and Section 122 of CERCLA, 42 U.S.C. 9622, notice is hereby given that on April 11, 2000, a proposed Consent Decree in *United States* v. *SC Holding, et al.,* Civ. Action No. 1:00CV150, was lodged with the United States District Court for the Northern District of Indiana. This Consent Decree represents a settlement of claims of the United States and the State of Indiana, on behalf of federal and State natural resource trustees, under Section 107(a) of CERCLA, 42 U.S.C. 9607(a), against SC Holdings and eight-six (86) other potentially responsible parties for natural resource damages resulting from the release of hazardous substances at or from the Fort Wayne Reduction Superfund Site located in Fort Wayne, Allen County, Indiana. Under this Consent Decree, the Settling Defendants, which include two site owners and seventeen generators of hazardous substances, will implement a restoration plan under which they will, among other things, acquire approximately 75 acres of land adjacent to the Maumee River (''Property''), reforest and restore approximately 45 acres of the Property, place a deed restriction (in the form of a conservation easement) on the Property and convey the Property to the Indiana Department of Natural Resources. The Settling Defendants will reimburse the federal natural resource trustee, the United States Department of Interior, through the United States Fish and Wildlife Service, $90,000 in estimated natural resource damage assessment costs and $8,000 in estimated project oversight costs. The Settling Defendants will also reimburse the State natural resource damage trustee, the State of Indiana, through the Indiana Department of Environmental Management and the Indiana Department of Natural Resources, $2,000 and $1,500 respectively, for their natural resource damage assessment costs and estimated project oversight costs. Finally, sixty-eight (68) parties who contributed small amounts of hazardous substances to the Site and who previously settled their natural resource damage liability with the Settling Defendants will receive a covenant not to sue from the United States and the State of Indiana for natural resource damages resulting from releases of hazardous substances at or from 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 proposed Consent Decree. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, 950 Pennsylvania Avenue, NW, Washington, DC 20530, and should refer to *United States* v. *SC Holdings et al.,* Civ. Action No. 1:00CV150, D.J. Ref. Nos. 90–11–3–1687/2, 90–11–6–05585.

The Consent Decree may be examined at the Office of the United States Attorney, 3128 Federal Building, 1300 South Harrison Street, Fort Wayne, Indiana 46802, and at the United States Fish and Wildlife Service, 620 South Walker Street, Bloomington, Indiana 47403. 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. In requesting a copy of the Consent Decree, please enclose a check in amount of $22.50 (90 pages at 25 cents per page reproduction cost) payable to the Consent Decree Library.

Joel M. Gross,

Chief, Environmental Enforcenent Section, Environment & Natural Resources Division.

[FR Doc. 00–10230 Filed 4–24–00; 8:45 am]

BILLING CODE 4410–15–M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Air Act, Comprehensive Environmental Response, Compensation, and Liability Act, Emergency Planning and Community Right-To-Know Act, and the Federal Water Pollution Control Act

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in the case of *United States* v. *BHP Petroleum Americas Refining, Inc., now known as Tesoro Hawaii Corporation*, Civil Action No. 00–00264 DAE (D. Hawaii), was lodged with the United States District Court for the District of Hawaii on April 10, 2000.

The proposed consent decree resolves claims that the United States asserted against Tesoro Hawaii Corporation (Tesoro) in a civil complaint filed concurrently with the lodging of the consent decree. The complaint alleges that Tesoro failed to comply with New Source Performance Standards under the Clean Air Act, including requirements to: provide notice of startup; maintain facilities consistent with good air quality practice; meet limits on hydrogen sulfide in fuel gas; comply with a leak detection and repair program for equipment in volatile organic compound service; and comply with work practice standards for the refinery's wastewater system. In addition, the complaint alleges that Tesoro failed to comply with National Emission Standards for Hazardous Air Pollutants under the Clean Air Act, including requirements to provide notice of construction startup and to comply with a leak detection and repair program for benzene sources. The complaint also alleges that Tesoro failed on several days to properly notify the National Response Center, the State Emergency Response Commission, and the Local Emergency Planning Committee of the releases of hazardous substances from the refinery as required by section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act and section 304 of the Emergency Planning and Community Right-to-Know Act. Finally, the complaint alleges that Tesoro failed to prepare and implement a Spill Prevention Control and Countermeasure Plan and failed to revise and implement a Facility Response Plan, as required by regulations issued pursuant to section 311 of the Federal Water Pollution Control Act.

The proposed consent decree requires defendant to pay a civil penalty of $681,780. In addition, defendant is required to modify the air blower and burner systems at the refinery's sulfur recovery units to avoid unplanned shutdowns of the units, which leads to excess sulfur dioxide air emissions from the refinery. In addition, Tesoro is required to add capacity to its containment areas and to place new coatings on its berms and containment floors to contain spilled oil and to prevent an oil spill to waters of the United States. Tesoro also agreed to undertake a supplemental environmental project to provide equipment worth $50,000 to the City and County of Honolulu for management of inventory data and emergency planning.

The Department of Justice will accept comments relating to this consent decree for a period of thirty (30) days from the date of this publication. Address your comments to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and send a copy to the Environmental Enforcement Section, Attn: Robert Mullaney, U.S. Department of Justice, 301 Howard Street, Suite 870, San Francisco, CA 94105. Your comments should refer to *United States* v. *BHP Petroleum Americas Refining, Inc., now known as Tesoro Hawaii Corporation*, Civil Action No. 00–00264 DAE (D. Hawaii), and DOJ No. 90–5–2–1–2124.

