

performance of the functions of the agency, including whether the information will have practical utility;

(b) The accuracy of the agency's estimate of the burden (hours and cost) of the collection of information, including the validity of the methodology and assumptions used;

(c) Ways to enhance the quality, utility and clarity of the information to be collected; and

(d) Ways to minimize the burden of the collection of the information on the respondents, including through the use of automated collection techniques or other forms of information technology.

Please note that an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. Each proposed information collection contains the following: Type of Review requested, e.g., new, revision, extension, reinstatement, existing; Title; Summary of collection; Description of the need for, and proposed use of, the information; respondents and frequency of collection; Reporting and/or Recordkeeping burden.

*Type of Review:* Reinstatement.

*Title:* Higher Education Grant Program Annual Report Form.

This is a compilation of data from tribes, tribal organizations that participate in the Bureau of Indian Affairs Higher Education Grant Program. The information is used to account for the funds appropriated for this program.

*OMB approval number:* 1076-0106.

*Frequency:* Annually.

*Description of respondents:* Tribes, Tribal Organizations.

*Estimated completion time:* 3 hours.

*Number of Annual responses:* 125.

*Annual Burden hours:* 375 hours.

*Type of Review:* Reinstatement.

*Title:* Higher Education Grant Program Application.

The information is used by the tribe or tribal organization to determine the eligibility of the respondents for this program.

*OMB approval number:* 1076-0101.

*Frequency:* Annually.

*Description of respondents:* Eligible American Indian and Alaska Native students.

*Estimated completion time:* 1 hour.

*Number of Annual responses:* 14,000.

*Annual Burden hours:* 14,000 total hours.

Dated: September 4, 2001.

**Neal A. McCaleb,**

*Assistant Secretary—Indian Affairs.*

[FR Doc. 01-24035 Filed 9-25-01; 8:45 am]

BILLING CODE 4310-02-P

## 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 v. Norrell Dearing, et al. v. First Nationwide Financial Corp., et al.*, Civil No. 4:89-CV-2002 (N.D. Ohio), was lodged with the United States District Court for the Northern District of Ohio on September 14, 2001, pertaining to the Old Mill Superfund Site (the "Site"), located in the Village of Rock Creek, Ashtabula County, Ohio. 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, and Section 7003 of the Solid Waste Disposal Act, as amended ("RCRA"), 42 U.S.C. 6973, against seven defendants, and claims asserted against four third-party defendants, named in this action.

Under the proposed consent decree, five Settling Performing Parties (Lord Corp., Meritor Automotive, Inc., Molded Fiberglass Cos., Premix, Inc., and The Stackpole Corp.) would be obligated to finance and perform certain changes to the remedy, and operation and maintenance ("O&M") of the remedial action, at the Site as specified in the U.S. Environmental Protection Agency's ("EPA's") Record of Decision ("ROD"), issued August 7, 1985, at an estimated net present value cost of \$1.8 million. The Settling Performing Parties would be required to reimburse the Superfund \$7.325 million toward the United States' past costs at the Site. The Settling Performing Parties would also be required to reimburse the State of Ohio (the "State") \$0.76 million toward the State's past costs at the Site. In addition, the Settling Performing Parties would be required to reimburse EPA's and the State's future response costs at the Site, as well as document O&M costs incurred by the State after August 1, 2001, through the date of assumption of the O&M by the Settling Performing Parties. The remaining six Settling Non-Performing Parties (Aardvark Associates, Inc.; Combustion Engineering, Inc.; First Nationwide National Bank; Formica Corporation; Jack Webb; and Millenium Holdings, Inc.) will make payments to the Settling Performing Parties to help finance the Settling Performing Parties' obligations under the proposed consent decree.

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, D.C. 20530, and should refer to *United States v. Norell Dearing, et al. v. First Nationwide Financial Corp., et al.*, Civil No. 4:89-CV-2002 (N.D. Ohio), and DOJ Reference No. 90-11-2-63A. 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 Ohio, 1800 Bank One Center, 600 Superior Avenue East, Cleveland, Ohio 44114-2600 (216-622-3600); and (2) the United States Environmental Protection Agency (Region 5), 77 West Jackson Boulevard, Chicago, Illinois 60604-3590 (contact: Nola M. Hicks (312-886-7949)). 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, D.C. 20044-7611. In requesting a copy, please refer to the referenced case and DOJ Reference Number and enclose a check in the amount of \$29.00 for the consent decree only (116 pages, at 25 cents per page reproduction costs), or \$45.75 for the consent decree and all appendices (183 pages), made payable to the Consent Decree Library.

**William D. Brighton,**

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

[FR Doc. 01-23998 Filed 9-25-01; 8:45 am]

BILLING CODE 4410-15-M

## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on September 14, 2001 a proposed Consent Decree ("Decree") in *United States v. RSO, Inc.*, Civil Action No. 01-WM-1801, was lodged with the United States District Court for the District of Colorado. The United States filed this action pursuant to Section 107(a)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9607(a)(4),

for costs EPA incurred in responding to the release or threatened release of hazardous substances at or from the RAMP Industries Site in Denver, Colorado. Under the terms of the Decree RSO, Inc. will pay the United States \$200,000. This payment amount is based on an analysis of defendant's financial resources.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Decree. Comments should be addressed to the 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. RSO, Inc.*, D.J. Ref. 90-11-2-1290/3.

