

Petitioner's representative: Byron D. Olsen, 4200 First Bank Place, 601 Second Avenue South, Minneapolis, MN 55402-4302.

**FOR FURTHER INFORMATION CONTACT:** Joseph H. Dettmar, (202) 927-5660. [TDD for the hearing impaired: (202) 927-5721.]

**SUPPLEMENTARY INFORMATION:**

Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News & Data, Inc., Interstate Commerce Commission Building, 1201 Constitution Avenue, N.W., Room 2229, Washington, DC 20423. Telephone: (202) 289-4357/4359.

Decided: December 6, 1995.

By the Commission, Chairman Morgan, Vice Chairman Owen and Commissioner Simmons.

Vernon A. Williams,  
*Secretary.*

[FR Doc. 95-30939 Filed 12-19-95; 8:45 am]

BILLING CODE 7035-01-P

---

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act and the Clean Water Act

In accordance with Department of Justice Policy, 28 C.F.R. § 50.7, 38 Fed. Reg. 19029, and 42 U.S.C. § 9622(d), notice is hereby given that on November 30, 1995, a proposed amendment to a Consent Decree was lodged with the United States District Court for the Western District of Washington in *United States v. Simpson Tacoma Kraft Co.*, Civil Action No. C91-5260TC. The proposed amendment to the Consent Decree, Amendment No. 1, settles claims asserted by federal, state, and tribal natural resources trustees against the Settling Defendants for damages to natural resources in the Commencement Bay Environment. The trustees for natural resources in Commencement Bay are the National Oceanic and Atmospheric Administration (NOAA) and the Department of the Interior (DOI) (the federal trustees); the State of Washington; the Puyallup Tribe of Indians; and the Muckleshoot Indian Tribe. The Settling Defendants involved in Amendment No. 1 to the decree are Simpson Tacoma Kraft Company (Simpson) and Champion International Corporation (Champion). The Washington State Department of Natural Resources (DNR), which was a party to the original consent decree, is not

involved in the settlement set forth in Amendment No. 1 to the decree.

Under the original consent decree, entered by the Court on December 13, 1991, the natural resource trustees for the Commencement Bay Nearshore/Tideflats Superfund Site (CB N/T Site) settled claims for natural resource damages in the St. Paul Waterway Problem Area, one subpart of the CB N/T Site against Simpson, Champion, and DNR. Amendment No. 1 extends the natural resource damages settlement with Simpson and Champion to encompass the Commencement Bay Environment, which consists of the CB N/T Site plus areas of Commencement Bay between the Site and a line drawn from Point Defiance to Dash Point, points at either side of the mouth of the Bay.

Under the Amendment to the Consent Decree, the Settling Defendants will pay for most of the costs associated with a habitat restoration project (the Restoration Project) in the Middle Waterway in the CB N/T Site. Simpson has provided a 3.3 acre piece of property along the Middle Waterway for the Restoration Project, and will construct the Restoration Project. Simpson will also pay all but \$275,000 of the costs of constructing, monitoring, and maintaining the Restoration Project. In addition, Simpson and Champion will reimburse \$75,000 of the Trustee assessment costs for the Site. The total value of the settlement under Amendment No. 1 is approximately \$1 million.

In return for the commitments made by Simpson and Champion in the Consent Decree Amendment, the United States, the State of Washington, and the Indian Tribe co-trustees are providing a covenant not to sue the companies for damages to natural resources with respect to the Commencement Bay Environment. Specifically, the Trustees are providing a covenant not to sue for claims under Sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9606 and 9607; Section 311 of the Clean Water Act (CWA), 33 U.S.C. 1321; Chapters 70.105d and 90.48 of the Revised Code of Washington (the State of Washington's Model Toxics Control Act and the state water pollution control statute); and claims under any other federal, state, tribal, or common law for damages for injury to, destruction of, or loss of natural resources, and claims for recovery of Past Response Costs, Oversight Response Costs, and Future Response Costs incurred by the Natural Resource Trustees with respect to the Commencement Bay Environment.

The Department of Justice will receive 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 of the Environment and Natural Resources Division, U.S. Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Simpson Tacoma Kraft Co.*, D.J. Ref. No. 90-11-3-363.

The proposed Amendment No. 1 to the Consent Decree and exhibits to the amendment may be examined at the following locations: the Region 10 Office of EPA, 7th Floor Records Center, 1200 Sixth Avenue, Seattle, WA 98101; the Tacoma Public Library, Main Branch, 1102 Tacoma Avenue South, Northwest Room, Tacoma, WA 98402; and Citizens for a Healthy Bay, 771 Broadway, Tacoma, WA 98402. The complete Administrative Record for the Ruston/North Tacoma Study Area may be reviewed at the EPA Region 10 office in Seattle and at the Main Branch of the Tacoma Public Library.

A copy of Amendment No. 1 and exhibits (if requested) may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. In requesting copies, please enclose a check in the amount of \$6.75 (without exhibits) or \$48.50 (with exhibits) (25 cents per page reproduction cost) payable to the "Consent Decree Library."

Bruce Gelber,

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

[FR Doc. 95-30846 Filed 12-19-95; 8:45 am]

BILLING CODE 4410-01-M

---

## Antitrust Division

### Notice Pursuant to the National Cooperative Research and Production Act of 1993—Crash Avoidance Metrics Partnership

Notice is hereby given that, on July 6, 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"), Crash Avoidance Metrics Partnership has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) The identities of the parties and (2) the nature and objectives of the partnership. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under