You may examine the proposed consent decree at the office of the

United States Attorney, District of Hawaii, Room 6100, PJKK Federal Building, 300 Ala Moana Boulevard, Honolulu, Hawaii 96850. You may also obtain a copy of the consent decree by mail from the Consent Decree Library, P.O. Box 7611, Washington, DC 20044. Your request for a copy of the consent decree should refer to *United States* v. *BHP Petroleum Americas Refining, Inc., now known as Tesoro Hawaii Corporation*, Civil Action No. 00–00264 DAE (D. Hawaii), and DOJ No. 90–5–2–1–2124, and must include a check for $14.00 (25 cents per page reproduction cost) payable to the ''Consent Decree Library.''

Joel Gross,

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

[FR Doc. 00–10229 Filed 4–24–00; 8:45 am]

BILLING CODE 4410–15–M

DEPARTMENT OF JUSTICE

Antitrust Division

[Civil Action No. 95–1221 (CRR)]

United States District Court for the District of Columbia, United States of America, Plaintiff, vs. American Bar Association, Defendant

Take notice that The United States of America and the American Bar Association (''ABA'') have filed a joint motion for an order modifying the final judgment entered by the United States District Court for the District of Columbia on June 25, 1996 (''Final Judgment''). The parties have agreed to modify the Final Judgment to reflect changes in the law school accreditation process necessitated by regulations promulgated by the Department of Education (''DOE'') pursuant to the Higher Education Act, 20 U.S.C. 1099(b) (1998). Prior to the entry of the order modifying the Final Judgment, the Court and the parties will consider public comments. Any such comments on the proposed modification described in this Notice must be filed within 60 days following the date of this Notice. The Complaint, Final Judgment and proposed modification are further described below.

The Complaint, filed on June 27, 1995, alleged that the ABA had violated Section 1 of the Sherman Act in its law school accreditation activities. The Complaint alleged that the ABA had restrained competition among professional personnel at ABA-approved law schools by fixing their salaries and other compensation levels and working conditions, and by limiting competition from non-ABA-Approved schools. The ABA and United States agreed to a settlement, and on June 25, 1996, the Court entered the Final Judgment, enjoining the ABA from fixing compensation and from enforcing a boycott of non-ABA approved schools. Moreover, because the Complaint alleged that the ABA had allowed the accreditation process to be misused by law school personnel with a direct economic interest in its outcome, the Final Judgment ordered the BA to take a number of steps to limit the influence of law school personnel in the accreditation process, including having the ABA's House of Delegates review and approve certain aspects of the accreditation process.

After the Final Judgment was entered, DOE determined that allowing the House of Delegates to act as the final decision-maker for accreditation activities did not conform to provisions of the Higher Education Act and DOE regulations. Consequently, the ABA, in order to retain its status as a DOE-recognized accreditation agency, has modified the House's role, and the parties to the Final Judgment have agreed that the Court should make appropriate modifications to the Final Judgment so that it conforms to the DOE requirements.

Under the joint proposal, Sections IV(A) and VIII(D) of the Final Judgment will be modified and a new Section IV(M) will be added. As modified, the Judgment will be consistent with DOE's rules which prevent the House of Delegates from being the final decision-maker in establishing the standards, interpretations, and rules used to evaluate law schools or in determining whether a school receives or maintains its accreditation. Consistent with DOE requirements, the House of Delegates will maintain a role in reviewing standards, interpretations, and rules and in reviewing accreditation decisions and can remand such actions to the Council of the ABA's Section on Legal Education and Admissions to the Bar, the DOE-recognized accrediting agency.

The United States has filed with the Court a memorandum setting forth its position with respect to modifying the Final Judgment. Copies of the Complaint, the Final Judgment, the Modification to the Final Judgment, the Stipulation containing the parties' tentative consent, the Joint Motion, the United States' memorandum and all other papers filed in connection with this motion are available for inspection at the Office of the Clerk of the United States District Court for the District of Columbia, 333 Constitution Avenue, NW, Washington, DC 20001, and at Suite 215, Antitrust Division, Department of Justice, 325 Seventh Street, NW, Washington, DC 20530, (Telephone: (202) 514–2481).

Interested persons may submit comments regarding this matter within sixty (60) days of the date of this notice. Such comments, and responses thereto, will be filed with the Court. Comments should be directed to Nancy M. Goodman, Chief, Computers and Finance Section, Room 9500, 600 E Street, NW, Antitrust Division, Department of Justice, Washington, DC 20530, (telephone: (202) 307–6122)

M.J. Moltenbrey,

Director of Civil Non-Merger Enforcement.

[FR Doc. 00–10231 Filed 4–24–00; 8:45 am]

BILLING CODE 4410–11–M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Importation of Controlled Substances; Notice of Application

Pursuant to Section 1008 of the Controlled Substances Import and Export Act (21 U.S.C. 958(i)), the Attorney General shall, prior to issuing a registration under this Section to a bulk manufacturer of a controlled substance in Schedule I or II and prior to issuing a regulation under Section 1002(a) authorizing the importation of such a substance, provide manufacturers holding registrations for the bulk manufacture of the substance an opportunity for a hearing.

Therefore, in accordance with Section 1301.34 of Title 21, Code of Federal Regulations (CFR), notice is hereby given that on January 31, 2000, Mallinckrodt, Inc., Mallinckrodt & Second Streets, St. Louis, Missouri 63147, made application by renewal to the Drug Enforcement Administration to be registered as an importer of the basic classes of controlled substances listed below:

Drug	Schedule
Phenylacetone (8501)	II
Coca Leaves (9040)	II
Opium, raw (9600)	II
Opium poppy (9650)	II
Poppy Straw Concentrate (9670)	II

The firm plans to import the listed controlled substances to bulk manufacture controlled substances.

Any manufacturer holding, or applying for, registration as a bulk manufacturer of these basic classes of controlled substances may file written comments on or objections to the