

Industries site, and for reimbursement of costs incurred by the United States at the site through December 31, 1990. Work is ongoing at the site to perform the remedial actions by other parties who have settled in previous consent decrees for the same matters as this consent decree.

As provided in 28 CFR 50.7 and 42 U.S.C. 9622(b)(2)(B), the Department of Justice will receive comments from persons who are not named as parties to this action relating to the proposed Consent Decree for a period of thirty 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, DC 20530. All comments should refer to *United States v. IT Corporation*, D.J. Ref. 90-11-2-156H.

The proposed Consent Decree may be examined at the office of the United States Attorney, 300 North Los Angeles Street, Los Angeles, California 90012, and at the Region IX office of the U.S. Environmental Protection Agency, 75 Hawthorne Street, San Francisco, California 94105. A copy of the proposed Consent Decree may also be examined at the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005 (202) 624-0892. A copy of the proposed Consent Decree 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 \$10.75 for a copy of the consent decree without any signature pages, attachments or exhibits to the Decree, or \$101.50 with all signature pages, attachments and exhibits (25 cents per page reproduction costs) payable to "Consent Decree Library."

Joel M. Gross,

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

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

In accordance with Departmental policy, 28 C.F.R. § 50.7, 38 Fed. Reg. 19029, notice is hereby given that on March 14, 1996, a proposed Consent Decree in *United States v. Northeast Food, Inc.*, Civil Action No. 96-1136 (AMW), was lodged with the United States District Court for the District of New Jersey resolving the matters alleged in the United States' complaint filed on that date. The proposed Consent Decree represents a settlement of the United States' claims against Northeast Foods,

Inc. under the Clean Air Act and the New Jersey State Implementation Plan for emissions of volatile organic compounds ("VOCs") in excess of the emission limit provided in Title 7, Chapter 27, Subchapter 16.6(a) and Table 4 of the New Jersey Administrative Code, N.J.A.C. 7:27-16.16(a) (codified as amended at N.J.A.C. 7:27-1616 (1994)), from Northeast's Automatic Division located at One Gourmet Lane, Edison, New Jersey (the "Automatic Facility").

Under the proposed Consent Decree the Defendant shall pay to the United States a civil penalty in the amount of eighty-one thousand, three hundred and eighty one dollars (\$81,381), plus interest, within fifteen (15) days of lodging of the Consent Decree. The proposed Consent Decree also requires that Northeast shall: (1) comply with the Volatile Organic Compound ("VOC") emissions limitations contained in the federally approved New Jersey State Implementation Plan ("SIP"), including any amendments thereto; (2) provide written certification to EPA throughout the period the Decree remains in effect that documents the emissions capture, enclosure, and/or incinerator devices are performing adequately; and (3) perform any emissions and performance testing, pursuant to a submitted protocol for testing, within thirty days of receipt of notification from EPA of a testing requirement.

The Department of Justice will receive, for thirty (30) days from the date of publication of this notice, written comments relating to the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, U.S. Department of Justice, Washington, D.C. 20530 and should refer to *United States v. Northeast Foods, Inc.*, D.O.J. Ref. No. 90-5-2-1-1685.

The proposed Consent Decree may be examined at the Office of the United States Attorney for the District of New Jersey located at 970 Broad Street, 5th Floor, Newark, New Jersey 07102; at the Region II Office of the Environmental Protection Agency located at 290 Broadway, New York, New York 10007; 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 \$6.75

(25 cents per page reproduction charge) payable to the Consent Decree Library.

Joel M. Gross,

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

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Antitrust Division

United States and State of Texas v. Kimberly-Clark Corp. and Scott Paper Co.; Public Comments and Response on Proposed Final Judgment

Pursuant to the Antitrust Penalties and Procedures Act, 15 U.S.C. §§ 16(c)-(h), the United States publishes below the comments received on the proposed Final Judgment in *United States and State of Texas v. Kimberly-Clark Corp. and Scott Paper Co.*, No. 3:95 CV 3055-P, filed in the United States District Court for the Northern District of Texas, together with the United States' response to those comments.

Copies of the comments and the response to comments are available for inspection and copying in Room 207 of the U.S. Department of Justice, Antitrust Division, 325 7th Street, NW., Washington, DC 20530 [telephone: (202) 514-2481], and at the office of the Clerk of the United States District Court for the Northern District of Texas, Dallas Division, 1100 Commerce Street, Room 14A20, Dallas, TX 75242. Copies of these materials may be obtained upon request and payment of a copying fee.

Rebecca P. Dick,

Deputy Director of Operations.

Cynthia Adams,

2712 Taylor St., Marinette, WI 54143.

December 18, 1995.

Mr. Anthony V. Nanni, Chief, Litigation I Section, Antitrust Division,

U.S. Department of Justice, Suite 4000, 1401 H Street NW., Washington, DC 20530.

Dear Mr. Nanni: I wish to comment on the consent decree concerning the merger of Scott Paper Co. with Kimberly-Clark. The Justice Department has included in the terms of the consent decree that two (2) of four (4) tissue mills be divested. Included in that list is half of the former Scott Paper Co. mill in Marinette, WI.

This facility employs 525 union employees affiliated with the United Paperworkers International Union. If this mill is divested from Kimberly-Clark approximately 300 union employees will go with one company and 225 will remain with Kimberly-Clark. Kimberly-Clark is honoring the union contract negotiated with Scott Paper Co., while there is no guarantee that the company buying the tissue part of the mill will honor that same contract. This could result in the union employees in the Kimberly-Clark half of the mill working for better wages and