

COPS grant. The Troops to COPS Application will seek basic information about the veteran who was hired and a brief itemization of training costs for which the agency seeks to be reimbursed.

Agencies may apply for reimbursement only after a veteran has satisfied the normal hiring standards and procedures of that agency. To be eligible for reimbursement, the veterans hired must have been a member of the armed forces or reserves on or after October 1, 1993, and must have been honorably discharged or released from active duty characterized as honorable. Preference will be given to the requests of those departments who have hired a veteran who: (1) Has been involuntarily separated; or (2) is approved for separation under the Armed Forces Voluntary Separation Incentive, or the Special Separation Benefits program; or (3) has retired pursuant to the Transition Assistance Act; and (4) has experience in the military police of the respective branch of the armed forces. The Troops to COPS Application Kit will contain a more detailed explanation of these preferences.

An award under Troops to COPS will not affect the eligibility of an agency for a grant under any other COPS program.

Dated: April 24, 1995.

Joseph E. Brann,

Director.

[FR Doc. 95-11005 Filed 5-10-95; 8:45 am]

BILLING CODE 4410-01-M

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

In accordance with Department of Justice policy, 28 C.F.R. § 50.7 notice is hereby given that on April 28, 1995, a proposed consent decree in *United States v. Blackbird Mining Co., et al.*, and *State of Idaho, et al. v. The M.A. Hanna Company*, Consolidated Case No. 83-4179 (D. Idaho), was lodged with the United States District Court for the District of Idaho. The consent decree resolves claims against the M.A. Hanna Company, Hanna Services Company, Noranda Mining Inc., Noranda Exploration, Inc., Blackbird Mining Company Limited Partnership, and Alumet Corporation pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9601, *et seq.*, and against the M.A. Hanna Company, Hanna Services Company, Noranda Mining Inc., Noranda Exploration, Inc., Blackbird Mining Company Limited Partnership pursuant to the Federal Water Pollution

Control Act (Clean Water Act, or "CWA"), 33 U.S.C. 1251 *et seq.*, and the Endangered Species Act ("ESA"), 16 U.S.C. 1531 *et seq.*, to accomplish the clean up of the contamination and restoration of the natural resources at the Blackbird Mine in central Idaho and for the recovery of past and future response costs. The United States' claims were filed in June 1993 against the past and current owners and operators of the mine on behalf of the Forest Service and NOAA acting as natural resource trustees and on behalf of the EPA. The United States case was consolidated with a case filed by the State of Idaho in 1983 against most of the same parties.

This settlement is a joint coordinated plan developed by the Governments', in consultation and cooperation with the Settling Defendants, for the restoration and replacement of the injured natural resources at the site. The major provisions of the Consent Decree (CD) consist of cash payments to the Governments, implementation of a Biological Restoration and Compensation Plan (BRCP) that is filed with the Consent Decree, and a commitment to clean up the site pursuant to a series of Response Actions and implementation of the final remedy selected by EPA under the CERCLA remediation process. Specifically, the Consent Decree provides as follows:

A. Cash payments

(1) Cash payment at time of entry to the Natural Resource Trustees (NOAA, USDA Forest Service, and Idaho) of \$4.7 million which was expended on the Natural Resource Damage Assessment,

(2) Payment of \$328,742 to EPA, NOAA and USDA for past response costs, and

(3) Payment of \$2.5 million into a trust fund for implementation of the Hatchery Component of the BRCP.

B. Natural Resource/Biological Restoration and Compensation Plan

This portion of the Settlement commits the Defendants to implement and pay for a two-part program to fully compensate the Natural Resources Trustees for losses resulting from the injury or destruction of natural resources—including the "threatened" spring/summer chinook salmon—due to releases of hazardous substances from Blackbird Mine. The proposed projects are valued by the Trustees at approximately \$17 million, and include restoration as well as compensation for "interim" losses.

