

## INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 731-TA-776-779 (Preliminary)]

### Certain Preserved Mushrooms From Chile, China, India, and Indonesia

**AGENCY:** United States International Trade Commission.

**ACTION:** Institution of antidumping investigations and scheduling of preliminary phase investigations.

**SUMMARY:** The Commission hereby gives notice of the institution of investigations and commencement of preliminary phase antidumping investigations Nos. 731-TA-776-779 (Preliminary) under section 733(a) of the Tariff Act of 1930 (19 U.S.C. 1673b(a)) (the Act) to determine whether there is a reasonable indication that an industry in the United States is materially injured or threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports from Chile, China, India, and Indonesia of certain preserved mushrooms,<sup>1</sup> provided for in subheadings 0711.90.40 and 2003.10.00 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value. Unless the Department of Commerce extends the time for initiation pursuant to section 732(c)(1)(B) of the Act (19 U.S.C. 1673a(c)(1)(B)), the Commission must reach a preliminary determination in antidumping investigations in 45 days, or in this case by February 20, 1998. The Commission's views are due at the

<sup>1</sup> The imported products subject to these investigations consist of certain preserved mushrooms, whether imported whole, sliced, or as stems and pieces. The preserved mushrooms covered under the investigations are of the species *Agaricus bisporus* and *Agaricus bitorquis*. "Preserved mushrooms" refers to mushrooms that have been prepared or preserved by cleaning, blanching, and sometimes slicing or cutting. These mushrooms are then packed and heated in containers, including but not limited to cans or glass jars, in a suitable liquid medium that may include, but is not limited to, water, brine, or butter (or butter sauce). Preserved mushrooms may be imported whole, sliced, or as stems and pieces. Included within the scope of the petition are "brined" mushrooms, which are presalted and packed in a heavy salt solution to provisionally preserve them for further processing.

Excluded from the scope of the petition are: (1) all other species of mushroom, including straw mushrooms (HTS statistical reporting number 2003.10.0009); (2) all fresh and chilled mushrooms (HTS subheading 0709.51.00), including "refrigerated" or "quick blanched" mushrooms; (3) dried mushrooms (HTS subheadings 0712.30.10 and 0712.30.20); (4) frozen mushrooms (HTS subheading 0710.80.20); and (5) "marinated," "acidified," or "pickled" mushrooms, which are packed with solutions such as oil, vinegar, or acetic acid (HTS subheading 2001.90.39).

Department of Commerce within five business days thereafter, or by February 27, 1998.

For further information concerning the conduct of these investigations and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A and B (19 CFR part 207), as amended in 61 FR 37818 (July 22, 1996). **EFFECTIVE DATE:** January 6, 1998.

**FOR FURTHER INFORMATION CONTACT:** Olympia DeRosa Hand (202-205-3182), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its internet server (<http://www.usitc.gov> or <ftp://ftp.usitc.gov>).

#### SUPPLEMENTARY INFORMATION:

**Background.**—These investigations are being instituted in response to a petition filed on January 6, 1998, by L.K. Bowman, Inc., Nottingham, PA; Modern Mushroom Farms, Inc., Avondale, PA; Monterrey Mushrooms, Inc., Watsonville, CA; Mount Laurel Canning Corp., Temple, PA; Mushroom Canning Co., Kennett Square, PA; Sunny Dell Foods, Inc., Oxford, PA; and United Canning Corp., North Lima, OH.

**Participation in the investigations and public service list.**—Persons (other than petitioners) wishing to participate in the investigations as parties must file an entry of appearance with the Secretary to the Commission, as provided in sections 201.11 and 207.10 of the Commission's rules, not later than seven days after publication of this notice in the **Federal Register**. Industrial users and (if the merchandise under investigation is sold at the retail level) representative consumer organizations have the right to appear as parties in Commission antidumping investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to this investigation upon the expiration of the period for filing entries of appearance.

**Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and BPI service list.**—Pursuant to

section 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in these investigations available to authorized applicants representing interested parties (as defined in 19 U.S.C. 1677(9)) who are parties to the investigations under the APO issued in the investigations, provided that the application is made not later than seven days after the publication of this notice in the **Federal Register**. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

**Conference.**—The Commission's Director of Operations has scheduled a conference in connection with these investigations for 9:30 a.m. on January 27, 1998, at the U.S. International Trade Commission Building, 500 E Street SW., Washington, DC. Parties wishing to participate in the conference should contact Olympia DeRosa Hand (202-205-3182) not later than January 23, 1998, to arrange for their appearance. Parties in support of the imposition of antidumping duties in these investigations and parties in opposition to the imposition of such duties will each be collectively allocated one hour within which to make an oral presentation at the conference. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the conference.

**Written submissions.**—As provided in sections 201.8 and 207.15 of the Commission's rules, any person may submit to the Commission on or before January 30, 1998, a written brief containing information and arguments pertinent to the subject matter of the investigations. Parties may file written testimony in connection with their presentation at the conference no later than three days before the conference. If briefs or written testimony contain BPI, they must conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules.

In accordance with sections 201.16(c) and 207.3 of the rules, each document filed by a party to the investigations must be served on all other parties to the investigations (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

**Authority:** These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.12 of the Commission's rules.

By order of the Commission.

Issued: January 12, 1998.

**Donna R. Koehnke,**

Secretary.

