

participate in the forum and provide their views on the issues discussed below as well as others they wish to raise. Considerations such as technical and funding constraints may limit the Commission's ability to implement some of the features that may be suggested at the forum, but the agency plans to take all such views into account in determining whether and how to permit electronic filing and to provide other facilities for doing docket-related business with the Commission electronically.

The Commission wants any document management system it may implement to benefit users inside and outside the agency. Permitting electronic filing would serve no purpose if document filers did not choose to file electronically. Consistent with the GPEA, the Commission does not intend to require electronic filing. The Commission encourages attendees to provide their views on what system features would be helpful to them. For example, some document formats may be easier to use than others. Moreover, some documents, such as papers drafted by the submitter, may be easier to file electronically than others, such as appendices containing material from reference works in hard copy. Further, how deadlines are set for electronic filing may affect a filer's decision to choose between paper and electronic filing.

A particularly relevant topic for the forum would be the potential technical difficulties that may arise in connection with electronic filing. For example, the software that removes confidential business information from the public versions of paper filings may not suffice for an electronic filing. Also, various circumstances may result in a failure to connect to the agency's website, delaying or preventing filing. To aid in such a discussion, the Commission encourages participants in the forum to bring technical staff familiar with the computer systems of participants' organizations.

The Commission is also interested in attendees' comments on how to change the filing process. Currently, filers generally must submit an original and fourteen paper copies of a document. Electronic filing would present the agency with a number of options for how to proceed with respect to that requirement. The Commission could remove entirely the requirement for submitting paper copies. That would mean that Commission personnel either would forgo the use of paper copies or would incur staff time and printing costs making copies for their use. Alternatively, the agency could

continue, over the long or short term, to require a number of paper copies. Moreover, the Commission could permit filers to submit certain documents electronically while other types of document would continue to be filed in paper form. In addition, for those documents that eventually would be fileable electronically, electronic filing could be phased in over time so that initially parties could file some documents electronically, but other documents might continue in paper form.

The Secretary to the Commission will preside at the forum, assisted by agency staff who are members of the agency's Document Imaging Oversight Committee. The forum will be open to the public. However, to seek an opportunity to make an initial statement, no longer than five minutes in length, a person must submit a request to do so by the deadline for requests set out above. A person who attends the forum without having submitted such a request will be given an opportunity to make a statement as time permits. A person may submit written comments on the issues raised in this notice by the deadline for written comments set out above whether or not he or she files a request or attends the forum.

Issued: May 17, 2001.

By order of the Commission.

**Donna R. Koehnke,**

*Secretary.*

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**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to The Comprehensive Environmental Response Compensation and Liability Act ("CERCLA")

Notice is hereby given that a proposed consent decree in *United States v. Agway Inc., et al.* Civ. No. 3:01cv0637 NAM/GLS, was lodged on May 1, 2001 with the United States District Court for the Northern District of New York. The Consent Decree concerns hazardous waste contamination at the Tr-Cities Barrel Superfund Site (the "Site"), located in the Town of Fenton, Broome County, New York. The Consent Decree would resolve the liability for reimbursement of response costs incurred by the United States in connection with the Site as to forty-three potentially responsible parties against whom the United States filed a complaint on behalf of the United States

Environmental Protection Agency ("EPA"). The Consent Decree also requires the settling defendants to perform the Remedial Design/Remedial Action ("RD/RA") as set forth in the Record of Decision issued by EPA on March 31, 2000.

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 Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Agway Inc., et al.*, DOJ Ref. #90-11-3-1514/1.

The proposed consent decree may be examined at the office of the United States Attorney for the District of New Jersey, 231 Foley U.S. Courthouse, 445 Broadway, Albany, NY 12207 (contact Assistant United States Attorney James Woods); and the Region II Office of the Environmental Protection Agency, 290 Broadway, New York, New York 10007-1866 (contact Assistant Regional Counsel, Michael Mintzer). A copy of the proposed consent decree may be obtained by mail from the Consent Decree Library, P.O. Box 7611, Washington, DC 20044-7611. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$29.00 (25 cents per page reproduction costs) for the Consent Decree without Appendices, or in the amount of \$61.50 for the Consent Decree with all Appendices, payable to the Consent Decree Library.

**Ronald Gluck,**

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

[FR Doc. 01-13027 Filed 5-22-01; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

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

In accordance with the policy of the Department of Justice, notice is hereby given that a proposed consent decree in *The United States of America v. The Atlantic Richfield Company, the Atlantic Richfield Company v. The United States of America* Civ. Nos. 1:99-CV-1743 and 5:98-CV-2645, was lodged with the United States District Court for the Northern District of Ohio, on May 4, 2001. The United States brought an action against Defendant, the

Atlantic Richfield Company ("ARCO") pursuant to Section 107 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) for, *inter alia*, reimbursement of costs incurred and to be incurred, by the United States in connection with response actions at the AlSCO Anaconda Superfund Site ("Site") in Gnadenhutten, Ohio. ARCO has implemented a remedial action that the United States Environmental Protection Agency selected for the Site and asserted claims pursuant to Section 106(b) of CERCLA to recover certain of its response costs from the Hazardous Substance Superfund.

