

trade and market conditions for those goods related to the subject environmental services. For the purpose of this study, air and noise pollution abatement services are defined to include control services of indoor or outdoor air pollution originating from stationary or mobile sources; services related to the trade of air pollution emission rights; services related to the monitoring, assessment, or control of acid rain; services related to the study of the relationship between air pollution and climate; noise pollution abatement and control services; testing and monitoring of air or noise pollution; and other services incidental to air and noise pollution abatement.

The USTR asked that the Commission furnish its report by April 1, 2005, and that the Commission make the report available to the public in its entirety.

The USTR letter also requests an investigation on renewable energy services. In response, the Commission has instituted Investigation No. 332-462, Renewable Energy Services: An Examination of U.S. and Foreign Markets, which is due to the USTR on October 1, 2005.

**Public Hearing:** A public hearing in connection with the investigation will be held at the U.S. International Trade Commission Building, 500 E Street SW., Washington, DC, beginning at 9:30 a.m. on October 20, 2004. All persons shall have the right to appear, by counsel or in person, to present information and to be heard. Requests to appear at the public hearing should be filed with the Secretary, United States International Trade Commission, 500 E Street SW., Washington, DC 20436, no later than 5:15 p.m., October 5, 2004. Any prehearing briefs (original and 14 copies) should be filed not later than 5:15 p.m., October 7, 2004; the deadline for filing post-hearing briefs or statements is 5:15 p.m., November 4, 2004. In the event that, as of the close of business on October 5, 2004, no witnesses are scheduled to appear at the hearing, the hearing will be canceled. Any persons interested in attending the hearing as an observer or non-participant may call the Secretary of the Commission (202-205-1806) after October 5, 2004, for information concerning whether the hearing will be held.

**Written Submissions:** In lieu of or in addition to participating in the hearing, interested parties are invited to submit written statements (original and 14 copies) concerning the matters to be addressed by the Commission in its report on this investigation. Commercial or financial information that a submitter desires the Commission to treat as

confidential must be submitted on separate sheets of paper, each clearly marked "Confidential Business Information" at the top. All submissions requesting confidential treatment must conform with the requirements of section § 201.6 of the Commission's Rules of Practice and Procedure (19 CFR 201.6). All written submissions, except for confidential business information, will be made available in the Office of the Secretary to the Commission for inspection by interested parties. The Commission will not include any confidential business information in the report it sends to the USTR. To be assured of consideration by the Commission, written statements relating to the Commission's report should be submitted to the Commission at the earliest practical date and should be received no later than the close of business on November 4, 2004. All submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street SW., Washington, DC 20436. The Commission's rules do not authorize filing submissions with the Secretary by facsimile or electronic means, except to the extent permitted by section 201.8 of the Commission's Rules of Practice and Procedure (19 CFR 201.8) (see Handbook for Electronic Filing Procedures, [ftp://ftp.usitc.gov/pub/reports/electronic\\_filing\\_handbook.pdf](ftp://ftp.usitc.gov/pub/reports/electronic_filing_handbook.pdf)). Persons with questions regarding electronic filing should contact the Secretary (202-205-2000 [edis@usitc.gov](mailto:edis@usitc.gov)).

Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>).

#### List of Subjects

WTO, GATS, air and noise pollution abatement services.

Issued: August 5, 2004.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

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## INTERNATIONAL TRADE COMMISSION

[Investigation No. 332-462]

### Renewable Energy Services: An Examination of U.S. and Foreign Markets

**AGENCY:** International Trade Commission.

**ACTION:** Institution of investigation and scheduling of public hearing.

**DATES:** Effective August 3, 2004.

**SUMMARY:** Following receipt of a request on July 12, 2004 from the United States Trade Representative (USTR), the Commission instituted investigation No. 332-462, Renewable Energy Services: An Examination of U.S. and Foreign Markets, under section 332(g) of the Tariff Act of 1930 (19 U.S.C. 1332(g)).