The Decree may be examined at the offices of EPA Region VIII, 999 18th Street, Suite 500 South Tower, Denver, Colorado. 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, D.C. 20044-7611. In requesting a copy of the Decree, please enclose a check payable to the Consent Decree Library for \$4.25 for a complete copy of the decree (25 cents per page reproduction cost).

**Robert Brook,**

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

[FR Doc. 01-23997 Filed 9-25-01; 8:45 am]

**BILLING CODE 4410-15-M**

**DEPARTMENT OF JUSTICE**

**Antitrust Division**

**United States v. 3D Systems Corporation and DTM Corporation; Proposed Final Judgment and Competitive Impact Statement**

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. Section 16(b) through (h), that a proposed Final Judgment, Stipulation and Competitive Impact Statement have been filed with the United States District Court for the District of Columbia in *United States of America v. 3D Systems Corporation and DTM Corporation*, Civil Action No. No. 1:01CV01237. On June 6, 2001, the United States filed a Complaint alleging that 3D Systems Corporation's proposed acquisition of DTM Corporation would violate Section 7 of the Clayton Act, as amended, 15 U.S.C. 18. The proposed Final Judgment, filed on August 16, 2001, requires the defendants to license their rapid prototyping patents to a company that will compete in the U.S.

market. Copies of the Complaint, proposed Final Judgment and Competitive Impact Statement are available for inspection at the Department of Justice in Washington, DC in Room 215, 325 Seventh Street, NW., and at the Office of the Clerk of the United States District Court for the District of Columbia, 333 Constitution Avenue, NW., Washington, DC.

Public comment is invited within 60 days of the date of this notice. Such comments, and responses thereto, will be published in the **Federal Register** and filed with the Court. Comments should be directed to J. Robert Kramer II, Chief, Litigation II Section, Antitrust Division, Department of Justice, 1401 H Street, NW., Suite 3000, Washington, DC, 20530, (telephone: (202) 307-0924).

**Mary Jean Moltenbrey,**

*Director of Civil Nonmerger Enforcement.*

**In The United States District Court for the District of Columbia**

[Civil No: 1.01CV01237 (GK)]

*United States of America, Plaintiff, v. 3D Systems Corporation and DTM Corporation, Defendants*

Filed: August 16, 2001.

*Stipulation and Order*

It is stipulated by and between the undersigned parties, by their respective attorneys, as follows:

(1) The Court has jurisdiction over the subject matter of this action and, for purposes of this case only, over each of the parties hereto, and venue of this action is proper in the United States District Court for the District of Columbia.

(2) The parties stipulate that a Final Judgment in the form hereto attached may be filed and entered by the Court, upon the motion of any party or upon the Court's own motion, at any time after compliance with the requirements of the Antitrust Procedures and Penalties Act (15 U.S.C. 16), and without further notice to any party or other proceedings, provided that the United States of America (hereinafter "United States") has not withdrawn its consent, which it may do at any time before the entry of the proposed Final Judgment by serving notice thereof on the parties and by filing that notice with the Court.

(3) Defendants shall abide by and comply with the provisions of the proposed Final Judgment, pending the Judgment's entry by the Court, or until expiration of time for all appeals of any Court ruling declining entry of the proposed Final Judgment, and shall, from the date of the signing of this

Stipulation by the parties, comply with all the terms and provisions of the proposed Final Judgment as though the same were in full force and effect as an order of the Court.

(4) Defendants shall not consummate the transaction sought to be enjoined by the Complaint herein before the Court has signed this Stipulation and Order.

(5) This Stipulation shall apply with equal force and effect to any amended proposed Final Judgment agreed upon in writing by the parties and submitted to the Court.

(6) In the event (a) the United States has withdrawn its consent, as provided in paragraph (2) above, or (b) the proposed Final Judgment is not entered pursuant to this Stipulation, the time has expired for all appeals of any Court ruling declining entry of the proposed Final Judgment, and the Court has not otherwise ordered continued compliance with the terms and provisions of the proposed Final Judgment, then the parties are released from all further obligations under this Stipulation, and the making of this Stipulation shall be without prejudice to any party in this or any other proceeding.

(7) The defendants represent that the divestiture ordered in the proposed Final Judgment can and will be made, and that the defendants will later raise no claims of mistake, hardship or difficulty of noncompliance as grounds for asking the Court to modify any of the divestiture or termination provisions contained therein.

(8) The parties stipulate that Appendices IIA, and IV of the proposed Final Judgment, relating to defendants' patent applications, shall be filed under seal.

For plaintiff United States of America.  
Dando B. Cellini, Esq.  
Paul A. Moore III, Esq.  
*U.S. Department of Justice, Antitrust Division, Litigation II, 1401 H Street, NW, Suite 4000, Washington, DC 20005, (202) 307-0829.*

For defendant DTM Corporation.  
Charles F. Rule, Esq. (#370818)  
*Fried Frank Harris Shriver and Jacobson, 1001 Pennsylvania Ave, N.W., Suite 800, Washington, D.C. 20004, (202) 639-7300*  
For defendant 3D Systems Corporation.  
John A. Herfort, Esq.  
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For defendant 3D Systems Corporation.  
Charles E. Biggio, Esq.  
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For defendant 3D Systems Corporation.  
David Donohoe, Esq. (#3426);