initial determination (ID) (Order No. 23) finding that respondent Duton was in default. The ALJ also issued evidentiary sanctions in the form of adverse findings against Duton. On November 21, 1994, the Commission determined not to review the ID. 59 FR 61342 (November 30, 1994).

On February 2, 1995, the ALJ issued her final ID finding that: (1) claim 6 of the '107 patent and claim 1 of the '236 patent are valid and enforceable; (2) there is a domestic industry manufacturing and selling products protected by those two patent claims; (3) respondent IHK has imported products that infringe claim 6 of the '107 patent and claim 1 of the '236 patent; and (4) respondent Duton has exported to the United States products that infringe claim 6 of the '107 patent and claim 1 of the '236 patent. No petitions for review or agency comments were filed. On March 13, 1995, the Commission determined not to review the ALJ's final ID, and requested written submissions on the issues of remedy, the public interest, and bonding. 60 FR 14960 (March 21, 1995).

Submissions on remedy, the public interest, and bonding were received from complainants and the Commission investigative attorney (IA), both of whom also filed reply submissions on those issues.

Having reviewed the record in this investigation, including the written submissions of the parties, the Commission made its determinations on the issues of remedy, the public interest, and bonding. The Commission determined that the appropriate form of relief is a limited exclusion order prohibiting the unlicensed entry for consumption of infringing audible alarm devices manufactured and/or imported by or on behalf of IHK and Duton. In addition, the Commission issued a cease and desist order directed to IHK requiring IHK to cease and desist from the following activities in the United States: importing, selling, marketing, distributing, offering for sale, or otherwise transferring (except for exportation) in the United States infringing imported audible alarm devices.

The Commission also determined that the public interest factors enumerated in 19 U.S.C. 1337 (d) and (f) do not preclude the issuance of the limited exclusion order and the cease and desist orders, and that the bond during the Presidential review period shall be in the amount of 152 percent of the entered value of the articles in question.

Copies of the Commission orders, the Commission opinion in support thereof, and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202–205–2000. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202–205–1810.

Issued: June 6, 1995.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 95–14420 Filed 6–12–95; 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 on June 1, 1995 a proposed Consent Decree in *United States* v. *Grand Trunk Western Railroad Co.*, Civil Action No. 1:94 CV 530 was lodged with the United States District Court for the Western District of Michigan. This consent decree represents a settlement of claims against Grand Trunk Western Railroad Co. for violations of the Clean Water Act.

Under this settlement between the United States and Grand Trunk Western Railroad Co., Grand Trunk will construct a re-routing and pretreatment system to re-route its process wastewater to the Battle Creek, Michigan, publicly owned treatment works. In addition, Grand Trunk will pay the United States a civil penalty of $535,000. Stipulated penalties may be imposed in the event Grant Trunk does not comply with the requirements of the Consent Decree.

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 of the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States* v. *Grand Trunk Western Railroad Co.*, D.J. Ref. 90–5–1–1–5037.

The proposed Amendment may be examined at the Office of the United States Attorney, Western District of Michigan, 399 Federal Building, 110 Michigan St. NW, Grand Rapids, Michigan, and at U.S. EPA Region 5, Office of Regional Counsel, 200 West Adams, Chicago, Illinois, 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, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy, please enclose a check in the amount of $5.50 (25 cents per page reproduction cost) payable to the Consent Decree Library.

Joel M. Gross,

Acting Chief, Environment and Natural Resources Division.

[FR Doc. 95–14368 Filed 6–12–95; 8:45 am]

BILLING CODE 4410–01–M

Notice of Lodging a Joint Stipulation of Settlement Pursuant to the Resource Conservation and Recovery Act

In accordance with Departmental policy, 28 CFR 50.7, and 42 U.S.C. 6973(d), notice is hereby given that on June 2, 1995, a proposed joint stipulation of settlement in *United States* v. *Dale Valentine, et al.*, Civil Action No. 93CV1005J, was lodged with the United States District Court for the District of Wyoming.

The complaint filed by the United States on February 19, 1993, seeks injunctive relief and civil penalties under Section 7003 of the Resource Conservation and Recovery Act (''RCRA''), 42 U.S.C. 6973. The complaint alleges that an abandoned oil reprocessing facility near Glenrock, Wyoming, commonly known as Powder River Crude processors or Big Muddy Oil Processors (the ''Site''), may present an imminent and substantial endangerment to human health or the environment. The complaint seeks injunctive relief and civil penalties for violations of administrative orders issued by EPA under Section 7003 of RCRA for a cleanup of the Site.

Under this stipulation, one of the ten defendants named in the action, Jim's Water Service, Inc., will pay a civil penalty of $90,000 to the United States for violations of the administrative order issued by EPA to it on October 3, 1991. The stipulation provides that the penalty claim alleged in the Complaint will be dismissed with prejudice, and all other claims alleged in the Complaint, which include the claims for injunctive relief, will be dismissed without prejudice. This settlement is based in part on information provided to the United States by Defendant Jim's Water Service, Inc. indicating that its financial ability to pay a civil penalty is

limited. Five other defendants in this action are performing work pursuant to a consent decree entered by the Court on June 21, 1994, designed to address conditions at the Site which may present an imminent and substantial endangerment to health or the environment.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed stipulation of settlement. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044, and should refer to *United States* v. *Dale Valentine, et al.,* DOJ Ref. #90–7–1–692. In accordance with Section 7003(d) of RCRA, commenters can also request a public meeting in the affected area.

