materially injured or threatened with material injury, and the establishment of an industry in the United States is not materially retarded, by reason of imports from Canada, India, Japan, Korea, Spain, and Taiwan of stainless steel round wire[2] that have been found by the Department of Commerce to be sold in the United States at less than fair value (LTFV).

Background

The Commission instituted these investigations effective November 16, 1998, following receipt of a petition filed with the Commission and the Department of Commerce by ACS Industries, Inc., Woonsocket, RI; Al Tech Specialty Steel Corp., Dunkirk, NY; Branford Wire & Manufacturing Co., Mountain Home, NC; Carpenter Technology Corp., Reading, PA; Handy & Harman Specialty Wire Group, Cockeysville, MD; Industrial Alloys, Inc., Pomona, CA; Loos & Co., Inc., Pomfret, CT; Sandvik Steel Co., Clarks Summit, PA; Sumiden Wire Products Corp., Dickson, TN; and Techalloy Co., Inc., Mahwah, NJ. The final phase of these investigations was scheduled by the Commission following notification of preliminary determinations by the Department of Commerce that imports of stainless steel round wire from Canada, India, Japan, Korea, Spain, and Taiwan were being sold at LTFV within the meaning of section 733(b) of the Act (19 U.S.C. § 1673b(b)). Notice of the scheduling of the Commission's investigations and of a public hearing 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 December 2, 1998 (63 FR 66577). The hearing was held in Washington, DC, on April 6, 1999, and all persons who requested the opportunity were permitted to appear in person or by counsel.

[2] For purposes of these investigations, Commerce has defined the subject stainless steel round wire (SSRW) as ''any cold-formed (*i.e.*, cold-drawn, cold-rolled) stainless steel product of a cylindrical contour, sold in coils or spools, and not over 0.703 inch (18 mm) in maximum solid cross-sectional dimension. SSRW is made of iron-based alloys containing, by weight, 1.2 percent or less of carbon and 10.5 percent or more of chromium, with or without other elements. Metallic coatings, such as nickel and copper coatings, may be applied.'' (*See* e.g., Final Determination of Sales at Less Than Fair Value—Stainless Steel Round Wire from Japan (64 FR 17318, Apr. 9, 1999.)

These products, if imported are currently covered by statistical reporting numbers 7223.00.1015, 7223.00.1030, 7223.00.1045, 7223.00.1060, and 7223.00.1075 of the Harmonized Tariff Schedule of the United States (HTS).

The Commission transmitted its determinations in these investigations to the Secretary of Commerce on May 18, 1999. The views of the Commission are contained in USITC Publication 3194 (May 1999), entitled Stainless Steel Round Wire from Canada, India, Japan, Korea, Spain, and Taiwan: Investigations Nos. 731–TA–781–786 (Final).

Issued: May 19, 1999.

By order of the Commission.

Donna R. Koehnke,

Secretary.

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DEPARTMENT OF JUSTICE

Lodging of Consent Decrees Under the Comprehensive Environmental Response, Compensation and Liability Act 42 U.S.C. 9601, et seq.

Notice is hereby given that on May 14, 1999 two proposed Consent Decrees (''Decrees'') in *United States* v. *Gencorp, Inc., et al* Civil Action No. 5:89–CV–1866, were lodged with the United States District Court for the Northern District of Ohio. The United States filed this action pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, as amended (''CERCLA''), 42 U.S.C. 9601, *et seq.*, seeking (i) reimbursement of costs incurred in response to the release or threat of release of hazardous substances from the Fields Brook Superfund Site in Ashtabula, Ohio; and (ii) recovery of damages for injury to, destruction of, or loss of natural resources at the Site.

The proposed Consent Decrees resolve certain claims against: Ashta Chemicals, Inc.; Archer Daniels Midland Company (ADM); Bee Jay Excavating, Inc. (f/k/a/ Brenkus Excavating, Inc.); C.H. Heist Corp.; Cabot Corporation; Consolidated Rail Corporation; Detrex Corporation; Elkem Metals Company L.P.; First Energy Corp.; GenCorp Inc.; Greenleaf Motor Express, Inc.; Koski Construction Co.; Luntz Services Corporation (f/k/a Luntz Corporation); Mallinckrodt, Inc. (f/k/a International Minerals and Chemicals Corporation); Millennium Inorganic Chemicals, Inc. (f/k/a SCM Corporation and SCM Chemicals Inc.); Millennium Petrochemicals, Inc.; Motta's Body & Frame Shop, Inc.; Occidental Chemical Corporation; Ohio Power Company; Olin Corporation; Plasticolors, Inc.; Reserve Environmental Services Inc.; RMI Titanium Company; The Sherwin-Williams Company; Union Carbide Corporation; and Viacom International (f/k/a Paramount Communications Inc.).

