In conducting this inquiry, ''the Court is nowhere compelled to go to trial or to engage in extended proceedings which might have the effect of vitiating the benefits of prompt and less costly settlement through the consent decree process.'' 119 Cong. Rec. 24598 (1973). Rather,

> absent a showing of corrupt failure of the government to discharge its duty, the Court, in making its public interest finding, should * * * carefully consider the explanations of the government in the competitive impact statement and its response to comments in order to determine whether those explanations are reasonable under the circumstances.

United States v. *Mid-America Dairymen, Inc.*, 1977–1 Trade Cas. (CCH) ¶61,508, at 71,980 (W.D. Mo. 1977).

Accordingly, with respect to the adequacy of the relief secured by the decree, a court may not ''engage in an unrestricted evaluation of what relief would best serve the public.'' *United States* v. *BNS, Inc.*, 858 F.2d 456, 462 (9th Cir. 1988), *quoting United States* v. *Bechtel Corp.*, 648 F.2d 660, 666 (9th Cir.) *cert. denied*, 454 U.S. 1083 (1981); *see also Microsoft*, 56 F.3d 1448 (D.C. Cir. 1995). Precedent requires that:

> the balancing of competing social and political interests affected by a proposed antitrust consent decree must be left, in the first instance, to the discretion of the Attorney General. The court's role in protecting the public interest is one of insuring that the government has not breached its duty to the public in consenting to the decree. The court is required to determine not whether a particular decree is the one that will best serve society, but whether the settlement is ''*within the reaches of the public interest.*'' More elaborate requirements might undermine the effectiveness of antitrust enforcement by consent decree. *United States* v. *Bechtel*, 648 F.2d 660, 666 (9th Cir. 1981) (emphasis added)

the proposed Final Judgment, therefore, should not be reviewed under a standard of whether it is certain to eliminate every anticompetivite effect of a particular practice or whether it mandates certainty of free competition in the future. Court approval of a final judgment requires a standard more flexible and less strict than the standard required for a finding of liability. ''[A] proposed decree must be approved even if it falls short of the remedy the court would impose on its own, as long as it falls within the range acceptability or is 'within the reaches of public interest.' '' (citations omitted). *United States* v. *American Tel. and Tel. Co.*, 552 F. Supp. 131, 150 (D.D.C. 1982), (*aff'd sub nom.*, *Maryland* v. *United States*, 460 U.S. 1001 (1983).

VIII. Determinative Documents

There are no determinative materials or documents within the meaning of the APPA that were considered by the United States in formulating the proposed Final Judgment.

Dated: May 2, 1997.

Respectfully submitted,

Anthony Harris,

Attorney, Department of Justice, Antitrust Division.

Certificate of Service

I, Anthony E. Harris, hereby certify that on May 2, 1997, I caused copies of the foregoing Revised Competitive Impact Statement to be served on plaintiffs states of New York and Ohio and Commonwealth of Pennsylvania, and on defendants Cargill Inc., Akzo Nobel, N.V., Akzo Nobel, Inc., and Akzo Nobel Salt Inc., and on American Rock Salt Company, LLC, by mailing the pleading first-class, postage prepaid, to those parties as follows:

John A. Ioannou, Assistant Attorney General, Antitrust Bureau, Attorney General's Office, 120 Broadway, Suite 26–01, New York, New York 10271

Counsel for State of New York

Deneice Covert Zeve, Deputy Attorney General, Antitrust Section, Office of the Attorney General, 14th Floor, Strawberry Square, Harrisburg, PA 17120

Counsel for Commonwealth of Pennsylvania

Mitchell Gentile, Assistant Attorney General, Ohio Attorney General's Office, 30 East Broad Street, 16th Floor, Columbus, OH 43215

Counsel for State of Ohio

Marc G. Schildkraut, Esquire, Howrey & Simon, 1299 Pennsylvania Avenue, NW., Washington, DC 20004–2402

Counsel for Cargill Inc.

John W. Behan, Assistant General Counsel, Akzo Nobel Inc., 7 Livingstone Avenue, Dobbs Ferry, NY 10522–2222

Counsel for Akzo Nobel, N.V., Akzo Nobel Inc. and Akzo Nobel Salt Inc.

Gunther K. Buerman, Esquire, Harris, Beach & Wilcox, 130 E. Main Street, Rochester, NY 14604

Counsel for American Rock Salt Company, LLC

Anthony E. Harris, Esquire,

Trial Attorney.

[FR Doc. 97–12568 Filed 5–13–97; 8:45 am]

BILLING CODE 4410–11–M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Clean Air Act

In accordance with Departmental policy, 28 C.F.R. § 50.7, please be advised that a proposed Consent Decree was lodged on March 12, 1997, in *United States* v. *Camden Iron & Metal, Inc., and S.P.C. Corporation*, C.A. No. 96–2972, with the United States District Court for the Eastern District of Pennsylvania (''District Court''). The proposed consent decree addresses alleged violations of the National Recycling and Emission Reduction Program, which is found in Section 608 of the Clean Air Act, 42 U.S.C. § 7671g, and the regulations promulgated thereunder at 40 C.F.R. part 82, subpart F. The alleged violations took place at the defendants' scrap metal recycling facility in Philadelphia, Pennsylvania.

