

from entry into the United States for purposes other than entry for consumption, the party should so indicate and provide information establishing that activities involving other types of entry either are adversely affecting it or likely to do so. For background, see *In the Matter of Certain Devices for Connecting Computers via Telephone Lines*, Inv. No. 337-TA-360, USITC Pub. No. 2843 (December 1994) (Commission Opinion).

If the Commission contemplates some form of remedy, it must consider the effects of that remedy upon the public interest. The factors the Commission will consider include the effect that an exclusion order and/or cease and desist orders would have on (1) the public health and welfare, (2) competitive conditions in the U.S. economy, (3) U.S. production of articles that are like or directly competitive with those that are subject to investigation, and (4) U.S. consumers. The Commission is therefore interested in receiving written submissions that address the aforementioned public interest factors in the context of this investigation.

If the Commission orders some form of remedy, the President has 60 days to approve or disapprove the Commission's action. During this period, the subject articles would be entitled to enter the United States under bond, in an amount determined by the Commission and prescribed by the Secretary of the Treasury. The Commission is therefore interested in receiving submissions concerning the amount of the bond that should be imposed.

Written Submissions: The parties to the investigation are requested to file written submissions on the issues under review. The submissions should be concise and thoroughly referenced to the record in this investigation. Parties to the investigation, interested government agencies, and any other interested parties are encouraged to file written submissions on the issues of remedy, the public interest, and bonding. Such submissions should address the June 2, 2004, recommended determination by the ALJ on remedy and bonding. Complainants and the Commission investigative attorney are also requested to submit proposed remedial orders for the Commission's consideration. The written submissions and proposed remedial orders must be filed no later than close of business on September 3, 2004. Reply submissions must be filed no later than the close of business on September 13, 2004. No further submissions on these issues will be permitted unless otherwise ordered by the Commission.

Persons filing written submissions must file the original document and 12 true copies thereof on or before the deadlines stated above with the Office of the Secretary. Any person desiring to submit a document (or portion thereof) to the Commission in confidence must request confidential treatment unless the information has already been granted such treatment during the proceedings. All such requests should be directed to the Secretary of the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See section 201.6 of the Commission's Rules of Practice and Procedure, 19 CFR 201.6. Documents for which confidential treatment by the Commission is sought will be treated accordingly. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in sections 210.42-.46 of the Commission's Rules of Practice and Procedure (19 CFR 210.42-.46).

Issued: August 19, 2004.

By order of the Commission.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 04-19407 Filed 8-24-04; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging Proposed Consent Decree

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed modified Consent Decree in *United States v. Holly Ridge Associates, L.L.C.*, No. 7:01-CV-36-BO(3) was lodged with the United States District Court for the Eastern District of North Carolina on August 11, 2004.

This proposed modified Consent Decree concerns a complaint filed by the United States against Defendants Holly Ridge Associates, L.L.C. and John A. Elmore, pursuant to section 301(a) of the Clean Water Act, 33 U.S.C. 1311(a), to obtain injunctive relief from and impose civil penalties against the Defendants for violating the Clean Water Act by discharging pollutants without a permit into waters of the United States. The proposed modified Consent Decree resolves these allegations by requiring the Defendants to restore the impacted areas and perform mitigation and to pay a civil penalty. The Consent Decree also

provides for the Defendants to perform a supplemental environmental project.

The Department of Justice will accept written comments relating to this proposed modified Consent Decree for thirty (30) days from the date of publication of this Notice. Please address comments to Martin F. McDermott, United States Dep't of Justice, Environment & Natural Resources Division, Environmental Defense Section, P.O. Box 23986, Washington, DC 20226-3986 and refer to *United States v. Holly Ridge Associates, L.L.C.*, DJ #90-5-1-16618.

The proposed modified Consent Decree may be examined at the Clerk's Office, United States District Court for the Eastern District of North Carolina, 310 New Bern Ave., Raleigh, North Carolina 27601. In addition, the proposed Consent Decree may be viewed at <http://www.usdoj.gov/enrd/open.html>.

Stephen Samuels,

Assistant Chief, Environmental Defense Section, Environment & Natural Resources Division.

[FR Doc. 04-19484 Filed 8-24-04; 8:45 am]

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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 Environmental 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, et al., v. City of Waukegan, Illinois, et al.*, Civil No. 04 C 5172 (N.D. Ill.), was lodged with the United States District Court for the Northern District of Illinois on August 11, 2004, pertaining to the Waukegan Manufactured Gas & Coke Plant Site (the "Site"), Operable Unit #2 of the Outboard Marine Corporation Superfund Site located in Waukegan, Lake County, Illinois. The proposed consent decree would resolve the United States' civil claims under sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, against the Settling Defendants, two current owners of portions of the Site, and three former owners and operators of the Site.

Under the proposed Consent Decree Performing Settling Defendants, General Motors Corp. ("GM") and North Shore Gas Co. ("North Shore"), are obligated to finance and perform the remedial action at the Site selected by U.S.

