

a portion of its hearing in the above-captioned investigation scheduled for April 15, 1999, *in camera*. See Commission rules 201.13 and 201.35(b)(3) (19 CFR 201.13 and 201.35(b)(3)).

**FOR FURTHER INFORMATION CONTACT:**

William Gearhart, Office of General Counsel, U.S. International Trade Commission, telephone 202-205-3091, e-mail [wgearhart@usitc.gov](mailto:wgearhart@usitc.gov). Hearing-impaired individuals are advised that information on this matter may be obtained by contacting the Commission's TDD terminal on 202-205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission believes it should conduct its business in public in all but the most unusual circumstances. The Commission has determined that, in light of the nature of this investigation, it will be able to assess adequately all arguments raised by the parties without resorting to the extraordinary measure of an *in camera* hearing. Accordingly, the Commission has determined that the public interest would be best served by a hearing that is entirely open to the public. See 19 CFR 201.36(c)(1).

**Authority:** This notice is provided pursuant to Commission Rule 201.35(b) (19 CFR 201.35(b)).

Issued: April 15, 1999.

By order of the Commission.

**Donna R. Koehnke,**

Secretary.

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## DEPARTMENT OF JUSTICE

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

In accordance with 28 CFR 50.7 and section 122 of the Comprehensive Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9622, the Department of Justice gives notice that a proposed consent decree in *United States v. City of Albion, MI, et al.*, Civil No. 1:97-CF-1037 (W.D. Mich.), was lodged with the United States District Court for the Western District of Michigan on March 22, 1999, pertaining to the Albion Sheridan Township Landfill Superfund Site (the "Site"), Calhoun County, Michigan. The proposed consent decree would resolve the United States' civil claims against the City of Albion, Michigan (the "City") and three third-party defendants named in this action.

Under the proposed consent decree, Cooper Industries, Inc. ("Cooper") and Corning Incorporated ("Corning") (collectively, the "Settling RA Defendants") would be obligated to finance and perform the remedial action at the Site as specified in EPA's Record of Decision, at an estimated cost of \$2.6 million. The City and Decker Manufacturing Co. ("Decker") (collectively, the "Settling O&M Defendants") would be obligated to finance and perform the operation and maintenance of the remedial action at the Site as specified in the Record of Decision, at an estimated cost of \$0.538 million. The Settling O&M Defendants would be required to reimburse EPA's future response costs at the Site in the amount of \$200,000. In addition, the City would be required to reimburse the Superfund \$400,000, and Decker would be required to reimburse the Superfund \$250,000, in separate obligations, toward the United States' past costs at the Site.

The Site is an inactive municipal landfill located approximately one mile east of the City of Albion in Sheridan Township, Calhoun County, Michigan. The Site, which covers approximately 18 acres, was widely used for both municipal and industrial waste disposal from approximately 1966 to 1981. In the early 1970s, the landfill accepted metal plating sludges, including insoluble hydroxides and carbonates. Other materials, such as paint wastes and thinners, oil and grease, dust, sand and dirt containing flyash and casting sand, also have been disposed of at the Site. Site activities resulted in contamination of soil and groundwater with hazardous substances. The Site will be remediated under the proposed consent decree. The remedial action to be implemented by the Settling RA Defendants consists of the following actions: (1) Removal and off-Site treatment of surface wastes; (2) construction of a landfill cap; (3) installation of passive gas collection system; (4) installation of groundwater monitoring wells; (5) institutional controls, including Site Security, on- and off-Site; and (6) construction of stormwater/infiltration retention basins. The operation and maintenance to be implemented by the Settling O&M Defendants consists of the following actions: (1) Operation and maintenance of the cap and other remedy components installed; (2) long-term (30 years) monitoring of groundwater; (3) institutional controls on certain adjacent parcels of land; and (4) maintenance of Site security.

Under the proposed consent decree, the United States agrees to move the Court for leave to withdraw the consent

decree between the United States and Decker lodged with the Court on May 27, 1998. 63 FR 29752 (June 1, 1998). Also, under the proposed consent decree, the U.S. Environmental Protection Agency agrees to withdraw a unilateral administrative order issued to the City, Decker, Cooper and Corning on October 11, 1995, within fourteen days after entry of the proposed consent decree by the Court.

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, Environment and Natural Resource Division, United States Department of Justice, Washington, DC 20530, and should refer to *United States v. City of Albion, Michigan, et al.*, Civil No. 1:97-CV-1037 (W.D. Mich.), and DOJ Reference No. 90-11-2-1109. Commenters may request an opportunity for a public meeting in the affected area, in accordance with Section 7003(d) of RCRA, 42 U.S.C. § 6973(d).

The proposed consent decree may be examined at: (1) The Office of the United States Attorney for the Western District of Michigan, The Law Building, 330 Ionio Avenue, NW, 5th Floor, Grand Rapids, Michigan 49503, (616-456-2404); (2) the United States Environmental Protection Agency (Region 5), 77 West Jackson Boulevard, Chicago, Illinois 60604-3590 (contact Connie Puchalski (312-886-6719)); and (3) the U.S. Department of Justice, Environment and Natural Resources Division Consent Decree Library, 1120 G Street, NW., 3rd 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., 3rd Floor, Washington, DC 20005. In requesting a copy, please refer to the referenced case and DOJ Reference Number and enclose a check in the amount of \$22.50 for the consent decree only (90 pages at 25 cents per page reproduction costs), or \$408.50 for the consent decree and all appendices (1,634 pages), made payable to the Consent Decree Library.

**Joel M. Gross,**

Chief, Environmental Enforcement Section, Environment and Natural Resources Division. [FR Doc. 99-9967 Filed 4-20-99; 8:45 am]

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