

**SUPPLEMENTARY INFORMATION:****Background**

On March 3, 2000, the Commission determined that the domestic interested party group response to its notice of institution (64 FR 67320, December 1, 1999) was adequate and the respondent interested party group response was inadequate. The Commission did not find any other circumstances that would warrant conducting a full review.<sup>1</sup> Accordingly, the Commission determined that it would conduct an expedited review pursuant to section 751(c)(3) of the Act.

**Staff Report**

A staff report containing information concerning the subject matter of the review will be placed in the nonpublic record on July 3, 2000, and made available to persons on the Administrative Protective Order service list for this review. A public version will be issued thereafter, pursuant to section 207.62(d)(4) of the Commission's rules.

**Written Submissions**

As provided in section 207.62(d) of the Commission's rules, interested parties that are parties to the review and that have provided individually adequate responses to the notice of institution,<sup>2</sup> and any party other than an interested party to the review, may file written comments with the Secretary on what determination the Commission should reach in the review. Comments are due on or before July 7, 2000, and may not contain new factual information. Any person that is neither a party to the five-year review nor an interested party may submit a brief written statement (which shall not contain any new factual information) pertinent to the review by July 7, 2000. However, should Commerce extend the time limit for its completion of the final results of its review, the deadline for comments (which may not contain new factual information) on Commerce's final results is three business days after the issuance of Commerce's results. If comments contain business proprietary information (BPI), they must conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the

Secretary by facsimile or electronic means.

In accordance with sections 201.16(c) and 207.3 of the rules, each document filed by a party to the review must be served on all other parties to the review (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.

**Determination**

The Commission has determined to exercise its authority to extend the review period by up to 90 days pursuant to 19 U.S.C. § 1675(c)(5)(B).

**Authority:** This review is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.62 of the Commission's rules.

Issued: March 15, 2000.

By order of the Commission.

**Donna R. Koehnke,**

Secretary.

[FR Doc. 00-6854 Filed 3-17-00; 8:45 am]

**BILLING CODE 7020-02-P**

**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 consent decree in *United States v. AT&T Corp., AT&T of the Virgin Islands, A&L Underground, Inc., and BioImpact, Inc.*, Civil Action No. 2000-42, was lodged with the United States District Court for the District of the Virgin Islands on March 9, 2000.

This is a civil enforcement action stating claims against AT&T Corp., AT&T of the Virgin Islands, A&L Underground, Inc., and BioImpact, Inc for violations of the Rivers and Harbors Act ("RHA"), 33 U.S.C. 401 *et seq.*, and the Clean Water Act ("CWA"), 33 U.S.C. 1251 *et seq.*, in connection with the Defendants' construction of a transoceanic cable landing facility in St. Croix, the U.S. Virgin Islands.

The proposed Consent Decree would resolve these violations and, among other provisions, would require Defendants to (1) pay a civil penalty in the amount of \$1.8 million, and (2) conduct further monitoring of the areas where drilling mud was released, to ensure that any remaining drilling mud is discovered and removed.

The Department of Justice will accept 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, Environment and Natural Resources Division, U.S. Department of Justice, Attention: Scott J. Jordan, Environmental Defense Section, P.O. Box 23986, Washington, DC 20026-3986, and must refer to *United States v. AT&T Corp., AT&T of the Virgin Islands, A&L Underground, Inc., and BioImpact, Inc.*, DJ Reference No. 90-5-1-1-4466.

The proposed consent decree is on file at the Clerk's Office, United States District Court, District of the Virgin Islands, 310 Federal Building, 5500 Veterans Drive, Charlotte Amalie, St. Thomas, Virgin Islands 00802, and may be examined there to the extent allowed by the rules of the Clerk's Office. In addition, written requests for a copy of the consent decree may be mailed to Scott J. Jordan, Environmental Defense Section, U.S. Department of Justice, P.O. Box 23986, Washington, DC 20026-3986, and should refer to *United States v. AT&T Corp., AT&T of the Virgin Islands, A&L Underground, Inc., and BioImpact, Inc.*, DJ Reference No. 90-5-1-1-4466. All written requests for a copy of the Consent Decree must include the full mailing address to which the Consent Decree should be sent.

**Letitia J. Grishaw,**

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

[FR Doc. 00-6746 Filed 3-17-00; 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 ("CERCLA")**

Consistent with Department policy, 28 CFR 50.7, 38 FR 19029, and 42 U.S.C. 9622(d), notice is hereby given that a proposed consent decree in *United States v. Jane Doe, as Executrix of the Estate of Edmund Barbera, et al.*, 96 Civ. 8563 (BSJ), was lodged on March 8, 2000 with the United States District Court for the Southern District of New York. The Consent Decree addresses the hazardous waste contamination at the Port Refinery Superfund Site (the "Site"), located in the Village of Rye Brook, Westchester County, New York. The Consent Decree requires the current owner of the Site to pay to the United States the net proceeds of the sale of the Site, after certain costs in connection with the sale are paid and after purchase

<sup>1</sup> A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements will be available from the Office of the Secretary and at the Commission's web site.

<sup>2</sup> The Commission has found the response submitted by ACCO to be individually adequate. Comments from other interested parties will not be accepted (see 19 CFR 207.62(d)(2)).

of an annuity to cover the living expenses of the owner.

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, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, D.C. 20044-7611, and should refer to *United States v. Jane Doe, as Executrix of the Estate of Edmund Barbera, et al.*, DOJ Ref. #90-11-3-1142A.

