

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

In accordance with Departmental policy, 28 C.F.R. § 50.7, notice is hereby given that a proposed Consent Decree in *United States v. Southern Pacific Transportation Company; CSX Transportation, Inc.; Union Pacific Railroad Company; Northwest Enviroservice, Inc.; Chicago and Northwestern Railway Company; and AT&T Corp.*, No. 97-1004JO, (D. Oregon), was lodged on June 30, 1997, with the United States District Court for the District of Oregon. With regard to the Defendants, the Consent Decree resolves a claim filed by the United States on behalf of the United States Environmental Protection Agency ("EPA") pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, *as amended*, 42 U.S.C. §§ 9601, *et seq.*

The United States entered into the Consent Decree in connection with the Environmental Pacific Corporation Site located approximately 42 miles southwest of Portland, Oregon. The Consent Decree provides that the Settling Defendants will reimburse the United States a total of \$666,137 for past costs incurred by the United States at 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, D.C. 20530, and should refer to *United States v. Southern Pacific Transportation Company; CSX Transportation, Inc.; Union Pacific Railroad Company; Northwest Enviroservice, Inc.; Chicago and Northwestern Railway Company; and AT&T Corp.*, DOJ Reg. #90-11-2-1080 A.

The proposed Consent Decree may be examined at the office of the United States Attorney, 888 S.W. 5<sup>th</sup> Avenue, Portland, Oregon 97204; the Region 10 office of the Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington; and at the Consent Decree Library, 1120 G Street, N.W., 4<sup>th</sup> 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., 4<sup>th</sup> Floor,

Washington, D.C. 20005. In requesting a copy refer to the referenced case and enclose a check in the amount of \$8.00 (25 cents per page reproduction costs), payable to the Consent Decree Library.

**Joel M. Gross,**

*Chief, Environmental Enforcement Section.*  
[FR Doc. 97-18620 Filed 7-15-97; 8:45 am]  
BILLING CODE 4410-15-M

**DEPARTMENT OF JUSTICE****Membership of the 1997 Senior Executive Service Performance Review Boards**

**AGENCY:** Department of Justice.

**ACTION:** Notice of Department of Justice's 1997 Senior Executive Service Performance Review Boards.

**SUMMARY:** Pursuant to the requirements of 5 U.S.C. 4314(c)(4), the Department of Justice announces the membership of its Senior Executive Service (SES) Performance Review Boards (PRBs). The purpose of the PRBs is to provide fair and impartial review of SES performance appraisals and bonus recommendations. The PRBs will make recommendations to the Deputy Attorney General regarding the final performance ratings to be assigned and SES bonuses to be awarded.

**FOR FURTHER INFORMATION CONTACT:** Henry Romero, Director, Personnel Staff, Justice Management Division, Department of Justice, Washington, DC 20530; (202) 514-6788.

**Department of Justice, 1997 Senior Executive Service Performance Review Board Members***Antitrust Division*

Norman Familant, Chief, Economic Litigation Section  
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*Criminal Division*

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Ira B. Kirschbaum, General Counsel for Federal Prison Industries (UNICOR)  
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Michael D. Cronin, Assistant Commissioner, Inspections  
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Paul W. Virtue, Acting Executive Associate Commissioner for Programs  
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*United States Marshals Service*

Suzanne D. Smith, Assistant Director for Human Resources

**Valerie M. Willis,**

*Executive Secretary, Senior Executive Resources Board.*

[FR Doc. 97-18630 Filed 7-15-97; 8:45 am]

BILLING CODE 4410-26-M

**DEPARTMENT OF JUSTICE**

**Notice of Prospective Purchaser Agreement Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act**

Notice is hereby given that a proposed Prospective Purchaser Agreement (the "Agreement") regarding the Solar Usage Now, Inc. Property located at 5550 West Tiffin Road, Seneca County, Bascom, Ohio (the "Property") has been entered into by the United States Department of Justice, the United States Environmental Protection Agency ("U.S. EPA") and the Hopewell Township Board of Trustees, Bascom, Ohio (the "Township") pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, as amended ("CERCLA"), 42 U.S.C. § 9601 *et seq.*