The proposed stipulation may be examined at the Office of the United States Attorney for the District of Wyoming, 3rd Floor, Federal Building, 111 South Wolcott, Casper, Wyoming 82601; the United States Environmental Protection Agency, Region 8, 999 18th Street—Suite 500, Denver, Colo. 80202–2466; and at the Consent Decree Library, 1120 ''G'' Street NW., 4th Floor, Washington, D.C. 20005, (202) 624–0892. A copy of the proposed stipulation 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 number, and enclose a check in the amount of $1.50 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Bruce S. Gelber,

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

[FR Doc. 95–14367 Filed 6–12–95; 8:45 am]

BILLING CODE 4410–01–M

Drug Enforcement Administration

[Docket No. 93–74]

Richard C. Matzkin, M.D. Grant of Continued Registration

On July 27, 1993, the Deputy Assistant Administrator (then-Director), Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Richard C. Matzkin, M.D. of Bethesda, Maryland (Respondent), proposing to revoke his DEA Certificate of Registration, AM2532631, and deny any pending applications for such registration. The statutory basis for the Order to Show Cause was that Respondent's continued registration would be inconsistent with the public interest as that term is used in 21 U.S.C. 823(f) and 824(a)(4).

Respondent, through counsel, requested a hearing on the issues raised in the Order to Show Cause, and the matter was docketed before Administrative Law Judge Mary Ellen Bittner. Following prehearing procedures, a hearing was held in Arlington, Virginia on March 14, 1994.

On November 3, 1994, the administrate law judge issued her opinion and recommended ruling, findings of fact, conclusions of law and decision, recommending that Respondent's DEA Certificate of Registration not be revoked subject to his compliance with several requirements. No exceptions to Judge Bittner's decision were filed by either party.

On December 6, 1994, the administrative law judge transmitted the record of the proceeding to the Deputy Administrator. After careful consideration of the record in its entirety, the Deputy Administrator enters his final order in this matter, in accordance with 21 CFR 1316.67, based on findings of fact and conclusions of law as set forth herein.

The administrative law judge found that Respondent obtained a license to practice medicine in Maryland in 1984 and maintained a practice in Bethesda. Respondent subsequently became licensed in Virginia and the District of Columbia. In the summer of 1989, Respondent began a general practice in Virginia, but continued to maintain a practice in Bethesda which, by Respondent's testimony, was limited to treating members of his immediate family and three close friends.

The administrative law judge found that, in 1986, a detective from the Pharmaceutical Unit of the Montgomery County, Maryland, Police Department was informed by several pharmacists that they had received prescriptions written by Respondent which they felt were not within a legitimate prescribing pattern, and that most of the prescriptions were for Percocet, a Schedule II controlled substance. The detective further testified that he found approximately 50 prescriptions for Percocet issued by Respondent at various area pharmacies, and that most of these prescriptions had been issued for five individuals, several of whom had been targets of prior investigations and/or had been arrested on drug charges.

The administrative law judge further found that a former investigator for the Virginia Department of Health (the Virginia investigator) investigated a complaint that Respondent was prescribing controlled substances to persons living outside of the state. The investigator found that most of these prescriptions were written for Percocet and that they had been written for Respondent's father, brother and then-wife, as well as two of the individuals identified by the Montgomery County, Maryland investigation.

The Virginia investigator testified that Respondent had prescribed controlled substances, primarily Percocet, to a number of individuals without a legitimate medical need and without conducting medical examinations prior to issuing controlled substances prescriptions. In one such instance, Respondent prescribed controlled substances to an individual who he knew to be drug and alcohol dependent.

The Virginia investigator further testified that several of the pharmacists who filled Respondent's prescriptions had complained that he often picked up the filled prescriptions for his out-of-state patients, and subsequently mailed the drugs to these patients. The Virginia investigator acknowledged that this practice was not unlawful.

The Virginia investigator also interviewed Respondent who informed her that he did not perform physical examinations on these patients prior to issuing prescriptions for them, and that his mother had disposed of the medical records that he had maintained on these patients. She further testified that, although Respondent had stated that all of the people who received the prescriptions at issue had complained of some type of pain or medical condition, Respondent's conduct was in violation of Virginia law because he did not maintain medical records for these patients, nor conduct physical examinations prior to prescribing controlled substances.

The administrative law judge found that on March 29, 1991, the Virginia Board of Medicine notified Respondent that it would conduct an informal conference on allegations that he had violated provisions of Virginia law pertaining to the practice of medicine. On June 21, 1991, Respondent entered into a consent order pursuant to which he voluntarily surrendered his Virginia license in lieu of further administrative proceedings.

The administrative law judge further found that, on January 20, 1992, the Montgomery County state's attorney office executed information charging Respondent with two counts of