By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 01–8583 Filed 4–6–01; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. TA–201–67 (Consistency Determination)]

Wheat Gluten: Procedures for Determination Under Section 129(a)(4) of the URAA

AGENCY: United States International Trade Commission.

ACTION: Procedures relating to determination under section 129(a)(4) of the Uruguay Round Agreements Act (URAA) (19 U.S.C. 3538(a)(4)).

SUMMARY: The Commission adopted these procedures following receipt on April 3, 2001, of a request from the United States Trade Representative (USTR) for a determination under section 129(a)(4) of the URAA that would render the Commission's action in investigation No. TA–201–67, Wheat Gluten, not inconsistent with the findings of the WTO Appellate Body in its report entitled ''United States—Definitive Safeguard Measures on Imports of Wheat Gluten from the European Communities,'' AB–2000–10.

EFFECTIVE DATE: April 9, 2001.

FOR FURTHER INFORMATION CONTACT: Robert Carpenter (202–205–3172), Office of Investigations, or John Henderson (202–708–2310), Office of the General Counsel, 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 202–205–1820. 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 of investigation No. TA–201–67 may be viewed on the Commission's electronic docket (EDIS-ON-LINE) at http://dockets.usitc.gov/eol/public. The non-confidential versions of any submissions received as well as the staff report prepared for this phase of the investigation will also be available for viewing as they are received.

SUPPLEMENTAL INFORMATION: Background. On March 18, 1998, the Commission transmitted to the President a unanimous affirmative determination and remedy recommendation in its investigation under section 202 of the Trade Act of 1974 (19 U.S.C. 2252) that wheat gluten is being imported into the United States in such increased quantities as to be a substantial cause of serious injury to the domestic wheat gluten industry (investigation No. TA–201–67, Wheat Gluten, USITC Pub. 3088 (March 1998)). The President issued Proclamation 7103 and applied a safeguard measure on imports of wheat gluten. The European Union subsequently requested review under the WTO Understanding on Rules and Procedures Governing the Settlement of Disputes. A WTO Appellate Body issued its report on December 22, 2000, and found, *inter alia*, that the action of the Commission in its investigation No. TA–201–67, Wheat Gluten, is not in conformity with the obligations of the United States under the WTO Agreement on Safeguards. The Appellate Body made three findings in this regard, which it set out in paragraphs 80 through 92, 93 through 100, and 156 through 163, of its report.

The USTR transmitted his request for this determination following receipt from the Commission on March 22, 2001, of an advisory report under section 129(a)(1) stating that the Commission has concluded that title II of the Trade Act of 1974 permits it to take steps in connection with its action in Investigation No. TA–201–67, Wheat Gluten, that would render its action in that proceeding not inconsistent with the findings of the Appellate Body.

Participation in the Investigation and Service List

Persons wishing to participate in this phase of the investigation as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11 of the Commission's rules (19 CFR 201.11), not later than April 13, 2001. The Secretary will prepare a service list containing the names and addresses of all persons, or their representatives, who are parties in this phase of the investigation upon the expiration of the period for filing entries of appearance. Notwithstanding section 201.16 of the Commission's rules, written submissions provided for below filed by the parties shall be served by hand or by overnight mail or its equivalent.

Limited Disclosure of Confidential Business Information (CBI) Under an Administrative Protective Order (APO) and CBI Service List

Because all parties receiving CBI under the APO in the original investigation were required to return or destroy all CBI received under the APO, parties wishing to receive CBI under an APO in this phase of the investigation must file a new application. Pursuant to section 206.17 of the Commission's rules, the Secretary will make CBI which was gathered during the original investigation (No. TA–201–67) available to authorized applicants under the APO issued in this phase of the investigation, provided that the application is made not later than April 13, 2001. A separate service list will be maintained by the Secretary for those parties authorized to receive CBI under the APO. By the close of business April 16, 2001, the Secretary will make available to authorized parties a copy of the confidential version of the record of the original investigation (No. TA–201–67) and a copy of the staff report for this phase of the investigation.

Written Comments

Parties wishing to file written comments with the Commission in connection with this determination must file such comments with the Secretary to the Commission not later than the close of business April 23, 2001. Any responses to such comments must be filed with the Secretary not later than the close of business April 30, 2001. Comments by parties shall not exceed 40 pages double-spaced, and responses shall not exceed 20 pages double-spaced, excluding exhibits; exhibits shall not contain any argumentation. Non-parties may file a single set of comments with the Secretary not later than the close of business April 23, 2001, which shall not exceed 10 pages double-spaced. All comments shall be limited solely to information in the record of the original investigation (No. TA–201–67), and may include comments regarding the Commission's conclusion in the advisory report under section 129(a)(1). All written comments must conform with the provisions of section 201.8 of the Commission's rules (19 CFR 201.8); any comments that contain confidential business information must also conform with the requirements of section 201.6 of the Commission's rules. The Commission's rules do not authorize the filing of submissions with the Secretary by facsimile or electronic means. The Commission will not hold a public

hearing in connection with this determination.

Issued: April 5, 2001.
By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 01–8827 Filed 4–6–01; 8:45 am]

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DEPARTMENT OF JUSTICE

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

In accordance with Departmental policy, the Department of Justice gives notice that two proposed consent decrees in the case captioned *United States* v. *Avanti Development, Inc., et al.,* Civil Action No. IP01–402–C–B/S (S.D. Ind.) were lodged with the United States District Court for the Southern District of Indiana on March 26, 2001. The proposed consent decrees relate to the Avanti Superfund Site (the ''Site'') in Indianapolis, Indiana.

