

energy services. For the purpose of this study, renewable energy services are defined to include: the use of renewable power sources—including wind, solar energy, biomass fuels, tidal energy, and geothermal energy—in heating or electricity generation; the sale of renewable energy; geological analysis, resource assessment, and other services incidental to the evaluation, planning, or siting of a renewable energy project or facility; design, construction, and installation services for renewable energy equipment and facilities; the operation, management, and monitoring of renewable energy projects or facilities; decommissioning services; services incidental to the issuance of renewable energy certificates; research and development services related to renewable energy; and other services incidental to the development and use of renewable power sources.

The USTR asked that the Commission furnish its report by October 1, 2005, and that the Commission make the report available to the public in its entirety.

Public Hearing: A public hearing in connection with the investigation will be held at the U.S. International Trade Commission Building, 500 E Street SW., Washington, DC, beginning at 9:30 a.m. on April 19, 2005. All persons shall have the right to appear, by counsel or in person, to present information and to be heard. Requests to appear at the public hearing should be filed with the Secretary, United States International Trade Commission, 500 E Street SW., Washington, DC 20436, no later than 5:15 p.m., April 5, 2005. Any prehearing briefs (original and 14 copies) should be filed not later than 5:15 p.m., April 7, 2005; the deadline for filing post-hearing briefs or statements is 5:15 p.m., May 5, 2005. In the event that, as of the close of business on April 5, 2005, no witnesses are scheduled to appear at the hearing, the hearing will be canceled. Any persons interested in attending the hearing as an observer or non-participant may call the Secretary of the Commission (202-205-1806) after April 5, 2005, for information concerning whether the hearing will be held.

Written Submissions: In lieu of or in addition to participating in the hearing, interested parties are invited to submit written statements (original and 14 copies) concerning the matters to be addressed by the Commission in its report on this investigation. Commercial or financial information that a submitter desires the Commission to treat as confidential must be submitted on separate sheets of paper, each clearly marked "Confidential Business Information" at the top. All submissions

requesting confidential treatment must conform with the requirements of section § 201.6 of the Commission's Rules of Practice and Procedure (19 CFR 201.6). All written submissions, except for confidential business information, will be made available in the Office of the Secretary to the Commission for inspection by interested parties. The Commission will not include any confidential business information in the report it sends to the USTR. To be assured of consideration by the Commission, written statements relating to the Commission's report should be submitted to the Commission at the earliest practical date and should be received no later than the close of business on May 5, 2005. All submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street SW., Washington, DC 20436. The Commission's rules do not authorize filing submissions with the Secretary by facsimile or electronic means, except to the extent permitted by section 201.8 of the Commission's Rules of Practice and Procedure (19 CFR 201.8) (see Handbook for Electronic Filing Procedures, [ftp://ftp.usitc.gov/pub/reports/electronic_filing_handbook.pdf](http://ftp.usitc.gov/pub/reports/electronic_filing_handbook.pdf)). Persons with questions regarding electronic filing should contact the Secretary (202-205-2000 edis@usitc.gov).

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>).

List of Subjects

WTO, GATS, renewable energy services.

Issued: August 5, 2004.

By order of the Commission.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 04-18314 Filed 8-10-04; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act

In accordance with 28 U.S.C. 50.7 and Section 122 of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9622, notice is hereby given that on July

14, 2004, a proposed consent decree in the action of *United States v. 3M Company, et al.*, C.A. No. 2:04-cv-3331 (HAA), was lodged with the United States District Court for the District of New Jersey. The Consent Decree resolves the claims of the United States against the defendants in this action for implementation of the fill area remedy ("Operable Unit Two") at the Scientific Chemical Processing ("SCP")—Carlstadt Superfund Site located in Carlstadt, New Jersey ("Site") and for reimbursement of past response costs relating to the Site.

The Complaint in this action alleges that the defendants are liable to the United States under Sections 106 and 107 of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9606, 9607, as generators and/or transporters of materials containing hazardous substances that were disposed of at the Site. The defendants in this action are:

3M Company; Air Products and Chemicals, Inc.; Akzo Nobel Coatings, Inc.; Altje, Inc.; American Cyanamid—Lederle Labs—Shulton, Inc.; American Standard Companies; Ashland Inc.; ATOFINA Chemicals, Inc.; BASF Corporation; Bayer Chemicals Corporation; Bee Chemical Company; Benjamin Moore & Co.; Ber Mar Manufacturing Corp.; Borden Chemical, Inc.; Bristol-Myers Squibb Company; Browning-Ferris Industries of New Jersey; Chemcoat Inc.; Chemical Pollution Control, Inc. of NY; Ciba Specialty Chemicals Corporation; CNA Holdings, Inc.; Congoleum Corporation; Crown Beverage Packaging Company, Inc.; Cycle Chem, Inc.; Dri Print Foils, Inc.; DuPont Company; Exxon Mobil Corporation; ExxonMobile Oil Corporation; General Electric Company; General Motors Corporation; Hoffmann-La Roche, Inc.; Honeywell International Inc.; ISP Environmental Services Inc.; John L. Armitage & Co.; Johnson & Johnson; Kirker Enterprises, Inc.; L.E. Carpenter & Company; Lucent Technologies Inc.; Mack Trucks, Inc.; Magid Corp.; Mallinckrodt Baker, Inc.; Manor Care of American, Inc.; Manor Care Health Services, Inc.; Marisol, Inc.; Merck & Co., Inc.; Monroe Chemical, Inc.; Nepera, Inc.; New England Laminates Co.; Inc.; Northrop Grumman Systems Corporation; Occidental Chemical Corporation; PAXAR Corporation; Permacel, Inc.; Pfizer Inc.; Pharmacia Corporation; Portfolio One, Inc.; Revlon Consumer Products Corporation; Roche Vitamins Inc.; Rohm and Haas Company; Schenectady International, Inc.; Seagrave Coatings Corp. (NJ); Siegfried (USA), Inc.; Simon Wrecking Company, Inc.; SmithKline Beecham Corporation; Technical Coatings Co.; The Continental Group Inc.; The Dow Chemical Company; The Warner Lambert Co., LLC; Union Carbide Corporation; United Technologies Corporation; and VIACOM Inc.

