

which they have not had an opportunity to comment. Parties may submit final comments on this information on or before July 7, 2000, but such final comments must not contain new factual information and must otherwise comply with section 207.68 of the Commission's rules. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means.

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the review must be served on all other parties to the review (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

**Authority:** This review is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.62 of the Commission's rules.

Issued: January 14, 2000.

By order of the Commission.

**Donna R. Koehnke,**  
Secretary.

[FR Doc. 00-1344 Filed 1-19-00; 8:45 am]

BILLING CODE 7020-02-P

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-841 (Final)]

### Certain Non-Frozen Apple Juice Concentrate From China

**AGENCY:** United States International Trade Commission.

**ACTION:** Scheduling of the final phase of an antidumping investigation.

**SUMMARY:** The Commission hereby gives notice of the scheduling of the final phase of antidumping investigation No. 731-TA-841 (Final) under section 735(b) of the Tariff Act of 1930 (19 U.S.C. 1673d(b)) (the Act) to determine whether an industry in the United States is materially injured or threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of less-than-fair-value imports from China of certain non-frozen apple juice concentrate, provided for in subheadings 2009.70.00 and 2106.90.52

of the Harmonized Tariff Schedule of the United States.<sup>1</sup>

For further information concerning the conduct of this phase of the investigation, hearing procedures, and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

**EFFECTIVE DATE:** November 22, 1999.

#### FOR FURTHER INFORMATION CONTACT:

William Chadwick, Jr. (202-205-3390), Office of Investigations, 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 202-205-1810. 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>).

#### SUPPLEMENTARY INFORMATION:

##### Background

The final phase of this investigation is being scheduled as a result of an affirmative preliminary determination by the Department of Commerce that imports of certain non-frozen apple juice concentrate from China are being sold in the United States at less than fair value within the meaning of section 733 of the Act (19 U.S.C. 1673b). The investigation was requested in a petition filed on June 7, 1999, by counsel on behalf of Coloma Frozen Foods, Inc., Coloma, MI; Green Valley Packers, Arvin, CA; Knouse Foods Cooperative, Inc., Peach Glen, PA; Mason County Fruit Packers, Ludington, MI; and Tree Top, Inc., Selah, WA.

##### Participation in the Investigation and Public Service List

Persons, including industrial users of the subject merchandise and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the final phase of this investigation as parties must file an entry of appearance with the

<sup>1</sup> The imported product covered by the scope of this investigation, as defined by the Department of Commerce, consists of all non-frozen concentrated apple juice with a Brix scale of 40 or greater, whether or not containing added sugar or other sweetening matter, and whether or not fortified with vitamins or minerals. Excluded from the scope of this investigation are frozen concentrated apple juice, non-frozen concentrated apple juice that has been fermented, and non-frozen concentrated apple juice to which spirits have been added.

Secretary to the Commission, as provided in section 201.11 of the Commission's rules, no later than 21 days prior to the hearing date specified in this notice. A party that filed a notice of appearance during the preliminary phase of the investigation need not file an additional notice of appearance during this final phase. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigation.

#### Limited Disclosure of Business Proprietary Information (BPI) Under an Administrative Protective Order (APO) and BPI Service List

Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in the final phase of this investigation available to authorized applicants under the APO issued in the investigation, provided that the application is made no later than 21 days prior to the hearing date specified in this notice. Authorized applicants must represent interested parties, as defined by 19 U.S.C. 1677(9), who are parties to the investigation. A party granted access to BPI in the preliminary phase of the investigation need not reapply for such access. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

#### Staff Report

The prehearing staff report in the final phase of this investigation will be placed in the nonpublic record on March 28, 2000, and a public version will be issued thereafter, pursuant to section 207.22 of the Commission's rules.

#### Hearing

The Commission will hold a hearing in connection with the final phase of this investigation beginning at 9:30 a.m. on April 10, 2000, at the U.S. International Trade Commission Building. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before April 3, 2000. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and make oral presentations should attend a prehearing conference to be held at 9:30 a.m. on April 6, 2000, at the U.S. International Trade Commission Building. Oral testimony and written materials to be submitted at the public hearing are governed by

sections 201.6(b)(2), 201.13(f), and 207.24 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony *in camera* no later than 7 days prior to the date of the hearing.