**FOR FURTHER INFORMATION CONTACT:** Information specific to this investigation may be obtained from Lisa Ferens, Project Leader (202-205-3486; [lisa.ferens@usitc.gov](mailto:lisa.ferens@usitc.gov)), Jennifer Baumert, Deputy Project Leader, (202-205-3450; [jennifer.baumert@usitc.gov](mailto:jennifer.baumert@usitc.gov)), or Richard Brown, Chief, Services and Investment Division (202-205-3438; [richard.brown@usitc.gov](mailto:richard.brown@usitc.gov)), Office of Industries, U.S. International Trade Commission, Washington, DC, 20436. For information on the legal aspects of this investigation, contact William Gearhart of the Office of the General Counsel (202-205-3091; [willam.gearhart@usitc.gov](mailto:willam.gearhart@usitc.gov)). Hearing impaired individuals are advised that information on this matter can be obtained by contacting the TDD terminal on (202) 205-1810.

**Background:** As requested by the USTR, the Commission's report will, to the extent possible, (1) provide an overview of foreign and domestic markets for renewable energy services; (2) examine trade and investment in renewable energy services markets, including barriers affecting such trade and investment, if any; and (3) if possible, discuss existing regulatory practices that generate demand for the subject services. USTR has requested that the Commission's study include examples from both developed- and developing-country markets. In addition, the USTR has asked the Commission to include examples—as appropriate—from those economies with which the United States has established, or is in the process of negotiating, free trade arrangements. To the extent possible, the Commission is also requested to present information on trade and market conditions for those goods related to the subject renewable

energy services. For the purpose of this study, renewable energy services are defined to include: the use of renewable power sources—including wind, solar energy, biomass fuels, tidal energy, and geothermal energy—in heating or electricity generation; the sale of renewable energy; geological analysis, resource assessment, and other services incidental to the evaluation, planning, or siting of a renewable energy project or facility; design, construction, and installation services for renewable energy equipment and facilities; the operation, management, and monitoring of renewable energy projects or facilities; decommissioning services; services incidental to the issuance of renewable energy certificates; research and development services related to renewable energy; and other services incidental to the development and use of renewable power sources.

The USTR asked that the Commission furnish its report by October 1, 2005, and that the Commission make the report available to the public in its entirety.

**Public Hearing:** A public hearing in connection with the investigation will be held at the U.S. International Trade Commission Building, 500 E Street SW., Washington, DC, beginning at 9:30 a.m. on April 19, 2005. All persons shall have the right to appear, by counsel or in person, to present information and to be heard. Requests to appear at the public hearing should be filed with the Secretary, United States International Trade Commission, 500 E Street SW., Washington, DC 20436, no later than 5:15 p.m., April 5, 2005. Any prehearing briefs (original and 14 copies) should be filed not later than 5:15 p.m., April 7, 2005; the deadline for filing post-hearing briefs or statements is 5:15 p.m., May 5, 2005. In the event that, as of the close of business on April 5, 2005, no witnesses are scheduled to appear at the hearing, the hearing will be canceled. Any persons interested in attending the hearing as an observer or non-participant may call the Secretary of the Commission (202-205-1806) after April 5, 2005, for information concerning whether the hearing will be held.

**Written Submissions:** In lieu of or in addition to participating in the hearing, interested parties are invited to submit written statements (original and 14 copies) concerning the matters to be addressed by the Commission in its report on this investigation. Commercial or financial information that a submitter desires the Commission to treat as confidential must be submitted on separate sheets of paper, each clearly marked "Confidential Business Information" at the top. All submissions