Under the proposed decree, ARCO will pay \$1,135,000 in satisfaction of the United States' claims against it. The proposed decree also provides for dismissal with prejudice of ARCO's claims against the United States for reimbursement of certain costs ARCO incurred in connection with response actions it performed at the Site.

The Department of Justice will receive comments relating to the proposed consent decree for a period of 30 days from the date of this publication. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530. All comments should refer to *United States v. The Atlantic Richfield Company*, D.J. Ref. 90-11-3-488B.

The proposed consent decree may be examined at the office of the United States Attorney for the Northern District of Ohio, 1800 Bank One Center, 600 Superior Avenue, Cleveland, Ohio 44114-2600; and at the Region V office of the Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590. A copy of the proposed consent decree may be obtained in person or by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044-7611. In requesting a copy, please enclose a check in the amount of \$5.25 (25 cents per page reproduction costs) payable to the Consent Decree Library. When requesting a copy, please refer to *United States v. The Atlantic Richfield Company*, D.J. Ref. 90-11-3-488B.

**William D. Brighton,**

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

[FR Doc. 01-13028 Filed 5-22-01; 8:45 am]

BILLING CODE 4410-15-M

**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Consent Decree Pursuant to the Resource Conservation and Recovery Act ("RCRA")**

Pursuant to Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree ("Decree") in *United States v. Raymond T. James and Rattan Investment Co., Inc.*, Civ. No. 1999/145, was lodged on May 7, 2001 with the United States District Court for the District of the Virgin Islands.

In this action, the United States sought civil penalties and injunctive relief, alleging that the operator of a gas station popularly known as "Charlie's Gas Station," located in Christiansted, St. Croix, U.S. Virgin Islands, violated provisions of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. 6901-6992k. More particularly, the United States alleged that the operators of Charlie's Gas Station failed to employ the release detection methods required for the underground storage tanks (USTs) at the facility under federal regulations applicable to USTs set forth at 40 CFR Part 280, Subpart D, and failed to respond to various information requests sent to them by EPA under the authority of Sections 3007(a) and 9005(a) of RCRA, 42 U.S.C. 6927(a), 6991d(a). The Decree would resolve the liability of the defendants, Raymond T. James and Rattan Investment Co., Inc., for the alleged violations. The Decree requires the defendants to come into compliance with UST regulations by permanently closing the USTs at Charlie's Gas Station (which have been temporarily closed since December 22, 1998) within sixty days after entry of the Decree, which closure will entail cleaning and emptying the USTs, performing a site assessment within five days thereafter to determine whether there is any contamination at the facility, and, if such contamination is found, implementing corrective action. The Decree further requires the defendants to pay a civil penalty of \$6,000.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, D.C. 20044-7611, and should refer to *United States v. Raymond T. James and Rattan Investment Co., Inc.*, DOJ Ref. #90-7-1-06362.

The Decree may be examined at the office of the United States Attorney for the District of the Virgin Islands, 1108 King St., Suite 201, St. Croix, U.S.V.I. 00820-4951 (contact Assistant United States Attorney Ernest F. Batenga); and the Region II Office of the Environmental Protection Agency, 290 Broadway, New York, New York, 10007-1866 (contact Assistant Regional Counsel Donna DeCostanzo). A copy of the Decree may be obtained by mail from the Consent Decree Library, P.O. Box 7611, Washington, D.C. 20044-7611. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$6.25 (25 cents per page reproduction costs), payable to the Consent Decree Library.

**Ronald G. Gluck,**

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

[FR Doc. 01-13025 Filed 5-22-01; 8:45 am]

BILLING CODE 4410-15-M

**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Consent Decree Pursuant to the Clean Air Act**

In accordance with Department of Justice policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in the action entitled *United States of America v. Shell Oil Company and Motiva Enterprises LLC*, Civil Action No. 3:01CV00093 RNC (D. Conn.), was lodged on April 27, 2001 with the United States District Court for the District of Connecticut. The proposed consent decree resolves claims of the United States, on behalf of the U.S. Environmental Protection Agency, under Sections 111 and 112 of the Clean Air Act, 42 U.S.C. 7411 and 7412, its implementing federal regulations, and the Connecticut State Implementation Plan, against defendants Shell Oil Company and Motiva Enterprises LLC. These claims are for injunctive relief and civil penalties arising from defendants' alleged violations of the Clean Air Act, its implementing regulations, and the State Implementation Plan in connection with their operation of a bulk gasoline terminal located within the Towns of Bridgeport and Stratford, Connecticut.

Under the terms of the proposed consent decree, the defendants: (1) Will pay a civil penalty of \$390,155 to the United States; (2) will purchase and permanently retire twenty-two tons worth of nitrogen oxide emission reduction credits during ozone season, to be purchased in either Connecticut, Massachusetts, New York, or Rhode