### Written Submissions

Each party who is an interested party shall submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of section 207.23 of the Commission's rules; the deadline for filing is April 4, 2000. Parties may also file written testimony in connection with their presentation at the hearing, as provided in section 207.24 of the Commission's rules, and posthearing briefs, which must conform with the provisions of section 207.25 of the Commission's rules. The deadline for filing posthearing briefs is April 17, 2000; witness testimony must be filed no later than three days before the hearing. In addition, any person who has not entered an appearance as a party to the investigation may submit a written statement of information pertinent to the subject of the investigation on or before April 17, 2000. On May 5, 2000, the Commission will make available to parties all information on which they have not had an opportunity to comment. Parties may submit final comments on this information on or before May 9, 2000, but such final comments must not contain new factual information and must otherwise comply with section 207.30 of the Commission's rules. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means.

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigation must be served on all other parties to the investigation (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

**Authority:** This investigation is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.21 of the Commission's rules.

Issued: January 13, 2000.

By order of the Commission.

**Donna R. Koehnke,**

*Secretary.*

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### DEPARTMENT OF JUSTICE

#### Notice of Lodging of Consent Decree Pursuant to The Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §§ 9601 to 9675

Under 42 U.S.C. 9622, notice is hereby given that on December 22, 1999, a proposed consent decree in *United States v. Robert W. Meyer, Jr.*, Civil Action No. 1:97-CV-526, was lodged with the United States District Court for the Western District of Michigan.

In this action the United States sought to recover past costs incurred in connection with the clean-up of the contiguous Northern Plating Company and Kysor Industrial Corporation Superfund Sites located in Cadillac, Wexford County, Michigan. The proposed consent decree resolves the United States' claims against defendant Robert W. Meyer, Jr., as the operator of a facility that contributed to the harm associated with the Northern Plating Site, in return for a total payment of \$625,000.

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 for the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Robert W. Meyer, Jr.*, D.J. Ref. #90-11-2-837B.

The proposed consent decree may be examined at the office of the United States Attorney, 330 Ionia NW, Room 501, Grand Rapids, Michigan 49503, and at U.S. EPA Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604. A copy of the proposed consent decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, Washington, D.C. 20044-7611. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$5.50 (25 cents per page reproduction costs), payable to the Consent Decree Library.

**Bruce Gelber,**

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

[FR Doc. 00-1270 Filed 1-19-00; 8:45 am]

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### DEPARTMENT OF JUSTICE

#### Notice of Lodging of Consent Decree Pursuant to the Clean Water Act

In accordance with Department of Justice policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in the action entitled *United State of America v. Sapo Corporation, et. al.*, Civil Action No. 99-2366 (D.P.R.), was lodged on December 15, 1999 with the United States District Court for the District of Puerto Rico. The proposed consent decree resolves claims of the United States, on behalf of the Secretary of the Army, under the Federal Water Pollution Control Act, as amended ("Clean Water Act"), 33 U.S.C. 1251-1387, against defendants Sapo Corporation, Concho Corporation, and Arnold Benus. These claims are for injunctive relief and civil penalties arising from defendants' alleged discharge of fill material into wetlands at the Copamarina Beach Resort in Cana Gorda Ward, Guanica, Puerto Rico, without a permit from the U.S. Army Corps of Engineers, in violation of Section 301(a) of the Clean Water Act, 33 U.S.C. 1311(a).

Under the terms of the proposed consent decree, the defendants will (1) Pay a civil penalty of \$15,000 to the United States, (2) complete a mitigation project to enhance protection of existing wetlands on their property by constructing barriers to intrusion by motor vehicles, and (3) complete a preservation project by transferring title to 30.59 acres of wetlands valued at \$98,126, including the protective barriers, under a perpetual conservation easement, to the Puerto Rico Department of Natural and Environmental Resources.

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, U.S. Department of Justice, Washington, DC 20530, and should refer to *United States v. Sapo Corporation, et al.*, Civil Action No. 99-2366 (D.P.R.), DOJ Ref. No. 90-5-1-1-4471/1.

The proposed consent decree may be examined at the Office of the United States Attorney, Federal Building, Chardon Avenue, Hato Rey, Puerto Rico 00918. A copy may be obtained by mail from the Consent Decree Library, U.S. Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, DC 20044-7611. In requesting a copy by mail, please refer to the referenced case