoned tanker-trailer, and contaminated soil from the Site. These tanks were formerly used by Ramsey Chemical Co. as part of its solvent recycling business and were moved to the Site by Mr. Ramsey. The United States has incurred approximately \$335,000 in response costs (including interest).

Under one of the proposed consent decrees, Mr. Ramsey is agreeing to pay \$112,000 to the United States in reimbursement of response costs associated with the Site. In addition, Mr. Ramsey is agreeing to pay \$213,000 in civil penalties under sections 104(e) and 106(b) of CERCLA, 42 U.S.C. §§ 9604(e) and 9606(b), and section 3008(a) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6928(a).

Under the second proposed consent decree, thirteen former customers of Ramsey Chemical Co. (referred to as the "Generator Group") are collectively agreeing to pay \$223,000 to the United States in reimbursement of response costs associated with the Fred Ramsey Tank Superfund Site. The parties to this decree are: General Motors Corporation; Minnesota Mining and Manufacturing Co.; Rexham Inc.; Guardsman Products, Inc.; BASF Corporation; Kalama Chemical Inc.; Lobeco Products, Inc.; R.J. Reynolds Tobacco Company; Grow Group, Inc.; ITT Automotive, Inc.; Miller Brewing Company; The Alpha Corporation of Tennessee; and, DeSoto, Inc.

The Department of Justice will receive comments relating to the proposed consent decrees for a period of thirty 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. All comments should refer to the name of the case and to DOJ Ref. No. 90-11-3-1600.

The proposed consent decrees may be examined at the Office of the United States Attorney, Middle District of Georgia, 433 Cherry Street, 4th Floor, Galleria Building, Macon, Georgia, 31202; the Region 4 Office of the Environmental Protection Agency, 61 Forsythe Street, S.E., Atlanta, Georgia 30303; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C., 20005, (202) 624-0892. Copies of the proposed consent decrees may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C., 20005. In requesting a copy please refer to the referenced

case and enclose a check in the amount of \$3.50 for the consent decree with Fred Ramsey, or \$6.50 for the consent decree with the Generator Group (25 cents per page reproduction costs) payable to the Consent Decree Library.

Joel Gross,

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

[FR Doc. 97-13473 Filed 5-21-97; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree in Clean Air Act Civil Enforcement Action

In accordance with the Departmental Policy, 28 CFR § 50.7, notice is hereby given that a Consent Decree in *United States v. Westinghouse Electric Corp., Waste Resource Energy, Inc., and York Resource Energy, Inc.*, Civil Action No. 97-3287, was lodged with the United States District Court for the Eastern District of Pennsylvania on May 8, 1997.

The United States filed a complaint on May 8, 1997, against Westinghouse Electric Corp., Waste Resource Energy, Inc., and York Resource Energy, Inc. ("defendants"), alleging violations of the Clean Air Act, 42 U.S.C. § 7401 *et seq.*, occurring at defendants' municipal solid waste incinerators located in Chester and York, Pennsylvania. The complaint alleges that the defendants violated the Clean Air Act by emitting air pollutants, including hydrochloric acid, carbon monoxide, and sulphur dioxide in amounts in excess of the limits established in the defendants' Prevention of Significant Deterioration ("PSD") permits, which were issued to defendants by the Pennsylvania Department of Environmental Protection ("PADEP"). The Commonwealth of Pennsylvania, on behalf of PADEP, filed a complaint in intervention in the action brought by the United States.

The proposed Consent Decree resolves the defendants' liability to the United States and to the Commonwealth of Pennsylvania for the violations alleged in the complaints. The Decree requires the defendants to: (1) comply with the terms of their PSD permits; (2) operate and maintain their incinerators in compliance with certain terms of the Decree; (3) perform certain supplemental environmental projects valued at \$300,000; and (4) pay a civil penalty of \$50,000 to the United States and \$50,000 to the Commonwealth of Pennsylvania.

The Department of Justice will accept written comments on the proposed Consent Decree for thirty (30) days from

the date of publication of this notice. Please address comments to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin station, Washington, DC 20044 and refer to *United States v. Westinghouse Electric Corp., Waste Resource Energy, Inc., and York Resource Energy, Inc.*, DOJ Nos. 90-5-2-1-1980 and 90-5-2-1-1980A.

Copies of the proposed Consent Decree may be examined at the Office of the United States Attorney, Eastern District of Pennsylvania, 615 Chestnut Street, Twelfth Floor, Philadelphia, Pennsylvania; Region III Office of EPA, 841 Chestnut Building, Philadelphia, Pennsylvania 19107; and at the Consent Decree Library, 1120 G Street, NW., 4th 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., 4th Floor, Washington, DC 20005. When requesting a copy of the proposed Consent Decree, please enclose a check to cover the twenty-five cents per page reproduction costs payable to the "Consent Decree Library" in the amount of \$14.50, and please reference DOJ Nos. 90-5-2-1-1980 and 90-5-2-1-1980A.

Joel M. Gross,

Chief, Environmental Enforcement Section, Environment and Natural Resources Division, U.S. Department of Justice.

[FR Doc. 97-13472 Filed 5-21-97; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993 Advanced Lead-Acid Battery Consortium

Notice is hereby given that, on April 28, 1997, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. § 4301 *et seq.* ("the Act"), the Advanced Lead-Acid Battery Consortium ("ALABC"), a program of International Lead Zinc Research Organization, Inc., filed written notification simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notification was filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, Sacramento Municipal Utility District, Sacramento, Municipal Utility District, Sacramento,

CA; Virginia Power Company, Richmond, VA; Acumuladores Autosil, Lisbon, Portugal; and Wavedriver, Ltd., Hertfordshire, United Kingdom have made commitments to the Consortium.

No other changes have been made in either the membership or planned activity of the Consortium. Membership in the Consortium remains open and ALABC intends to file additional written notification disclosing any future changes in membership.

On June 15, 1992, the ALABC filed its original notification pursuant to section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to section 6(b) of the Act on July 29, 1992 (57 FR 33522). The last notification was filed with the Department on January 29, 1997. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on March 20, 1997 (62 FR 13394).

Constance K. Robinson,

Director of Operations Antitrust Division.

[FR Doc. 97-13391 Filed 5-21-97; 8:45 am]

BILLING CODE 4410-11-M

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993; The ATM Forum

Notice is hereby given that, on April 28, 1997, pursuant to § 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. § 4301 *et seq.* ("the Act"), the ATM Forum ("Forum") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances.

Specifically, the following organizations have joined the Forum: ASCII Laboratories, Inc., Tokyo, JAPAN; Linmor Technologies, Inc., Nepean, Ontario, CANADA; Scientific Research Corp., Atlanta, GA; TTK Consulting, Petaling Jaya Selangor, MALAYSIA; Visual Networks, Inc., Rockville, MD; and Xedia Corp., Littleton, MA. The following organizations have withdrawn their membership with the Forum: ACT Networks Inc.; Bear-Stearns and Co.; Bolt Beranek & Newman Corporation; Cablelabs Inc.; California Eastern Labs Corp.; CTS Corp.; Cypress Semiconductor Corp.; Data Communications Technology; Digi International Inc.; Digicom Systems Inc.;