

Department of Commerce ("EDA"), Navistar International Transportation Corp. ("Navistar"), and the debtors. The United States filed a claim against the debtors in this action for the debtors' liability under the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9601 *et seq.*, for investigation and clean-up costs at the Wisconsin Steel Works site, in Chicago, Illinois. Under the Settlement Agreement, the debtors will pay EPA \$5,000 in cash, and will provide an allowed claim of \$1,000,000 to Navistar for use in Navistar's investigation and clean-up of the site. The Settlement Agreement includes a covenant not to sue by the United States under Sections 106 and 107 of CERCLA, 42 U.S.C. §§ 9606 and 9607, and under Section 7003 of the Resource Conservation and Recovery Act, 42 U.S.C. 6973 ("RCRA").

The Department of Justice will receive comments relating to the proposed Settlement Agreement for a period of 30 days from the date of this publication. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530. All comments should refer to *In re: Envirodyne Industries Inc., et al.*, D.J. Ref. 90-11-3-1064A. Commenters may request an opportunity for a public hearing in the affected area, in accordance with Section 7003(d) of RCRA.

The proposed Settlement Agreement may be examined at the office the Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois, 60604, 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 Settlement Agreement may be obtained in person or by mail from the Consent Decree Library. In requesting a copy, please enclose a check in the amount of \$5.75 for the decree (25 cents per page reproduction costs) payable to the Consent Decree Library. When requesting a copy, please refer to *In re: Envirodyne Industries, Inc., et al.*, D.J. Ref. 90-11-3-1064A.

Bruce S. Gelber,

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

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Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response Compensation and Liability Act of 1980 as Amended

In accordance with Department of Justice policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States v. International Paper Company, et al.*, Civil No. 94-4681 (BDP), was lodged on September 29, 1995, with the United States District Court for the Southern District of New York. The decree resolves claims of the United States against defendants I.S.A. In New Jersey, Inc. ("ISA") and Round Lake Sanitation Corporation ("Round Lake") in the above-referenced action under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA") for contamination at the Warwick Superfund Site in the Town of Warwick, Orange County, New York (the "Site"). In the proposed consent decree, the defendants agree to pay the United States \$487,500 in settlement of the United States' claims for past response costs incurred by the Environmental Protection Agency at the Site and \$262,500 in settlement of the United States' claims for civil penalties and damages for ISA's and Round Lakes' failure or refusal to comply with Unilateral Administrative Orders issued to them. The payments will be made from an escrow account as noted below.

In 1991, ISA, Round Lake, and other entities and individuals were indicted by a grand jury empaneled in the United States District Court for the Southern District of New York on numerous federal felony charges. According to a subsequent plea agreement, ISA and Round Lake, and other entities, were required to be sold to unrelated third parties. In 1994, the United States entered into an Agreement and Covenant Not To Sue under CERCLA with Browning-Ferris Industries of New York, Inc.; Browning-Ferris Industries of Paterson, N.J., Inc.; and Browning-Ferris Industries of South Jersey, Inc. (collectively referred to as "BFI") regarding BFI's prospective purchase of the assets of ISA, Round Lake, and the other entities. In exchange for this Agreement and Covenant Not To Sue, BFI paid \$250,000 to the United States, from which \$187,500 was paid towards past response costs incurred by EPA at the Warwick Site. Upon the sale of the assets of ISA, Round Lakes, and the other entities, ISA and Round Lake paid \$1,000,000 of the sale price into an escrow account to be used to resolve certain liability to the United States pursuant to CERCLA at several sites,

including the Warwick Site, the Hertel Superfund Site in the Town of Plattekill, New York, the Ramapo Superfund Site in the Town of Ramapo, New York, and the Kin-Buc Superfund Site in Edison, New Jersey. The balance of the proceeds of BFI's purchase of the assets of ISA, Round Lake, and the other entities has been used to satisfy a \$5,000,000 criminal fine, \$3,500,000 in federal and state tax liability, and \$300,000 of liabilities to other creditors.

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. International Paper Company, et al.*, DOJ Ref. Number 90-11-3-812.

The proposed consent decree may be examined at the Office of the United States Attorney, 100 Church Street, New York, NY, 10007; the Region II Office of the Environmental Protection Agency, 290 Broadway, New York, NY 10278; and 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 refer to the referenced case and enclose a check in the amount of \$5.25 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Bruce S. Gelber,

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

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Drug Enforcement Administration

Manufacturer of Controlled Substances; Notice of Application

Pursuant to Section 1301.43(a) of Title 21 of the Code of Federal Regulations (CFR), this is notice that on August 16, 1995, Eli Lilly Industries, Inc., Chemical Plant, Kilometer 146.7, State Road 2, Mayaguez, Puerto Rico 00680, made written request to the Drug Enforcement Administration (DEA) for registration as a bulk manufacturer of the Schedule II controlled substance Dextropropoxyphene, bulk (non-dosage forms) (9273).

The firm plans to manufacture bulk product for distribution to its customers.