Environmental Protection Agency ("U.S. EPA") in a September 1999 Record of Decision ("ROD"). The City of Waukegan, IL (the "City") will perform the operation and maintenance ("O&M") portion of the remedy relating to soil cleanup at the Site using funds in an escrow account established by the Performing Settling Defendants. The Owner Settling Defendants, the City and Larsen Marine Service, Inc., are obligated to provide the access agreements and institutional controls required to implement the selected remedy. The Buyout Settling Defendant, Elgin Joliet & Eastern Railway Co., will pay GM and North Shore 10% of the cost of the remedial action, pursuant to a separate agreement among the Settling Defendants. The total cost of the remedial action is estimated to be approximately \$27 million.

The Performing Settling Defendants will pay U.S. EPA's and the State of Illinois' (the "State's") Interim Response Costs, primarily oversight costs paid or incurred between September 2002 and the effective date of the Consent Decree. In addition, the Performing Settling Defendants will pay all U.S. EPA's Future Response Costs excluding the first \$1.35 million of Future Oversight Costs.

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, United States Department of Justice, Washington, DC 20530, and should refer to *United States, et al., v. City of Waukegan, Illinois, et al.*, Civil No. 04-C-5172 (N.D. Ill.), and DOJ Reference No. 90-11-3-07051. 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 Northern District of Illinois, 219 South Dearborn Street, 5th Floor, Chicago, IL 60604, (312-252-1994); and (2) the United States Environmental Protection Agency (Region 5), 77 West Jackson Blvd., Chicago, IL 60604-3507 (contact: Susan Tennenbaum (312-886-0273)). A copy of the proposed consent decree may be obtained by mail from the Consent Decree Library, U.S. Department of Justice, P.O. Box 7611, Washington, DC 20044-7611. In requesting a copy, please refer to the referenced case and DOJ Reference Number and enclose a check in the amount of \$23.50 for the

consent decree only (94 pages, at 254 cents per page reproduction costs), or \$123.00 for the consent decree and all appendices (492 pages), made payable to the Consent Decree Library.

W. Benjamin Fisherow,

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

[FR Doc. 04-19486 Filed 8-24-04; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging Proposed Consent Decree

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States of America v. Yellowstone Mountain Club, LLC, et al.*, No. CV 04-58-BU-RWA, (D. Mt.) was lodged with the United States District Court for the District of Montana on August 9, 2004.

This proposed Consent Decree concerns a complaint filed by the United States against Yellowstone Mountain Club, LLC, Yellowstone Development, LLC, Blixseth Group, Inc. and The Ranches of Yellowstone Club, LLC pursuant to section 309(b) and (d) of the Clean Water Act ("CWA"), 33 U.S.C. 1319 (b) and (d), to obtain injunctive relief from and impose civil penalties against the Defendants for violating the Clean Water Act by discharging pollutants without a permit into waters of the United States. The proposed Consent Decree resolves these allegations by requiring the Defendants to restore impacted areas, perform mitigation and to pay a civil penalty.

The Department of Justice will accept written comments relating to this proposed Consent Decree for thirty (30) days from the date of publication of this Notice. Please address comments to Leif Johnson, Assistant United States Attorney, P.O. Box 1478, Billings, Montana 59103 and refer to *United States of America v. Yellowstone Mountain Club, LLC, et al.* and DJ # 90-5-1-1-16831.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the District of Montana, Butte Division, 303 Federal Building, 400 North Main St., Butte, Montana 59701. In addition, the proposed Consent Decree may be

viewed at <http://www.usdoj.gov/enrd/open.html>.

Scott Schachter,

Assistant Chief, Environmental Defense Section, Environment & Natural Resources Division.

[FR Doc. 04-19485 Filed 8-24-04; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-39,573]

Cooper Wiring Devices—Georgetown, SC; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on August 29, 2001, applicable to workers of Cooper Wiring Devices, Assembly Department, Georgetown, South Carolina. The notice was published in the **Federal Register** on September 11, 2001 (66 FR 47241). The certification was amended on March 8, 2002 to include all workers of the Georgetown, South Carolina location of the subject firm. The notice was published in the **Federal Register** on April 22, 2002 (67 FR 19590).

At the request of a company official, the Department reviewed the certification for workers of the subject firm. The workers were engaged in the production of wiring devices.

New information shows that Mr. Tony Johnson was retained at the subject firm beyond the August 29, 2003 expiration date of the certification. Mr. Johnson completed the close-down process until his termination on November 30, 2003.

Based on these findings, the Department is amending the certification to extend the August 29, 2003 expiration date for TA-W-39,573 to read November 30, 2003.

The intent of the Department's certification is to include all workers of Cooper Wiring Devices, Georgetown, South Carolina, who were adversely affected by a shift in production to Mexico.

The amended notice applicable to TA-W-39,573 is hereby issued as follows:

All workers of Cooper Wiring Devices, Georgetown, South Carolina, who became totally or partially separated from employment on or after June 27, 2000, through November 30, 2003, are eligible to