

complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter both an initial determination and a final determination containing such findings, and may result in the issuance of a limited exclusion order or a cease and desist order or both directed against such respondent.

Issued: March 8, 1996.

By order of the Commission.

Donna R. Koehnke,  
Secretary.

[FR Doc. 96-6074 Filed 3-13-96; 8:45 am]

BILLING CODE 7020-02-P

**[Investigation No. 731-TA-740  
(Preliminary)]**

**Sodium Azide From Japan**

**Determination**

On the basis of the record<sup>1</sup> developed in the subject investigation, the Commission determines, pursuant to section 733(a) of the Tariff Act of 1930 (19 U.S.C. 1673b(a)), that there is a reasonable indication that an industry in the United States is materially injured by reason of imports from Japan of sodium azide, provided for in subheading 2850.00.50 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value (LTFV).

**Background**

On January 16, 1996, a petition was filed with the Commission and the Department of Commerce by American Azide Corporation, Las Vegas, Nevada, alleging that an industry in the United States is materially injured or threatened with material injury by reason of LTFV imports of sodium azide from Japan. Accordingly, effective January 16, the Commission instituted antidumping Investigation No. 731-TA-740 (Preliminary).

Notice of the institution of the Commission's investigation and of a public conference to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC,

and by publishing the notice in the Federal Register of January 23, 1996 (61 FR 1784). The conference was held in Washington, DC, on February 6, 1996, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determination in this investigation to the Secretary of Commerce on March 1, 1996. The views of the Commission are contained in USITC Publication 2948 (March 1996), entitled "Sodium Azide from Japan: Investigation No. 731-TA-740 (Preliminary)."

Issued: March 4, 1996.

By order of the Commission.

Donna R. Koehnke,  
Secretary.

[FR Doc. 96-6076 Filed 3-13-96; 8:45 am]

BILLING CODE 7020-02-P

**DEPARTMENT OF JUSTICE**

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

Pursuant to Departmental policy, 28 C.F.R. § 50.7, and 42 U.S.C. 9622(d)(2), notice is hereby given that a proposed consent decree in *United States v. Allied Signal, Inc. et al.*, Civil Action No. 96 Civ. 1513, was lodged on March 1, 1995 with the United States District Court for the Southern District of New York. The proposed consent decree resolves the liability of 28 defendants to the United States based upon these defendants' involvement at the Cortese Landfill Superfund Site ("Site") in the Town of Tusten, New York pursuant to the comprehensive Environmental Response, Compensation and Liability Act, as amended.

Under the terms of the proposed consent decree, the 28 settling defendants agree to remediate the Site at an estimated cost of \$10.4 million and to pay the United States all future costs which the Environmental Protection Agency ("EPA") incurs in overseeing the implementation of the remedy by the settling defendants. In addition, the settling defendants agree to reimburse the Department of Interior ("DOI") the amount of \$134,068, which represents the amount DOI has incurred at the Site and to pay DOI the additional amount of \$84,850 for natural resource damages for resources under the trusteeship of DOI.

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 for the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Allied Signal, Inc. et al.*, D.J. reference #90-11-2-1078.

The proposed consent decree may be examined at the Office of the United States Attorney for the Southern District of New York, 1200 Church Street, New York, New York; the Region II Office of the Environmental Protection Agency, 290 Broadway Avenue, New York, New York; and at the Environmental Enforcement Section Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C., 20005, (202) 624-0892. A copy of the proposed consent decree may also be obtained in person or by mail from the Consent Decree Library. In requesting a copy, please enclose a check in the amount of \$27.00 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel Gross,

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

[FR Doc. 96-6093 Filed 3-13-96; 8:45 am]

BILLING CODE 4410-01-M

**Notice of Lodging of Order Modifying Amended Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9622(l)**

Notice is hereby given that a proposed order modifying the Amended Consent Decree in *United States v. Elmer Burrows, et al.*, Civil Action No. K88-128CA8, was lodged on February 23, 1996 with the United States District Court for the Western District of Michigan. The proposed modification of the Amended Consent Decree changes the cleanup standards for chromium in groundwater in connection with the remedial action at the Burrows Sanitation Site in Hartford Township, Van Buren County, Michigan, pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9101 *et seq.*

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed Order. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice,

<sup>1</sup> The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR § 207.2(f)).

Washington, D.C. 20530, and should refer to *United States v. Elmer Burrows, et al.*, DOJ Ref. #90-11-2-223.

The proposed Order Modifying Amended Consent Decree may be examined at the office of the United States Attorney, Room 399, Federal Building, 110 Michigan, NW, Grand Rapids, Michigan, 49503; the Region 5 Office of the Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the proposed Order Modifying Amended Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$1.00 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel M. Gross,  
Chief, Environmental Enforcement Section,  
Environment and Natural Resources Division.

United States District Court for the  
Western District of Michigan

United States of America, Plaintiff/  
Counter-Defendant, v. Elmer Burrows d/b/a  
Burrows Sanitation and Auto Specialties  
Manufacturing Company, Defendants, and  
Duane Funk, Evelyn Funk, Douglas  
Mackinder, Georgia Mackinder, Du-Wel  
Products, Inc., Du-Wel Hartford, Inc., and  
Whirlpool Corporation, Defendants/Counter-  
Plaintiffs. Hon. Benjamin Gibson, File No.  
K88-128CA8.

