

FOR FURTHER INFORMATION CONTACT:

Mary Messer (202-205-3193), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202-205-1810. 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>). The public record for this review may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION: On August 5, 2005, the Commission determined that it should proceed to a full review in the subject five-year review pursuant to section 751(c)(5) of the Act.¹ The Commission found that both the domestic and respondent interested party group responses to its notice of institution (70 FR 22701, May 2, 2005) were adequate. A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements will be available from the Office of the Secretary and at the Commission's Web site.

Authority: This review is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.62 of the Commission's rules.

By order of the Commission.

Issued: August 11, 2005.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 05-16339 Filed 8-17-05; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA")

Under the policy set out at 28 CFR 50.7, notice is hereby given that on August 2, 2005, the United States lodged with the United States District Court for the District of Montana a proposed consent decree ("Consent Decree") in the case of *United States v. Atlantic Richfield Company et al.*, Civil Action No. CV-89-39-BU-SEH. The

¹ Commissioner Marcia E. Miller did not participate in this determination.

Consent Decree pertains to the Milltown Reservoir Sediments Operable Unit (the "Milltown Site") in southwestern Montana. The settlement would resolve the claims brought by the United States against the Atlantic Richfield Company and NorthWestern Corporation under Section 107 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9607, for the recovery of costs incurred and to be incurred in responding to releases and threatened releases of hazardous substances at the Milltown Site. Under the terms of the proposed Consent Decree, Atlantic Richfield and NorthWestern will implement EPA's cleanup plan for the Milltown Site, reimburse certain EPA response costs related to the Milltown Site, and contribute toward the State of Montana's natural resource restoration plan for the Milltown site. The United States, on behalf of certain federal agencies against which Atlantic Richfield asserted counterclaims, will also be contributing toward the reimbursement of EPA's response costs.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Consent Decree. Comments should be addressed to the Deputy 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. ARCO*, DOJ Case Number 90-11-2-430.

The proposed Consent Decree may be examined at the office of the United States Attorney for the District of Montana, 2929 Third Avenue North, Suite 400, Billings, Montana 59101, and at U.S. EPA Region VIII Montana Office, Federal Building, 10 West 15th Street, Suite 3200, Helena, Montana 59624. During the public comment period, the Consent Decree, may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood (tonia.fleetwood@usdoj.gov), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy of the Consent Decree, please reference *United States v. ARCO*, DOJ Case Number 90-11-2-430, and enclose a check in the amount of \$10.00

(25 cents per page reproduction cost) payable to the U.S. Treasury.

Robert D. Brook,

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

[FR Doc. 05-16348 Filed 8-17-05; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Water Act

Consistent with 28 CFR 50.7, notice is hereby given that on August 3, 2005, a proposed consent decree ("decree") in *United States v. Degussa Initiators, LLC.*, Civil Action No. 1:05CV1915, was lodged with the United States District Court for the Northern District of Ohio.

In this action, the United States seeks civil penalties against Degussa for violations of section 307(d) and 308 of the Clean Water Act, 33 U.S.C. 1317(d) and 1318, including violation of categorical and local effluent limits contained in industrial user permits issued by the Elyria, Ohio publicly owned treatment works. The proposed decree provides that Degussa will pay a civil penalty of \$345,203.50 and will perform a supplemental environmental project valued at \$27,514. Degussa also certifies in the proposed decree that it has implemented corrective measures necessary to ensure continuous compliance with applicable effluent limits and other permit terms.

The Department of Justice will receive comments relating to the 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, P.O. Box 7611, Ben Franklin Station, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Degussa LLC*, D.J. Ref. 90-5-1-1-07956.

The decree may be examined at the Office of the United States Attorney, 1800 One Bank Center, 600 Superior Avenue, Cleveland, Ohio 44114-2654 and at the U.S. Environmental Protection Agency Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590. During the public comment period, the decree may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, Ben Franklin Station, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood

(tonia.fleetwood@usdoj.gov), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$7.00 (25 cents per page reproduction cost), payable to the U.S. Treasury.

W. Benjamin Fisherow,

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

[FR Doc. 05-16346 Filed 8-17-05; 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

Pursuant to Section 122(d)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9622(d)(2), and 28 CFR 50.7, notice is hereby given that a proposed Consent Decree embodying a settlement in *United States v. Del Monte Fresh Produce (Hawaii), Inc.*, Civil Action No. 05-0049 5, was lodged on August 4, 2005, with the United States District Court for the District of Hawaii.