The proposed Consent Decrees would resolve claims asserted by the United States under Sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, against 26 current or former owners or operators of industrial facilities from which there have been releases or threatened releases of hazardous substances at the Fields Brook site (the ''Site'') in Ashtabula, Ohio. The Decrees also resolve claims asserted and that could have been asserted against certain Federal Agencies that owned or operated facilities at the Site.

Pursuant to the first proposed consent decrees (the ''RD/RA Decree''), a group of Settling Defendants will implement EPA's selected remedies for two operable units, known as the Sediment Operable Unit (SOU) and the Floodplains/Wetlands Area Operable Unit (FWA). The estimated cost of this remaining Site work is approximately $30 million. In addition, this consent decrees provide for various Settling Defendants and Settling Federal Agencies to pay all costs to be incurred by EPA in overseeing implementation of the SOU and FWA work (estimated at $1 million), and to pay approximately $2.4 million in unreimbursed response costs of the United States at this Site. This proposed decree also provides for recovery of $840,000 in damages for injuries to natural resources at the Site.

The second proposed consent decree will settle the claims asserted against ADM at the Site. Pursuant to this decree (the ''ADM Decree''), ADM will pay $700,000 in unreimbursed response costs of the United States at the Site and the recovery of $10,000 in damages for injury to natural resources at the Site.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Decrees. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to, *United States* v. *GenCorp Inc. et al*, Civil Action No. 5:89–CV–1866 and D.J. Ref. #90–11–2–210A and 90–11–2–210C.

The Decrees may be examined at the United States Department of Justice, Environment and Natural Resources Division, Denver Field Office, 999 18th Street, North Tower Suite 945, Denver, Colorado, 80202 and U.S. EPA Region V, 77 West Jackson Boulevard, Chicago, IL 60604 and at the Consent Decree Library, 1120 G Street, N.W., 3rd Floor, Washington, D.C. 20005, (202) 624–0892. A copy of the Decrees may be obtained in person or by mail from the

Consent Decree Library, 1120 G Street, N.W., 3rd Floor, Washington, D.C. 20005. In requesting a copy, please enclose a check in the amount of $30.75 for the RD/RA Decree without appendices; $119.75 for the RD/RA Decree with appendices; $7 for the ADM Decree without appendices; and $12.00 for the ADM Decree with appendices (25 cents per page reproduction cost) payable to the Consent Decree Library. please specify which Decree, with or without appendices, you would like.

Joel M. Gross,

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

[FR Doc. 99–13402 Filed 5–25–99; 8:45 am]

BILLING CODE 4410–15–M

DEPARTMENT OF JUSTICE

Antitrust Division

United States v. Capstar Broadcasting Corporation and Triathlon Broadcasting Company; 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. *Capstar Broadcasting Corporation and Triathlon Broadcasting Company,* Civil Action No. 99–CV00993. On April 21, 1999, the United States filed a Complaint alleging that the proposed acquisition by Capstar Broadcasting Corporation (''Capstar'') of the radio assets of Triathlon Broadcasting Company (''Triathlon'') in Wichita, Kansas, would violate Section 7 of the Clayton Act, 15 U.S.C. § 18. The proposed Final Judgment, filed the same time as the Complaint, requires Capstar to divest five radio stations in Wichita pursuant to the Final Judgment. Copies of the Complaint, proposed Final Judgment and Competitive Impact Statement are available for inspection at the Department of Justice in Washington, D.C. in Room 215, 325 Seventh Street, N.W., and at the Office of the Clerk of the United States District Court for the District of the District of Columbia.

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 Craig W. Conrath, Chief, Merger Task Force, Antitrust Division, Department of Justice, 1401 H St. N.W., Suite 4000, Washington, D.C. 20530 (telephone: (202) 307–0001).