Charles E. Barbieri,  
(P31793)  
Attorney for Defendant Du-Wel Products,  
Inc., 313 S. Washington Square, Lansing,  
Michigan 48933, Telephone: (517) 372-  
8050

Order Modifying Amended Consent  
Decree

At a session of said Court, held in the  
District Court Rooms, Western District  
of Michigan, City of Grand Rapids, State  
of Michigan, on the \_\_\_\_ day of  
\_\_\_\_, 1994.

Present: Honorable Benjamin Gibson,  
District Judge.

This Court having reviewed the Joint  
Motion of Plaintiff, United States of  
America, and Defendant, Du-Wel  
Products, Inc., to Modify Amended  
Consent Decree entered July 20, 1992,  
and the Supporting Brief; this Court  
finding that the parties to the Amended  
Consent Decree have consented to the  
requested modification in the Joint  
Motion, and this Court, being fully  
advised in the premises;

It is hereby ordered and Adjudged,  
that the Amended Consent Decree

entered dated July 20, 1992, be amended  
as follows:

11.A. Settling Defendants shall  
perform the Work required herein so  
that the concentrations of chemicals of  
concern in the groundwater do not  
exceed the Safe Drinking Water Act  
Maximum Contaminant Levels (MCLs),  
Maximum Contaminant Level Goals  
(MCLGs), whichever is lower, or Water  
Quality Criteria for Protection of Human  
Health due to Ingestion of Drinking  
Water, where no MCLs or MCLGs exist.  
These Groundwater Cleanup Standards  
for the chemicals of concern are as  
follows:

- Chromium—100 UG/L
- Copper—1,000 UG/L
- Lead—20 UG/L
- Nickel—150 UG/L
- Zinc—5,000 UG/L.

Extraction and off-site treatment and  
disposal of the groundwater is required  
to achieve the Groundwater Cleanup  
Standards and shall be implemented by  
Settling Defendants according to the  
schedule set forth in the Amended RAP.  
Settling Defendants shall, once  
Groundwater Cleanup Standards have  
been achieved, extract and treat and  
dispose of one additional volume of  
groundwater equal to that pumped to  
achieve the Groundwater Cleanup  
Standards, as required above, or, in the  
alternative, Settling Defendants may  
undertake an alternative to extracting  
and treating and disposing of one  
additional volume of groundwater equal  
to that pumped to achieve the  
Groundwater Cleanup Standards that is  
acceptable to and approved in writing  
by U.S. EPA. In any event, Settling  
Defendants shall continue to extract  
groundwater and to treat and dispose of  
the same off-site as required above  
unless and until U.S. EPA approves in  
writing an alternative to extracting and  
treating and disposing of one additional  
volume of groundwater equal to that  
pumped to achieve the Groundwater  
Cleanup Standards, as required above.

It is further ordered that Table 2-1 on  
page 2-2 of the Amended Remedial  
Action Plan, which is part of the  
Amended Consent Decree entered by  
the Court on July 20, 1992, be amended  
as follows:

**GROUNDWATER CLEAN-UP STANDARDS**  
[Concentrations reported in UG/L.]

Indicator chemical	Groundwater clean-up stand- ards <sup>a</sup>
Chromium .....	100
Copper .....	1,000
Lead .....	20
Nickel .....	<sup>b</sup> 150

**GROUNDWATER CLEAN-UP  
STANDARDS—Continued**  
[Concentrations reported in UG/L.]

Indicator chemical	Groundwater clean-up stand- ards <sup>a</sup>
Zinc .....	5,000

<sup>a</sup>Based on SDWA MCLs, MCLGs, and pro-  
posed MCLGs.

<sup>b</sup>No MCL or MCLG established. Criteria  
based on Office of Drinking Water Health Ad-  
visory.

It is so ordered.

Benjamin Gibson,  
U.S. District Judge.

[FR Doc. 96-6097 Filed 3-13-96; 8:45 am]

BILLING CODE 4410-01-M

**Notice of Lodging of Amended  
Consent Decree Pursuant to the Clean  
Water Act**

In accordance with Departmental  
policy, 28 C.F.R. § 50.7, 38 Fed. Reg.  
19029, notice is hereby given that on  
March 1, 1996, a proposed Amended  
Consent Decree in *United States v.  
Crown Paper Co. and James River Paper  
Company, Inc.*, Civil Action No. 95-  
258-SD, was lodged with the United  
States District Court for the District of  
New Hampshire resolving the matters  
alleged in a complaint filed on May 16,  
1995. The proposed Amended Consent  
Decree concerns alleged violations by  
James River of Sections 309 (b) and (d)  
of the Clean Water Act ("CWA"), 33  
U.S.C. §§ 1319 (b) and (d), Sections 3008  
(a) and (g) of the Resource Conservation  
and Recovery Act ("RCRA"), 42 U.S.C.  
§§ 6928 (a) and (g), Section 109(c) of the  
Comprehensive Environmental  
Response, Compensation, and Liability  
Act ("CERCLA"), 42 U.S.C. § 6909(c),  
and Section 325(b)(3) of the Emergency  
Planning and Community Right-to-  
Know Act ("EPCRA"), 42 U.S.C.  
11045(b)(3), at pulp and paper mills  
operated by James River in Gorham and  
Berlin, New Hampshire.

The CWA violations alleged in the  
complaint include: violations of the  
federal pretreatment standards and  
National Prohibited Discharge Standard;  
the unauthorized discharge of pollutants  
without a permit; and the discharge of  
pollutants in excess of levels allowed  
under a permit. The RCRA violation  
alleged in the complaint includes the  
disposal of hazardous waste without a  
permit. Finally, the CERCLA and  
EPCRA violations alleged in the  
complaint include the failure to timely  
report the spill of sulfuric acid at the  
pulp mill.