Under the proposed Consent Decree, the settling defendants will reimburse to

EPA \$1,149,902 of its past costs at this Site, plus interest from January 7, 2003, and will perform the Operable Unit Two remedial action. The Operable Unit Two remedial action includes the treatment and stabilization of a hot spot area, the installation of a landfill cap over the fill area, improvement of the existing groundwater recovery system, and institutional controls. The cost of the performance of the Operable Unit Two remedial action will be financed in part from proceeds of a previous settlement with *de minimis* potentially responsible parties relating to the Site and in part by the defendants participating in this Consent Decree.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, written 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, DC 20044-7611, and should refer to *United States v. 3M Company, et al.*, DOJ Ref. #09-11-12-495/1. In addition, because the Consent Decree includes a covenant not to sue the settling defendants under Section 7003 of the Resource Conservation and Recovery Act, 42 U.S.C. 6973, the United States will provide an opportunity for a public meeting in the affected area, if requested within the thirty (30) day public comment period. See 42 U.S.C. 6973(d).

The proposed Consent Decree may be examined at the Office of the United States Attorney for the District of New Jersey, 970 Broad Street, Room 400, Newark, New Jersey 07102, and at the U.S. Environmental Protection Agency, Region II, office, 290 Broadway, New York, New York 10007. During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site: <http://www.usdoj.gov/enrd/open.html>. A copy of the Consent Decree, with or without appendices, may also be obtained by mail from the Consent Decree Library, PO Box 7611, Washington, DC 20044-7611, or by faxing or e-mailing a request to Tonia Fleetwood (tonia.fleetwood@usdoj.gov), fax no. (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 \$29.75 (25 cents per page reproduction costs) for the Consent Decree, without appendices, or \$107.00 (25 cents per page reproduction costs) for the Consent Decree, with

appendices, payable to the U.S. Treasury.

Ronald G. Gluck,

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

[FR Doc. 04-18399 Filed 8-10-04; 8:45 am]

BILLING CODE 4410-15-M

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 resolving the liability of Hyponex Corporation in *United States of America v. Hyponex Corp.*, Civil Action No. 92-1940 (D.N.J.), was lodged with the United States District Court for the District of New Jersey on July 6, 2004.

The proposed consent decree concerns alleged violations of the Clean Water Act, 33 U.S.C. 1311, resulting from the unauthorized discharge of dredged or fill materials into waters of the United States at a location in Hampton Township, Sussex County, New Jersey (the "Site"). The consent decree enjoins Hyponex Corporation from discharging dredged or fill material into waters of the United States at the Site. The consent decree further requires that Hyponex Corporation: (a) Implement a restoration plan to restore wetlands damaged by the unauthorized discharges at the Site and to enhance other wetlands at the Site; (b) pay a civil penalty of \$50,000; (c) place a conservation easement on over 1,000 acres of land at the Site, which includes all wetlands at the Site, and transfer that property to an organization approved by the Corps of Engineers for the purpose of permanently protecting and managing the transferred property in an undeveloped state, consistent with the function and values of the wetlands at the Site; and (d) pay \$125,000 to establish a fund to be used by the holder of the conservation easement for the purpose of overseeing the preservation and maintenance of the 1,000-plus acre period. The consent decree also requires that Hyponex Corporation dismiss with prejudice all claims and counterclaims which have been or could have been asserted against the United States with regard to the Site.

The 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 the Assistant Attorney General, Environment and

Natural Resources Division, United States Department of Justice, Attention: Michael J. Zevenbergen, Attorney, Environmental Defense Section, Seattle Field Office, c/o NOAA/Damage Assessment, 7600 Sand Point Way NE, Seattle, WA 98115, and should refer to *United States of America v. Hyponex Corp.*, DJ Reference No. 90-5-1-1-3685.

The proposed consent decree may be examined at the Clerk's Office, United States District Court, Martin Luther King Federal Building and Courthouse, 50 Walnut Street, Newark, NJ 07102.

Letitia J. Grishaw,

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

[FR Doc. 04-18400 Filed 8-10-04; 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 ("CERCLA")

Pursuant to section 122(d) of CERCLA, 42 U.S.C. 9622(d), and 28 CFR 50.7 notice is hereby given that on August 2, 2004, a proposed Consent Decree in *United States v. Izzo Group, Inc., and Pasco Izzo, Sr.*, Civ. No. 1:04-CV-11689 (GAO), was lodged with the United States District Court for the District of Massachusetts.¹

In this action the United States, on behalf of the United States Environmental Protection Agency ("EPA"), seeks cost recovery with respect to the Cohen Property Superfund Site ("Site"), located in the City of Taunton, Massachusetts, pursuant to the Comprehensive Environmental Response, Compensation and Liability Act against Izzo Group, Inc., and Pasco Izzo, Sr. (the "Settling Parties"). Under the terms of the proposed settlement, the Settling Parties will pay \$100,000, plus interest, to reimburse the United States for costs incurred by EPA at the site. This settlement amount is based on the Settling Parties' limited ability to pay the full amount of EPA's unreimbursed response costs. The proposed settlement also provides for payment of approximately \$2 million by the United States, on behalf of the United States Department of Defense, in reimbursement of EPA's response costs incurred at the Site.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, written comments relating to the