Complaint alleges that the Lords are liable as present owners under Section 107(a)(1) of CERCLA, 42 U.S.C. 9607(a)(1). The State of Maine (''State'') has filed a similar complaint against Smith and the Lords which also includes allegations that the United States is liable as a generator of hazardous substances at the Site pursuant to Section 107(a)(3) of CERCLA, 42 U.S.C. 9607(a)(3).

Pursuant to the Consent Decree, the Settling Defendants shall each transfer to the State virtually all of their respective property that forms a part of the Site. The United States, as a direct defendant to the State and a potential contribution defendant, will pay $11,287,000 to an Eastern Surplus Company Site Special Account within the Superfund and will also pay $2,082,000 to the State. In addition, if the United States' or the State's response costs at the Site exceed, within designated time periods, the currently anticipated United States and State response costs at the Site, the United States will pay 85 percent of the amount by which such costs exceed the anticipated amounts.

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. 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. *Harry J. Smith, Jr., et al.*, Civil Action No. 99–21B, D.J. Ref. 90–11–2–06059.

The proposed consent decree may be examined at the Office of the United States Attorney, District of Maine, Portland, Maine 04104, and at Region I, Office of the Environmental Protection Agency, One Congress Street, Boston, Massachusetts 02203 and at the Consent Decree Library, 1120 G Street, N.W., 3rd 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., 3rd 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 $14.25 payable to the Consent Decree Library.

Joel M. Gross,

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

[FR Doc. 99–2609 Filed 2–3–99; 8:45 am]

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Importation of Controlled Substances; Notice of Application

Pursuant to Section 1008 of the Controlled Substances Import and Export Act (21 U.S.C. 958(i)), the Attorney General shall, prior to issuing a registration under this Section to a bulk manufacturer of a controlled substance in Schedule I or II and prior to issuing a regulation under Section 1002(a) authorizing the importation of such a substance, provide manufacturers holding registrations for the bulk manufacture of the substance an opportunity for a hearing.

Therefore, in accordance with Section 1301.34 of Title 21, Code of Federal Regulations (CFR), notice is hereby given that on December 2, 1998, Akorn Manufacturing Inc., DBA Taylor Pharmaceuticals, 150 Wyckles Road, Decatur, Illinois 62522, made application by letter to the Drug Enforcement Administration to be registered as an importer of sufentanil (9740), a basic class of controlled substance listed in Schedule II.

The firm plans to import the sufentanil for development of analytical methods and initial formulation.

Any manufacturer holding, or applying for, registration as a bulk manufacturer of this basic class of controlled substance may file written comments on or objections to the application described above and may, at the same time, file a written request for a hearing on such application in accordance with 21 CFR 1301.43 in such form as prescribed by 21 CFR 1316.47.

Any such comments, objections or requests for a hearing may be addressed, in quintuplicate, to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, United States Department of Justice, Washington, D.C. 20537, Attention: DEA Federal Register Representative (CCR), and must be filed no later than March 8, 1999.

This procedure is to be conducted simultaneously with and independent of the procedures described in 21 CFR 1301.34(b), (c), (d), (e), and (f). As noted in a previous notice at 40 FR 43745–46 (September 23, 1995), all applicants for registration to import a basic class of any controlled substance in Schedule I or II are and will continue to be required to demonstrate to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration that the requirements for such registration pursuant to 21 U.S.C. 958(a), 21 U.S.C. 823(a), and 21 CFR 1301.34(a), (b), (c), (d), (e), and (f) are satisfied.

Dated: January 27, 1999.

John H. King,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 99–2681 Filed 2–3–99; 8:45 am]

BILLING CODE 4410–09–M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Manufacturer of Controlled Substances; Notice of Registration

By Notice dated October 1, 1998, and published in the **Federal Register** on October 9, 1998, (63 FR 54491), Hoffmann-LaRoche, Inc., 340 Kingsland Street, Nutley, New Jersey 07110, made application by renewal to the Drug Enforcement Administration (DEA) to be registered as a bulk manufacturer of levorphanol (9220), a basic class of controlled substance listed in Schedule II.

The firm plans to manufacture finished product for distribution to its customers.

No comments or objections have been received. DEA has considered the factors in Title 21, United States Code, Section 823(a) and determined that the registration of Hoffmann-LaRoche, Inc. to manufacture levorphanol is consistent with the public interest at this time. DEA has investigated the firm on a regular basis to ensure that the company's continued registration is consistent with the public interest. These investigations have included inspection and testing of the company's physical security systems, audits of the company's records, verification of the company's compliance with state and local laws, and a review of the company's background and history. Therefore, pursuant to 21 U.S.C. § 823 and 28 C.F.R. §§ 0.100 and 0.104, the Deputy Assistant Administrator, Office of Diversion Control, hereby orders that the application submitted by the above firm for registration as a bulk manufacturer of the basic class of controlled substance listed above is granted.

Dated: January 27, 1999.

John H. King,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 99–2677 Filed 2–3–99; 8:45 am]

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