Constance K. Robinson,

Director of Operations & Merger Enforcement.

United States District Court for the District of Columbia

United States of America, Plaintiff, v. *Capstar Broadcasting Corporation, and Triathlon Broadcasting Company,* Defendants.

Civil Action No. 99–CV–00993 (Judge Oberdorfer).

Competitive Impact Statement

The United States, pursuant to Section 2(b) of the Antitrust Procedures and Penalties Act (''APPA''), 15 U.S.C. § 16(b)–(h), files this Competitive Impact Statement relating to the proposed Final Judgment submitted for entry in this civil antitrust proceeding.

I. Nature and Purpose of the Proceeding

The plaintiff filed a civil antitrust Complaint on April 21, 1999, alleging that Capstar Broadcasting Corporation's (''Capstar'') proposed acquisition of Triathlon Broadcasting Company (''Triathlon'') would violate Section 7 of the Clayton Act, as amended, 15 U.S.C. § 18. The Compliant alleges that Capstar and Triathlon both own and operate radio stations throughout the United States, and that they each own and operate radio stations in the Wichita, Kansas, metropolitan area. Specifically, the complaint alleges that Capstar owns KKRD–FM, KRZZ–FM, and KNSS–AM in Wichita and that Capstar controls approximately 20 percent of the Wichita radio advertising market. The complaint also alleges that Triathlon owns KZSN–FM, KRBB–FM, KEYN–FM, KWSY–FM, KFH–AM, and KQAM–FM in Wichita and controls approximately 33 percent of the radio advertising revenues in the Wichita radio advertising market. The proposed acquisition would give Capstar a significant share of the radio advertising market in Wichita and control over stations that are close substitutes for each other based upon their specific audience characteristics. According to industry estimates, the proposed acquisition would give Capstar control of over 45 percent of the radio advertising revenue—even after Capstar divests the two lowest ranked FM radio stations pursuant to Federal Communications Commission (''FCC'') regulations. As a result, the combination would substantially lessen competition in the sale of radio advertising time in the Wichita metropolitan area.

The prayer for relief seeks: (a) adjudication that Capstar's proposed acquisition of Triathlon described in the Complaint would violate Section 7 of the Clayton Act, as amended, 15 U.S.C. § 18; (b) preliminary and permanent injunctive relief preventing the consummation of the proposed acquisition; (c) an award to the United States of the costs of this action; and (d) such other relief as is proper.

Before this suit was filed, the United States reached a proposed settlement with Capstar and Triathlon which is memorialized in the Stipulation and proposed Final Judgment which have been filed with the Court. Under the terms of the proposed Final Judgment, Capstar must divest five stations—KEYN–FM, KWSJ–FM, KFH–AM, KNSS–AM and KQAM–AM—to another radio operator approved by plaintiff at the time it acquires Triathlon. If Capstar does not divest these stations to an approved buyer at the time it acquires Triathlon, Capstar must place the stations in an FCC Trust. The FCC Trust Agreement was filed with the Court as an attachment to the proposed Final Judgment. Unless the Antitrust Division of the United States Department of Justice (the ''Antitrust Division'') grants an extension, the Trustee must divest the stations to a buyer approved by the Antitrust Division at its sole discretion within four (4) months of the date of entry of the Final Judgment.

The proposed Final Judgment also requires both Capstar and Triathlon to ensure, to the extent they are able under the proposed Final Judgment, that these stations will be operated independently as viable ongoing businesses while Capstar and Triathlon continue to operate them. If the stations are transferred to the Trustee, the Trustee has agreed that he will operate the stations independently as viable ongoing businesses. Further, the proposed Final Judgment requires Capstar to give plaintiff prior notice regarding future radio station acquisitions or certain agreements pertaining to the sale of broadcast radio advertising time in Wichita.

The plaintiff and defendants have stipulated that the proposed Final Judgment may be entered after compliance with APPA. Entry of the proposed Final Judgment would terminate this action, except that the Court would retain jurisdiction to construe, modify, or enforce the provisions of the proposed Final Judgment, and to punish violations thereof.

II. The Alleged Violation

A. The Defendants

Capstar is a Delaware corporation with its headquarters in Austin, Texas.