

Del Sur, Inc., which decree was entered by the Court in October, 1987 ("Original Consent Decree"). The proposed amended consent decree also resolves the United States' claims with respect to the United States' Motion to Enforce the Consent Decree and United States' Motion to Amend and Supplement the Complaint.

The proposed amended consent decree requires Proteco to close the hazardous waste units at the facility Proteco operates at Penuelas, Puerto Rico ("Facility") pursuant to closure plans approved by the Environmental Protection Agency. In addition, the proposed amended consent decree requires Proteco to deposit \$40,000 per month in an escrow account, which monies shall be spent to close the hazardous waste units; Proteco is required to continue to make deposits into the escrow account until it has paid into the account an amount equal to the estimated cost of closure. Further, Proteco's civil penalty obligations under the Original Consent Decree will be modified to provide that the United States will forgive \$225,671 of the civil penalty amount that Proteco owed. The United States has already received at least \$283,750 in civil penalties under the Original Consent Decree and the United States will receive at least an additional \$690,000 after entry of the amended consent decree. Further, if Proteco sells its assets or over 50% of its stock within one year of the public notice of the proposed closure plan for the Facility, Proteco will pay an additional civil penalty in the amount of \$225,671.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed amended consent decree. Any comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Proteccion Tecnica Ecologica, Inc., et al.*, D.J. Ref. 90-7-1-345a.

The proposed amended consent decree may be examined at the Office of the United States Attorney, Federal Office Building, Carlos E. Chardon Ave., Hato Rey, Puerto Rico 00918, and at the Region II office of the Environmental Protection Agency, 290 Broadway, New York, New York 10007-1866, 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 amended 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 (there is a 25 cent per page reproduction cost) in the amount of \$9.00 payable to the Consent Decree Library.

Bruce S. Gelber,

Deputy 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—MOST, Inc.

Notice is hereby given that, on June 17, 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"), Toyota Tsusho America, Inc. has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties to and (2) the nature and objectives of a production venture known as MOST, Inc. 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 are: Toyota Tsusho America, Inc., New York, NY (owned by Toyota Tsusho Corporation, Nagoya, Japan); Daiki International Trading Corporation, Torrance, CA (owned by Daiki Alumni Industry Co., Ltd., Osaka, Japan); and Toyota Tsusho Corporation. The general area of planned activity is the buying, selling, smelting and refining of secondary aluminum metals.

Constance K. Robinson,

Director of Operations, Antitrust Division.

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

David Golden, M.D.; Suspension of Registration

On August 21, 1996, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to David L. Golden, M.D., of New Orleans, Louisiana, notifying him of an opportunity to show cause as to why DEA should not revoke

his DEA Certificates of Registration, BG3086306 and BG3039218, under 21 U.S.C. 824(a)(3), and deny any pending applications for registration as a practitioner pursuant to 21 U.S.C. 823(f), for reason that he is not currently authorized to handle controlled substances in the State of Louisiana. The order also notified Dr. Golden that should no request for a hearing be filed within 30 days, his hearing right would be deemed waived.

The Order to Show Cause was sent to both of Dr. Golden's registered locations, as well as to an address where he had applied for a DEA registration. All of these orders were returned to DEA unclaimed. DEA investigators then attempted to personally serve Dr. Golden with the Order to Show Cause. Both of Dr. Golden's registered locations were abandoned buildings. The address indicated on Dr. Golden's application for registration was the location of someone else's office. The investigators went to the address listed on the driver's license of a woman believed to be Dr. Golden's wife and were told that the Golden's had moved the week before. The investigators then went to the address listed on Dr. Golden's driver's license, which is also the last home address that the Louisiana State Board of Medical Examiners had for Dr. Golden. This location appeared to be abandoned. The mailman confirmed that no one was currently living at the address, but that mail was still delivered there and picked up about once a month. The investigators then left a copy of the Order to Show Cause in the mailbox at that location.

DEA ultimately received a letter from Dr. Golden dated June 25, 1997, indicating that he had received the Order to Show Cause, and asking that all correspondence be mailed to a post office box. Dr. Golden did not request a hearing on the issues raised by the Order to Show Cause.

The Acting Deputy Administrator finds that based upon Dr. Golden's June 25, 1997 letter, it is clear that Dr. Golden received the Order to Show Cause, however, he did not request a hearing. Therefore, Dr. Golden is deemed to have waived his right to a hearing. After considering the relevant material from the investigative file in this matter, the Acting Deputy Administrator now enters his final order without a hearing pursuant to 21 CFR 1301.43 (d) and (e) and 1301.46.

The Acting Deputy Administrator finds that by a Decision dated August 25, 1995, the Louisiana State Board of Medical Examiners suspended Dr. Golden's license to practice medicine for two years beginning on September 1,