A complaint filed in May of 1996 alleged that the defendants violated the Clean Air Act's National Recycling and Emission Reduction Program by failing to either (a) Evacuate all chlorofluorocarbon (CFC)-containing refrigerants from appliances prior to disposal, or (b) verify that the suppliers of the appliances had properly evacuated the CFC refrigerant prior to sending the appliances to the facility. The Complaint also alleged that the defendants violated Section 114 of the Clean Air Act by failing to provide timely and complete responses to information requests made by EPA.

Under the terms of the Consent Decree, the defendants will pay a penalty of $125,000, and will spend $375,000 on a supplemental environmental project (SEP). The SEP requires the defendants to work with municipalities in the Philadelphia metropolitan area to establish programs to recover CFC refrigerant from discarded and abandoned appliances, such as refrigerators and air conditioning units.

Comments regarding this settlement 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. *Camden Iron & Metal, Inc. and S.P.C. Corp.*, DOJ Ref. # 90–5–2–1–2028. The proposed consent decree may be examined at the Office of the United States Attorney, 615 Chestnut Street, 13th Floor, Suite 1300, Philadelphia, Pennsylvania 19106 and the Region III Office of the Environmental Protection Agency, 841 Chestnut Building, Philadelphia, Pennsylvania 19107. A copy of the proposed 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, (202) 624–0892. The proposed decree contains 40 pages, without attachments. The attachments constitute an additional 109 pages. To obtain a copy of the decree, please enclose a check in the amount of $8.50 (25 cents per page reproduction costs). Please make the check payable to the Consent Decree Library, and refer to the case by its title and DOJ Ref. # 90–5–2–1–2028.

Walker B. Smith,

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

[FR Doc. 97–12566 Filed 5–13–97; 8:45 am]

BILLING CODE 4410–15–M

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993; Cable Television Laboratories, Inc.

Notice is hereby given that, on March 26, 1997 pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), Cable Television Laboratories, Inc. (''Cablelabs'') has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing additions to the membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, the following companies have joined CableLabs: Halifax Cablevision Limited, Halifax, Novia Scotia, Canada; and Midcontinent Cable Co. Aberdeen, South Dakota.

No other changes have been made in either the membership or planned activity of CableLabs. Membership remains open and CableLabs intends to file additional written notifications disclosing all changes in membership.

On August 8, 1988, CableLabs filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on September 7, 1988 (53 FR 34593). The last notification with respect to membership changes was filed with the Department on December 18, 1996. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on March 27, 1997 (62 FR 14704).

Constance K. Robinson,

Director of Operations, Antitrust Division.

[FR Doc. 97–12665 Filed 5–13–97; 8:45 am]

BILLING CODE 4410–11–M

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993; Corporation for National Research Initiatives; Cross Industry Working Team Project

Notice is hereby given that, on October 29, 1996, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), the Corporation for National Research Initiatives (''CNRI'') has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in the membership of the Cross Industry Working Team Project (''XIWT''). The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, the following additional parties have become Primary Members of XIWT: BBN Corporation, Cambridge, MA; and Sprint Communications Company, Kansas City, MO. The following additional party has become an Associate Member of XIWT: The New York Times Company, New York, NY. The following parties have discontinued membership in XIWT: Ameritech Corporation; Cable Television Laboratories; Science Applications International Corporation (SAIC); and Com 21, Inc.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and CNRI intends to file additional written notifications disclosing all changes in membership. On September 28, 1993, CNRI filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on December 17, 1993 (58 FR 66022). The last notification was filed with the Department on July 31, 1996. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on November 4, 1996 (61 FR 56708).

Constance K. Robinson,

Director of Operations, Antitrust Division.

[FR Doc. 97–12667 Filed 5–13–97; 8:45 am]

BILLING CODE 4410–11–M

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1933; Network Management Forum

Notice is hereby given that, on March 10, 1997, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), the Network Management Forum (''the Forum'') has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing additions to its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, the identities of the new members to the venture are as follows: Mannesmann Mobilfunk GmbH, Dusseldorf, Germany; and Platinum Technology, Inc., Edison, NJ are Corporate members. BEA Systems, Inc., Sunnyvale, CA; Belgacom, S.A., Brussels, Belgium; LG Information & Communications, Ltd., Kyunggi-do, Korea; Master Software, Inc., Walnut Creek, CA; Mitsui Knowledge Industry Co., Ltd., Tokyo, Japan; 02 Technology, Palo Alto, CA; and SONETECH, Inc., Sterling, VA are Associate Members. DEJ Consulting, Madrid, Spain; HN Telecom, Inc., Burnaby, BC, Canada; Teleconsulting GmbH, Diessen, Germany; and Universitat Politecnica De Catalunya (UPC), Barcelona, Spain are Affiliate Members.

No other changes have been made since the last notification filed with the Department in either the membership or planned activity of the group research project. Membership in this group research project remains open, and the Forum intends to file additional written notifications disclosing all changes in membership.

On October 21, 1988, the Forum filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on December 8, 1988 (53 FR 49615).