One part of the program, known as the "Hatchery Operations Program," consists of construction of fish hatchery

facilities and associated structures necessary to catch adult salmon brood stock, raise the smolts and reintroduce them into Panther Creek (and possibly other streams in the Salmon River Basin). These activities are not intended to commence until 2005. The costs of these facilities is approximately \$2.5 million. This money is being placed in a trust fund that may be withdrawn by the Trustees and used for alternative restoration projects if the Trustees for any reason determine not to implement the proposed Hatchery Program.

The second part of the BRCP is referred to as the "Smolt Survival Plan". This habitat improvement program commits the Defendants to realign approximately 1.2 miles of degraded salmon rearing habitat in Panther Creek and maintain protective barriers on this portion of the stream for 100 years. The defendants are also required to exclude cattle on 2 miles of valuable salmon rearing habitat in Panther Creek, and on an additional 8 miles on other streams to be identified and selected elsewhere in the Salmon River Basin. The cattle exclusion measures must be maintained for 50 years. Defendants will also construct at least 2 acres of off channel rearing ponds for juvenile salmon.

Defendants will pay all planning costs, monitoring costs and up to \$2 million for Trustee oversight costs, and comply with NEPA, ESA and other permitting requirements. The BRCP monitoring program is a complex technical/scientific program designed to insure appropriate water quality that will support all life stages of salmonids and the continued health of the ecosystem.

The BRCP commits the Defendants to restore water quality so that the Hatchery Operation plan may begin by 2005. If this is not achieved, Defendants are subject at the Governments' discretion to: specific performance, and/or liquidated damages of \$25,000 for each month that the hatchery operation is delayed or interrupted because of failure to meet the water quality standard, or the reopening of the lawsuit. The water quality standard is based on EPA's ambient water quality for both chronic and acute toxicity for copper.

The Consent Decree also commits the Defendants to remediate the site pursuant to early Response Actions and a ROD under the EPA CERCLA process. There are specific performance provisions, stipulated penalties, and a reopener to assure full remediation of the site. The Defendants finally commit to pay the Government's future response costs.

The Department of Justice will receive comments relating to the proposed consent decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044, and refer to *United States v. Blackbird Mining Co., et al.*, and *State of Idaho, et al. v. The M.A. Hanna Company*, DOJ number 90-11-2-816.

Copies of the proposed consent decree may be examined at the Office of the Attorney General, Chief Natural Resources Division, 700 W. Jefferson, Ste. 210, Boise, Idaho; Office of the United States Attorney, 877 W. Main St., Ste. 201, Boise, Idaho; and the Consent Decree Library, 1120 G Street NW., 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the proposed consent decree may be obtained by mail or in person from the Consent Decree Library. When requesting a copy of the consent decree, please enclose a check in the amount of \$22.75 (25 cents per page reproduction costs) payable to the "Consent Decree Library". When requesting a copy please refer to *United States v. Blackbird Mining Co., et al.*, and *State of Idaho, et al. v. The M.A. Hanna Company*, Consolidated Case No. 83-4179 (D. Idaho), DOJ Case number 90-11-2-816.

Copies of reports which were relied upon by the United States and the State of Idaho in entering into the consent decree are available for inspection at the Office of the United States Attorney, 877 W. Main St., Ste. 201, Boise, Idaho.

Joel Gross,

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

[FR Doc. 95-11573 Filed 5-10-95; 8:45 am]

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Notice of Lodging of Consent Decree Pursuant to the Clean Water Act and the Rivers and Harbors Act of 1899

In accordance with Department of Justice policy, 28 C.F.R. § 50.7, notice is hereby given that a consent decree in *United States of America v. Philip M. Punzelt, Jr., John Giunta and Jeff Northrop*, (D. Conn. No. 3:95CV000156 (DJS)), was lodged with the United States District Court for the District of Connecticut on January 26, 1995.

