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Walker Smith,

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

[FR Doc. 96-23375 Filed 9-11-96; 8:45 am]

BILLING CODE 4410-01-M

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

Notice is hereby given that a proposed Consent Decree in *United States v. Sherwood Medical Company*, Civ. No. 8:96CV486, was lodged on August 30, 1996 with the United States District Court for the District of Nebraska. The proposed Consent Decree requires Sherwood Medical Company ("Sherwood") to implement a remedial action consistent with the Record of Decision and the Explanation of Significant Differences issued by the Environmental Protection Agency for the Sherwood Medical Company site ("site") located in Norfolk, Nebraska. The Consent Decree also requires Sherwood to reimburse the United States for all outstanding response costs incurred and to be incurred at the site. Contemporaneously with lodging the Consent Decree, the United States filed a complaint alleging that Sherwood is an owner or operator of the site within the meaning of Sections 107(a)(1) and 107(a)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9607(a)(1) and 9607(a)(2), and that Sherwood arranged for the disposal of hazardous substances at the site within the meaning of Section 107(a)(3) of CERCLA, 42 U.S.C. 9607(a)(3); and thus, is liable for cleanup and response costs incurred in remediating the site.

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, DC 20530, and should refer to *United States v. Sherwood Medical Company*, DOJ Reference Number 90-11-2-993.

The proposed Consent Decree may be examined at the Region VII Office of the Environmental Protection Agency, 726

Minnesota Avenue, Kansas City, Kansas 66101; and 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, 1120 G Street, NW., 4th Floor, Washington, DC 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$31.00 (25 cents per page reproduction costs), payable to the Consent Decree Library. Bruce S. Gelber,

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

[FR Doc. 96-23377 Filed 9-11-96; 8:45 am]

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Antitrust Division

United States v. Brush Fibers, Inc.; Proposed Final Judgment and Competitive Impact Statement

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16 (b)-(h), that a proposed Final Judgment, Stipulation and Competitive Impact Statement have been filed with the United States District Court for the Eastern District of Pennsylvania in the above-captioned case.

On August 29, 1996, the United States filed a civil antitrust Complaint to prevent and restrain Brush Fibers, Inc., from conspiring to lessen and eliminate competition for tampico fiber sold in the United States in violation of Section 1 of the Sherman Act (15 U.S.C. 1). Tampico fiber is a vegetable fiber grown in Mexico and used as a filler in industrial and consumer brushes. The complaint alleges that the defendant agreed with its co-conspirator supplier to resell tampico fiber at prices fixed by the supplier and other co-conspirators.

The proposed Final Judgment would prohibit the defendant from directly or indirectly agreeing with a supplier to fix the price at which tampico fiber may be resold by the defendant or any other distributor. The proposed Final Judgment also would prohibit the defendant from entering into any agreement or understanding with any other distributor or with any supplier of tampico fiber for (1) raising, fixing, or maintaining the price or other terms or conditions for the sale or supply of tampico fiber; (2) allocating sales, territories, or customers for tampico fiber; (3) eliminating or discouraging new entry into the tampico fiber market; and (4) eliminating or otherwise restricting the supply of tampico fiber to

any customer. Finally, the proposed Final Judgment would also prohibit the exchange of current and future price information, information regarding sales volume, or the location or identity of customers with any other distributor of tampico fiber or with any supplier other than its own.

Public comment is invited within the statutory sixty (60) day period. Such comments will be published in the Federal Register and filed with the Court. Comments should be addressed to Robert E. Connolly, Chief, Middle Atlantic Office, U.S. Department of Justice, Antitrust Division, The Curtis Center, 6th and Walnut Streets, Suite 650 West, Philadelphia, PA 19106, (telephone number 215-597-7405).

Rebecca P. Dick,

Deputy Director of Operations.

Stipulation

It is stipulated by and between the undersigned parties, by their respective attorneys, that:

(1) The parties consent that a final judgment in the form hereto attached may be filed and entered by the Court at any time after the expiration of the sixty (60) day period for public comment provide by the Antitrust Procedures and Penalties Act, 15 U.S.C. 16 (b)-(h), without further notice to any party or other proceedings, either upon the motion of any party or upon the Court's own motion, provided that plaintiff has not withdrawn its consent as provided herein;

(2) The plaintiff may withdraw its consent hereto at any time within said period of sixty (60) days by serving notice thereof upon the other party hereto and filing said notice with the Court;

(3) In the event the plaintiff withdraws its consent hereto, this stipulation shall be of no effect whatever in this or any other proceeding and the making of this stipulation shall not, in any manner, prejudice any consenting party to any subsequent proceedings.

Dated:

Respectfully submitted,