In a Complaint filed concurrently with the lodging of the Consent Decree, the United States seeks reimbursement of costs incurred by the United States and injunctive relief relating to the Del Monte Fresh Produce (Hawaii), Inc., site located in Oahu, Hawaii ("Site"). The United States alleges in the Complaint that the defendant, Del Monte Fresh Produce (Hawaii), Inc. ("DMFP"), operated the Site and disposed or arranged to dispose of hazardous substances at the Site within the meaning of Sections 107(a)(1), (2), and (3) of CERCLA, 42 U.S.C. 9607(a)(1), (2), and (3).

Under the proposed Consent Decree, DMFP has agreed to fund and perform response actions at the Site. The Consent Decree requires DMFP to, among other things, install monitoring wells to characterize the extent of contaminated groundwater; pump and treat contaminated groundwater; implement phytoremediation; place a vegetated soil covering or cap over the contaminated soil area; install a soil vapor extraction system; and restrict land use. The Consent Decree also requires DMFP to reimburse the United States for its costs.

The United States Department of Justice will receive, for a period of 30 days from the date of this publication, comments relating to the proposed

Consent Decree. Comments should be addressed to the U.S. Department of Justice, Assistant Attorney General, Environment and Natural Resources Division, P.O. Box 7611, Ben Franklin Station, Washington, DC 20044-7611, and should refer to *United States v. Del Monte Fresh Produce (Hawaii), Inc.*, DOJ Ref. 90-11-3-08277.

The proposed Consent Decree may be examined during the public comment period on the following United States Department of Justice Web site: <http://www.usdoj.gov/enrd/open.html>. A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, U.S. Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, DC 20044-7611, or by faxing or E-mailing a request to Tonia Fleetwood (tonia.fleetwood@usdoj.gov), fax number (202) 514-0097, phone confirmation number (202) 514-1547. When requesting a copy from the Consent Decree Library, please enclose a check, payable to the U.S. Treasury, in the amount of \$24.25 (\$.25 per page reproduction cost).

Ellen Mahan,

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

[FR Doc. 05-16345 Filed 8-17-05; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

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

Notice is hereby given that a proposed consent Decree in *United States of America v. Wellsford*, Civ. Action No. 05-4158 was lodged on August 4, 2005, with the United States District Court for the Eastern District of Pennsylvania.

In the Complaint filed in this matter, the United States alleges that Wellsford, Inc. ("Wellsford") is liable for response costs pursuant to Section 107 of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9607 for its involvement with the Recticon/Allied Steel ("Site") in Parkerford, Pennsylvania. The proposed Consent Decree would resolve the United States' claims set forth in the Complaint through the payment of \$20,000, an agreement by Wellsford to exercise due care and not exacerbate existing contamination, and the filing of deed restrictions that provide EPA and its representative access to property and protect the remedy.

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 Acting Assistant Attorney General, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044 and should refer to *United States et al. v. Wellsford, Inc.*, DJ No. 90-11-2-902/2.

The proposed Consent Decree may be examined at the office of the United States Attorney for the District of Pennsylvania, 615 Chestnut Street, Suite 1250, Philadelphia, PA 19106-4476, and at the Region 3 Office of the Environmental Protection Agency, 1650 Arch Street, Philadelphia, PA 19103. During the public comment period, the decree may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, or by faxing or e-mailing a request to Tonia Fleetwood (tonia.fleetwood@usdoj.gov), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$11.00 (25 cents per page reproduction cost) payable to the U.S. Treasury. The check should refer to *United States et al. v. Wellsford, Inc.*, DJ No. 90-11-2-902/2.

Robert D. Brook,

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

[FR Doc. 05-16347 Filed 8-17-05; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Antitrust Division

United States v. Waste Industries USA, Inc.; Proposed Final Judgment and Competitive Impact Statement

Notice is hereby given, pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b)-(h), that a Complaint, proposed Final Judgment, Stipulation, and Competitive Impact Statement were filed with the United States District Court for the Eastern District of Virginia in *United States v. Waste Industries USA, Inc.*, Civ. Action No. 2:05CV468. On August 8, 2005, the United States filed a Complaint, which sought to compel Waste Industries USA, Inc., to divest certain small container