requesting confidential treatment must conform with the requirements of section § 201.6 of the Commission's Rules of Practice and Procedure (19 CFR 201.6). All written submissions, except for confidential business information, will be made available in the Office of the Secretary to the Commission for inspection by interested parties. The Commission will not include any confidential business information in the report it sends to the USTR. To be assured of consideration by the Commission, written statements relating to the Commission's report should be submitted to the Commission at the earliest practical date and should be received no later than the close of business on May 5, 2005. All submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street SW., Washington, DC 20436. The Commission's rules do not authorize filing submissions with the Secretary by facsimile or electronic means, except to the extent permitted by section 201.8 of the Commission's Rules of Practice and Procedure (19 CFR 201.8) (see Handbook for Electronic Filing Procedures, [ftp://ftp.usitc.gov/pub/reports/electronic\\_filing\\_handbook.pdf](ftp://ftp.usitc.gov/pub/reports/electronic_filing_handbook.pdf)). Persons with questions regarding electronic filing should contact the Secretary (202-205-2000 [edis@usitc.gov](mailto:edis@usitc.gov)).

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#### List of Subjects

WTO, GATS, renewable energy services.

Issued: August 5, 2004.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

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## DEPARTMENT OF JUSTICE

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

In accordance with 28 U.S.C. 50.7 and Section 122 of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9622, notice is hereby given that on July

14, 2004, a proposed consent decree in the action of *United States v. 3M Company, et al.*, C.A. No. 2:04-cv-3331 (HAA), was lodged with the United States District Court for the District of New Jersey. The Consent Decree resolves the claims of the United States against the defendants in this action for implementation of the fill area remedy ("Operable Unit Two") at the Scientific Chemical Processing ("SCP")—Carlstadt Superfund Site located in Carlstadt, New Jersey ("Site") and for reimbursement of past response costs relating to the Site.

The Complaint in this action alleges that the defendants are liable to the United States under Sections 106 and 107 of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9606, 9607, as generators and/or transporters of materials containing hazardous substances that were disposed of at the Site. The defendants in this action are:

3M Company; Air Products and Chemicals, Inc.; Akzo Nobel Coatings, Inc.; Altje, Inc.; American Cyanamid—Lederle Labs—Shulton, Inc.; American Standard Companies; Ashland Inc.; ATOFINA Chemicals, Inc.; BASF Corporation; Bayer Chemicals Corporation; Bee Chemical Company; Benjamin Moore & Co.; Ber Mar Manufacturing Corp.; Borden Chemical, Inc.; Bristol-Myers Squibb Company; Browning-Ferris Industries of New Jersey; Chemcoat Inc.; Chemical Pollution Control, Inc. of NY; Ciba Specialty Chemicals Corporation; CNA Holdings, Inc.; Congoleum Corporation; Crown Beverage Packaging Company, Inc.; Cycle Chem, Inc.; Dri Print Foils, Inc.; DuPont Company; Exxon Mobil Corporation; ExxonMobile Oil Corporation; General Electric Company; General Motors Corporation; Hoffmann-La Roche, Inc.; Honeywell International Inc.; ISP Environmental Services Inc.; John L. Armitage & Co.; Johnson & Johnson; Kirker Enterprises, Inc.; L.E. Carpenter & Company; Lucent Technologies Inc.; Mack Trucks, Inc.; Magid Corp.; Mallinckrodt Baker, Inc.; Manor Care of American, Inc.; Manor Care Health Services, Inc.; Marisol, Inc.; Merck & Co., Inc.; Monroe Chemical, Inc.; Nepera, Inc.; New England Laminates Co.; Inc.; Northrop Grumman Systems Corporation; Occidental Chemical Corporation; PAXAR Corporation; Permacel, Inc.; Pfizer Inc.; Pharmacia Corporation; Portfolio One, Inc.; Revlon Consumer Products Corporation; Roche Vitamins Inc.; Rohm and Haas Company; Schenectady International, Inc.; Seagrave Coatings Corp. (NJ); Siegfried (USA), Inc.; Simon Wrecking Company, Inc.; SmithKline Beecham Corporation; Technical Coatings Co.; The Continental Group Inc.; The Dow Chemical Company; The Warner Lambert Co., LLC; Union Carbide Corporation; United Technologies Corporation; and VIACOM Inc.

Under the proposed Consent Decree, the settling defendants will reimburse to