

filed a response to Rohm's motion to terminate the investigation. Nichia did not oppose the motion to terminate, but requested that the ALJ terminate the investigation "with prejudice" in view of a Nichia's motion for sanctions against Rohm for abuse of Commission process. The Commission investigative attorney supported Rohm's motion to terminate the investigation.

On June 27, 2001, the presiding ALJ issued an ID granting Rohm's motion to terminate the investigation, but denying Nichia's request to terminate the investigation "with prejudice."

None of the parties filed a petition to review the subject ID. The Commission subsequently determined not to review the subject ID.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and Commission rule 210.42, 19 CFR 210.42. Copies of the subject ID and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone 202-205-2000. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS-ON-LINE) at <http://dockets.usitc.gov/eol/public>.

Issued: July 16, 2001.

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 Clean Air Act ("CAA")

Consistent with the policy set forth in the Department of Justice regulations at 28 CFR 50.7, notice is hereby given that on July 12, 2001, a proposed Consent Decree was lodged with the United States District Court for the Southern District of Illinois, in *United States and State of Illinois v. Clark Refining and Marketing, Inc.*, Civil Action No. 99-87 (GPM). The proposed Consent Decree settles claims asserted by the United

States on behalf of the U.S. Environmental Protection Agency, and the State of Illinois, pursuant to section 113(b) of the Clean Air Act, 42 U.S.C. 9613(b), and the federally enforceable State Implementation Plan ("SIP"), in connection with operation of the Clark Refining (now The Premcor Refining Group Inc.) petroleum refinery in Hartford, Illinois.

The Consent Decree requires Premcor to pay \$2 million in civil penalties for alleged violation of the Prevention of Significant Deterioration requirements in Part C of the CAA and the implementing regulations at 40 CFR 52.21, as well as violations of SIP emission limits at the refinery's fluid catalytic cracking unit ("FCCU"). The proposed Decree also requires Premcor to install a wet gas scrubber on its FCCU, to control emissions of sulfur dioxide and particulate matter. Additional pollution control measures in the decree include a program that will result in installation of low-NO<sub>x</sub> or ultra low-NO<sub>x</sub> burners at selected heaters and boilers at the Hartford refinery.

The Department of Justice will receive written comments relating to the proposed consent Decree for thirty (30) days from the date of publication of this notice. Comments should be directed to the Acting Assistant Attorney General, Environment and Natural Resources Division, U.S. Department of Justice, Washington, DC 20530, and should refer to *United States v. Clark Refining and Marketing, Inc.*, DOJ Reference # 90-5-2-1-2032.

The proposed Consent Decree may be examined at the Office of the United States Attorney for the Southern District of Illinois, 9 Executive Drive, Suite 300, Fairview Heights, Illinois 62208 (contact William E. Coonan, (618) 628-3700), and at the offices of the U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590 (contact Brian Barwick, (312) 886-6620). Copies may also be obtained by mail from the Department of Justice Consent Decree Library, PO Box 7611, Washington, DC 20044-7611. In requesting copies, please refer to the case name and DOJ reference number and enclose a check in the amount of \$9.00 (25 cents per page reproduction cost) payable to the Consent Decree Library.

**William D. Brighton,**

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

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Clean Water Act

In accordance with 28 CFR 50.7, 38 FR 19029, notice is hereby given that on June 28, 2001, a Consent Decree was lodged with the United States District Court for the District of Massachusetts in *United States v. National Railroad Passenger Corporation* Civil Action No. 01-11121-RWZ. A complaint in the action was also filed simultaneously with the lodging of the Consent Decree. In the complaint the United States, on behalf of the U.S. Environmental Protection Agency (EPA), alleges that the defendant National Railroad Passenger Corporation (Amtrak) violated the Clean Water Act, 33 U.S.C. 1251, *et seq.*, at nine Amtrak facilities in Massachusetts, Connecticut and Rhode Island. The violations involve EPA requirements for control of storm water discharges; requirements of Amtrak's pollutant discharge permits; pretreatment requirements; Spill Prevention Control and Countermeasure requirements; and a small oil spill into navigable waters. The consent decree requires Amtrak to pay a cash penalty of \$500,000, and implement two Supplemental Environmental Projects at a cost of \$900,000. The consent decree also requires Amtrak to comply with relevant environmental laws at the nine identified facilities, and to also conduct a multi-media compliance audit for each of its 51 facilities nation-wide. Amtrak is also required to implement a comprehensive Environmental Management System involving the entire company.

The Department of Justice will receive comments relating to the proposed Consent Decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Washington, DC 20044, and should refer to *United States v. National Railroad Passenger Corporation*, D.J. Ref. 90-5-1-1-06798.

The proposed consent decree may be examined at the office of the United States Attorney, Suite 9200, 1 Courthouse Way, Boston, Massachusetts 02110, and at the Region I office of the Environmental Protection Agency, One Congress Street, Suite 1100, Boston, Massachusetts 02114. A copy of the proposed consent decree may also be obtained by mail from the Department of Justice Consent Decree Library, PO Box 7611, Washington, DC 20044. In requesting a copy, please enclose a