[FR Doc. 98-1095 Filed 1-15-98; 8:45 am]

BILLING CODE 7020-02-P

## DEPARTMENT OF JUSTICE

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

In accordance with Departmental policy, 28 CFR 50.7, and with Section 122 of CERCLA, 42 U.S.C. 9622, notice is hereby given that a consent decree in *United States v. American Cyanamid Company, Inc., et al.*, Civ. A. No. L-98-27, was lodged on January 7, 1998, with the United States District Court for the District of Maryland. The consent decree resolves the claims of the United States under Sections 106(a), 107(a), and 113(g)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), for reimbursement of response costs incurred at the Bush Valley Landfill Superfund Site located in Harford County, Maryland and for declaratory judgment as to liability that will be binding in actions to recover further response costs related to the Site. The consent decree obligates American Cyanamid Company, Inc. (formerly known as Cytec Industries, Inc.), Bata Shoe Company, Inc., Browning-Ferris, Inc. (formerly known as Eastern Disposal, Inc.), Case-Mason Filling, Inc., Cello Corporation, the city of Aberdeen, Maryland, the City of Havre de Grace, Maryland, Constar Plastics, Inc., Covance Preclinical Corporation (formerly known as Corning Life Sciences), Harford County, Maryland, Harford Sanitation Services, Inc., Alco Industries, Inc., Maryland State Highway Administration, and McCorquodale Process, Inc. to perform the remedial design and remedial action the U.S. Environmental Protection Agency has selected for the Site.

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, D.C., 20530, and should refer to *United States v. American Cyanamid Company, Inc., et al.*, DOJ Ref. #90-11-2-1162.

The consent decree may be examined at the office of the United States Attorney, 6625 U.S. Courthouse, 101 W. Lombard Street, Baltimore, Maryland 21201; the Region III Office of the Environmental Protection Agency, 841 Chestnut Street, Philadelphia, PA; and at the Consent Decree Library, 1120 G Street, NW 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the consent decree may be obtained in person or by mail from the Consent Decree Library 1120 G Street, NW, 4th Floor, Washington, D.C. 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$33.75 (25 cents per page reproduction cost), payable to the Consent Decree library. Attachments to the consent decree can be obtained for an additional \$32.25.

**Joel M. Gross,**

Chief, Environmental Enforcement Section  
Environment and Natural Resources Division.

[FR Doc. 98-1092 Filed 1-15-98; 8:45 am]

BILLING CODE 4410-15-M

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601 et seq., in *United States v. Curtiss-Wright Corp., et al.*

In accordance with Section 122(i) of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), as amended, 42 U.S.C. 122(i), and Department policy, 28 CFR 50.7 38 FR 19029, notice is hereby given that a proposed Consent Decree in *United States v. Curtiss-Wright Corp., et al.*, Civil Action No. 98-CV-0014, was lodged in the United States District Court for the Northern District of New York on January 5, 1998. The proposed consent decree, if entered, will resolve the liability of eleven defendants, owners and/or operators, under Section 106 and 107(a) of CERCLA, 42 U.S.C. 9606 and 9607(a), in connection with alleged releases of hazardous substances at the Malta Rocket Fuel Area ("Site"), a 165-acre parcel located on Plains Road in the Towns of Malta and Stillwater, Saratoga County, New York, New York. Under the settlement reflected in the proposed consent decree, defendants will perform certain remedial design/remedial action work at the Site implementing the Record of Decision issued July 18, 1996 and pay response costs of up to \$956,581.77 to the United States.

The Department of Justice will receive, for a period of thirty (30) days

from the date of publication of this notice, written comments relating to the proposed Consent Decree. Comments should be addressed to Lois J. Schiffer, Assistant Attorney General of the Environment and Natural Resources Division, United States Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Curtiss-Wright Corp., et al.*, Department of Justice No. 90-11-3-1575.

The proposed Consent Decree may be examined at the office of the United States Attorney for the Northern District of New York, U.S. Courthouse, Room 231, 445 Broadway, Albany, New York 12207; at Region I office of the United States Environmental Protection Agency, 290 Broadway, New York, New York 10007; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, 202-624-0892. A copy of the proposed Consent Decree may be obtained in person or by mail from the Consent Decree Library, at the above address. In requesting a copy, please enclose a check in the amount of \$31.25 (25 cents per page reproduction costs) payable to Consent Decree Library.

**Joel M. Gross,**

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

[FR Doc. 98-1094 Filed 1-15-98; 8:45 am]

BILLING CODE 4410-15-M

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Clean Air Act and the Resource Conservation and Recovery Act

In accordance with 28 CFR 50.7, the Department of Justice gives notice that a proposed consent decree in *United States v. Marathon Oil Company*, Civil No. 96-4117-JLF (S.D. Ill.), was lodged with the United States District Court for the Southern District of Illinois on January 5, 1998. The proposed consent decree would resolve the United States' civil claims against the Marathon Oil Company for certain of its operations at its refinery in Robinson, Crawford County, Illinois, under the Clean Air Act, 42 U.S.C. §§ 7401-7671q, and the Resource Conservation and Recovery Act, 42 U.S.C. 6901-6992k. Under the terms of the proposed consent decree, defendant Marathon Oil Company will pay a civil penalty of \$75,000 and perform a supplemental environmental project, which will include the implementation of an early-compliance program with projected Clean Air Act regulations for which Marathon Oil