The proposed consent decrees would resolve certain civil claims of the United States for recovery of unreimbursed past response costs under Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. 9607, against the following defendants: Avanti Development, Inc.; Big V Associates; Quemetco, Inc., RSR Corporation, and Quemetco Metals, Ltd. f/k/a Murph Metals, Inc., f/k/a Southern Lead Corp. (and their alleged predecessors Western Lead Products Co. and Indiana Smelting Corp.); The Doe Run Resources Corp. (f/k/a St. Joe Minerals Corp.); Oxide and Chemical Corp., American Oxide Corp., Indiana Oxide Corp., and Oxide Services Corporation d/b/a O&C Corporation; Johnson Controls, Inc. and Johnson Controls Battery Group, Inc. (as successor to Globe Union, Inc.); Brodey & Brodey, Inc.; Honeywell International Inc. (f/k/a AlliedSignal Inc., f/k/a Allied Corporation, f/k/a Allied Chemical Corporation, as successor to the Prestolite Division of Eltra Corporation); Exide Corporation and General Battery Corporation; J. Solotken & Company, Inc.; Ace Battery, Inc.; Alter Barge Line, Inc. (and its corporate affiliates Alter Co., Alter Trading Corp., and Alter Trading Co., L.C.); Indiana Battery Co., Inc.; The Recycling Group, Inc. (as the alleged successor to Fred Schuchman Co., Schuchman Metals, Inc., SMI Industries, Inc., Langsdale Metals, Inc, Indianapolis Materials Recycling Facility, Inc., J. Kasle & Sons, Inc, Kasle Recycling, Inc., and Kasle Recycling Metallic Resources Corp.); SW Industries, Inc.; Oscar Winski Co., Inc.; Sugar Creek Scrap, Inc.; TDY Holdings, LLC and TDY Industries, Inc. (as the alleged successors to A.H. Wirz Co. or A.J. Wirz Co.); and SARCO, Inc. (as alleged successor to J. Kasle & Sons, Inc, Kasle Recycling, Inc., and Kasle Recycling Metallic Resources Corp.) and Barry Schuchman, individually. Taken together, the two proposed consent decrees—captioned ''Consent Decree with Settling Landowners'' and ''Consent Decree with Non-Landowner Settling PRPs''—would provide for payment of $1.24 million toward the United States' past response costs associated with the Site.

For a period of thirty (30) days from the date of this publication, the Department of Justice will receive comments relating to the proposed consent decrees. 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. *Avanti Development, Inc., et al.,* Civil Action No. IP01–402–C–B/S (S.D. Ind.), and DOJ Reference No. 90–11–3–06099.

The proposed consent decrees may be examined at: (1) The Office of the United States Attorney for the Southern District of Indiana, 10 West Market Street, Suite 2100, Indianapolis, Indiana 46204 (contact Harold Bickham (317–226–6333)); and (2) the United States Environmental Protection Agency (Region 5), 77 West Jackson Boulevard, Chicago, Illinois 60604 (contact Kevin Chow (312–353–6181)). Copies of the proposed consent decrees may also be obtained by mail from the Department of Justice consent Decree Library, P.O. Box 7611, Washington, DC 20044. In requesting copies, please refer to the above-referenced case name and DOJ Reference Number, and enclose a check made payable to the Consent Decree Library for $26.25 for both consent decrees (105 pages at 25 cents per page reproduction cost), $9.50 for the ''Consent Decree with Settling Landowners only (38 pages at 25 cents per page), or $16.75 for the ''Consent Decree with Non-Landowner Settling PRPs'' only (67 pages at 25 cents per page).

W. Benjamin Fisherow,

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

[FR Doc. 01–8578 Filed 4–6–01; 8:45 am]

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DEPARTMENT OF JUSTICE

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

Under 28 CFR 50.7, notice is hereby given that on March 28, 2001, a proposed partial consent decree (''consent decree'') in *United States* v. *Chrysler Corp., et al.,* Civil Action No. 5:97CV00894, was lodged with the United States District Court for the Northern District of Ohio.

In this action the United States sought recovery, under Sections 107(a) and 113 of the Comprehensive Environmental Response, Compensation and Liability Act (''CERCLA''), 42 U.S.C. 9607(a) and 9613, of response costs incurred in connection with the Krejci Dump Site in Summit County, Ohio (''Site''). The Decree resolves claims under Sections 106 and 107 of CERCLA against five companies alleged to be liable as a result of having arranged for the disposal of hazardous substances at the Site or having transported hazardous substances to the Site: DaimlerChrysler Corporation, Waste Management of Ohio, Inc., Chevron U.S.A. Inc., Kewanee Industries, Inc., and The Federal Metal Company. The Decree recovers $4,297,500 in response costs, and $477,500 for natural resource damages, relating to 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, P.O. Box 7611, Washington, DC 20044–7611, and should refer to *United States* v. *Chrysler Corp., et al.,* D.J. Ref. No. 90–11–3–768.

The proposed consent decree may be examined at the Office of the United States Attorney, 1800 Bank One Center, 600 Superior Avenue, Cleveland, Ohio. A copy of the proposed consent decree may be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044. In requesting a copy, please enclose a check in the amount of $7.75 (25 cents per page reproduction cost) payable to the Consent Decree Library.

W. Benjamin Fisherow,

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

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