Under the terms of the proposed Agreement, the Township intends to acquire the Property and to demolish and remove the buildings currently on the Property and improve the land to expand a community park adjacent to the southern boundary of the Property for recreational use by the local community. In addition, the Township agrees to provide U.S. EPA with access to the Property and to cooperate fully with U.S. EPA with regard to any future response actions carried out at the Property as well as other consideration. Under the Agreement, the United States will covenant not to sue the Township for claims under Sections 106 and 107(a) of CERCLA, 42 U.S.C. §§ 9606 and 9607(a), for Existing Contamination at the Site not caused or contributed to by the Township. However, the United States reserves its rights under CERCLA against the Township for releases of hazardous substances not within the definition of Existing Contamination and for exacerbation of any Existing Contamination.

The Department of Justice will receive comments relating to the proposed Agreement for 30 days following publication of this Notice. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, United States Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington,

DC 20044-7611, and should refer to the D.J. Ref. No. 91-11-3-1693A. The proposed Agreement may be examined at the Region V Office of the United States Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604; and at the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005, telephone no. (202) 624-0892. A copy of the proposed Agreement 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 DJ#90-11-3-1693A, and enclose a check in the amount of \$5.50 (25 cents per page for reproduction costs), payable to the Consent Decree Library.

**Joel M. Gross,**

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

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**DEPARTMENT OF JUSTICE****Antitrust Division**

**Notice Pursuant to the National Cooperative Research and Production Act of 1993—134a Consortium**

Notice is hereby given that, on June 12, 1997, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. § 4301 *et seq.* ("the Act"), the 134a Consortium 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 objective of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to Section 6(b) of the Act, the identities of the parties to the joint venture which shall be known as the 134a Consortium are: Boehringer Ingelheim Pharmaceuticals, Inc., Ridgefield, Ct; Institut de Recherches Internationales Servier, Paris, France; IVAX, Miami, Fl; Medeva Americas, Inc., Rochester, Ny; Rhone-Poulenc Rorer Pharmaceuticals, Inc., Collegetville, Pa; and 3M Pharmaceuticals, a division of Minnesota Mining and Manufacturing Company, St. Paul, Mn. The general planned activities are to explore and possibly implement options for acceptance testing of HFA-134a for use

as a propellant in pharmaceutical aerosols.

**Constance K. Robinson,**

*Director of Operations, Antitrust Division.*

[FR Doc. 97-18623 Filed 7-15-97; 8:45 am]

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**DEPARTMENT OF JUSTICE****Antitrust Division**

**Notice Pursuant to the National Cooperative Research and Production Act of 1993 Bethlehem Steel Corporation and U.S. Steel Group, a Unit of USX Corporation**

Notice is hereby given that, on May 23, 1997, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. § 4301 *et seq.* ("the Act"), Bethlehem Steel Corporation and U.S. Steel Group, a Unit of USX Corporation, filed notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing an extension of a cooperative research and development venture. Specifically, the venture has been extended for an additional year. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances.

No other changes have been made in either the membership, corporate name, or planned activities of the venture.

On July 15, 1994, the parties filed their original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on August 31, 1994 (59 FR 45009). The last notification was filed with the Department on November 2, 1995 (59 FR 9498). A notice was published in the **Federal Register** on April 8, 1996.

**Constance K. Robinson,**

*Director of Operations, Antitrust Division.*

[FR Doc. 97-18618 Filed 7-15-97; 8:45 am]

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**DEPARTMENT OF JUSTICE****Antitrust Division**

**Notice Pursuant to the National Cooperative Research and Production Act of 1993—Massachusetts Institute of Technology**

Notice is hereby given that, on March 13, 1997, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Massachusetts