The proposed Consent Decree concerns alleged violations of Sections 301 and 404 of the Clean Water Act, 33 U.S.C. 1311 and 1344(s), and Section 10 of the Rivers and Harbors Act of 1899,

33 U.S.C. 403, by defendants Philip M. Punzelt, Jr., John Giunta and Jeff Northrop.

As described more fully in the Complaint, on December 15, 1982, the Department of the Army, Corps of Engineers, issued a permit to Philip M. Punzelt, Jr. to perform specified work, including construction of a seawall, in the navigable waters of the Saugatuck River, Westport, Connecticut. The permit expired on December 31, 1987. Defendant Punzelt and his contractor, defendant John Giunta, continued to perform construction of the seawall and placed fill material into the navigable waters of the United States after expiration of the permit. In addition, defendants Philip Punzelt and Jeff Northrop placed unauthorized floats and docks in the navigable waters of the United States.

This work, and the placement of the unauthorized structures, constitute violations of Sections 301 and 404 of the Clean Water Act, 33 U.S.C. 1311 and 1344, as well as Section 10 of the Rivers and Harbors Act of 1899, 33 U.S.C. 403.

The proposed Consent Decree calls for a civil penalty of \$20,000.00 to be paid by defendant Philip M. Punzelt, Jr. under the Clean Water Act, 33 U.S.C. 1311 and 1344, and requires Mr. Punzelt to submit to the Corps of Engineers an application for an After-the-Fact permit to retain the unauthorized fill material, floats and docks, and abide by the outcome of the permit process. Under the Consent Decree, defendant John Giunta must pay a civil penalty of \$6,000.00 under the Clean Water Act, 33 U.S.C. 1311 and 1344; and defendant Jeff Northrop must pay \$16,000.00 as disgorgement of economic benefit derived from activities in violation of Section 10 of the Rivers and Harbors Act of 1899, 33 U.S.C. 403. Mr. Northrop is alleged to have placed and/or maintained unauthorized floats and docks in the Saugatuck River, and received income from rental of the unauthorized structures. Finally, the proposed Consent Decree provides that the defendants will be enjoined from future violations of the Clean Water Act and the Rivers and Harbors Act of 1899.

The United States Attorney's Office will receive written comments relating to the Consent Decree until June 12, 1995. Comments should be addressed to Sharon E. Jaffe, Esq., Assistant United States Attorney, District of Connecticut, P.O. Box 1824, New Haven, Connecticut 06508, and should refer to *United States of America v. Philip M. Punzelt, Jr., et al.*, (D. Conn. No. 3:95CV000156 (DJS)).

The Complaint and Consent Decree in this case may be examined at the Clerk's office, United States District Court, 450

Main Street, Hartford, Connecticut 06103.

Letitia J. Grishaw,

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

[FR Doc. 95-11572 Filed 5-10-95; 8:45 am]

BILLING CODE 4410-01-M

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993 HDP User Group International, Inc.

Notice is hereby given that, on February 27, 1995, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), HDP USER GROUP INTERNATIONAL, INC., an Arizona non-profit corporation, 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 invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, ASAT, Palo Alto, CA; ESEC, Phoenix, AZ; IMC, Linkoping, SWEDEN; Combitech, Jonkoping, SWEDEN; National Semiconductor, Santa Clara, CA; and Delco Electronics (a subsidiary of GM), Kokomo, IN have become members of the HDP User Group.

No other changes have been made in either the membership or the planned activity of the joint venture. Membership remains open and HDP intends to file additional written notification disclosing all changes in membership.

On September 14, 1994, the HDP User Group filing its original notification pursuant to section 6(a) of the Act. A notice was published in the **Federal Register** pursuant to section 6(b) of the Act on March 23, 1995 (60 FR 15306-7).

Constance K. Robinson,

Director of Operations, Antitrust Division.

[FR Doc. 95-11637 Filed 5-10-95; 8:45 am]

BILLING CODE 4410-01-M

Notice Pursuant to the National Cooperative Research and Production Act of 1993; Michigan Materials and Processing Institute

Notice is hereby given that, on February 14, 1995, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993,