The proposed consent decree may be examined at the office of the United States Attorney for the Southern District of New York, 100 Church Street, New York, New York, 10007 (contact Assistant United States Attorney Kathy S. Marks); and the Region II Office of the Environmental Protection Agency, 290 Broadway, New York, New York, 10007-1866 (contact Assistant Regional Counsel Cynthia Psoras). A copy of the proposed consent decree may be obtained by mail from the Consent Decree Library, P.O. Box 7611, Washington, D.C. 20044-7611. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$7.00 (25 cents per page reproduction costs) for the Consent Decree, payable to the Consent Decree Library.

**Bruce S. Gelber,**

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

[FR Doc. 00-6744 Filed 3-17-00; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Proposed Consent Decree

In accordance with 28 CFR 50.7(b), notice is hereby given that a proposed Consent Decree in *United States v. Fisher Sand & Gravel Co.*, Civil Action No. 98-CV-0276-D (D. Wyo.), was lodged with the United States District Court for the District of Wyoming on March 8, 2000. Final approval of the proposed Consent Decree is subject to the requirements of 28 CFR 50.7.

In this case, the United States filed suit against Fisher Sand & Gravel Co., Emulsified Asphalt, Inc. of Wyoming, and others for alleged violations of Clean Water Act sections 301 and 404. The Complaint alleges that the defendants discharged dredged or fill material into waters of the United States within Deer Creek near Glenrock, Wyoming, without a permit issued by

the United States Army Corps of Engineers.

The United States and the defendants have reached agreement on the terms of a proposed Consent Decree. Under the proposed settlement, the defendants will complete restoration, perform three to five years of monitoring, be enjoined against future unauthorized discharges, and pay a civil penalty.

The Department of Justice will receive written comments on the proposed Consent Decree for a period of 30 days from the date of publication of this notice. Comments should be addressed to Joshua E. Swift, Trial Attorney, U.S. Department of Justice, Environment & Natural Resources Division, Environmental Defense Section, P.O. Box 23986, Washington, DC 20026, and refer to *United States v. Fisher Sand & Gravel Co.*, Civil Action No. 98-CV-0276-D (D. Wyo.), DJ# 90-5-1-1-05204.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the District of Wyoming, 2120 Capitol Avenue, Room 2131, Cheyenne, Wyoming 82001. The telephone number of the Clerk's Office is (307) 772-2145.

**Letitia J. Grishaw,**

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

[FR Doc. 00-6745 Filed 3-17-00; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decrees Under the Comprehensive, Environmental Response, Compensation and Liability Act ("CERCLA")

Notice is hereby given that four proposed consent decrees in *United States v. Mountain Metal Company, et al.*, Civil Action No. CV-98-2562-S, and one proposed consent decree in *United States v. Mountain Metal Company, et al.*, Civil Action No. CV-98-C-2562-S and consolidated action *Exide Corporation and Johnson Controls, Inc., v. Aaron Scrap Metals, et al.*, Civil Action No. CV-98-J-2886-S, were lodged on March 7, 2000, with the United States District Court for the Northern District of Alabama, Southern Division.

In these actions, the United States and Exide Corporation and Johnson Control, Inc. have sought injunctive relief and recovery of response costs under Sections 106(a) and 107 of CERCLA, 42 U.S.C. 9606(a) and 9607, against over forty generator defendants with respect to the Interstate Lead Company ("ILCO") Superfund Site, located in

Leeds, Jefferson County, Alabama ("the Site").

The United States has now agreed to settlement of its claims under Sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, for existing contamination at the Site with respect to five defendants: Battery Post, Inc. ("Battery Post"), Goldsboro Iron & Metal Company, Inc. ("Goldsboro"), Micon Metals, Inc. ("Micon") Omega Tire & Sales ("Omega") and V.H. Holmes & Sons, Inc. ("V.H. Holmes"). Battery Post will pay \$6,000 plus interest over a twelve month period to the United States to resolve its claims. Micon will pay \$500 with 30 days of Decree entry, to the United States to resolve its claims. Omega will pay \$1,000 within 30 days of Decree entry, to the United States to resolve its claims. V.H. Holmes will pay \$20,000 plus interest within one year of Decree entry, to the United States to resolve its claims. Goldsboro will pay the United States \$195,750, plus interest, within 30 days of proposed consent decree entry to resolve its claims. Goldsboro will also pay Exide Corporation and Johnson Control, Inc., a total of \$479,250 in principal plus interest, with \$104,250 paid with 30 days of proposed consent decree entry, and 30 monthly payments of \$12,500 plus interest to resolve the claims in the consolidated action.

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 decrees. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, P.O. Box 7611, Department of Justice, Washington, DC 20044, and should refer to *United States v. Mountain Metal Company, et al.*, Civil Action No. CV-98-C-2562-S and consolidated action *Exide Corporation and Johnson Controls, Inc., v. Aaron Scrap Metals, et al.*, Civil Action No. CV-98-J-2886-S and DOJ #90-11-2-108/2.

Any of the proposed consent decrees may be examined at the Office of the United States Attorney, Northern District of Alabama, 200 Robert S. Vance Federal Building & Courthouse, 1800 5th Ave. N., Room 200, Birmingham, AL 35203-2198, and at U.S. EPA Region 4, Atlanta Federal Center, 61 Forsyth Street, S.W. Atlanta, Georgia 30303. A copy of the Consent Decree also may be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044. In requesting a copy, please enclose a check in the amount of \$8.00 (25 cents per page reproduction costs) per