

United States, Inv. No. 1205-3, Publication No. 2673. In the report, the Commission proposed reclassifying certain phenols—metacresol, orthocresol, paracresol, and metaparcresol, all having a purity of 75 percent or more (75 percent cresols)—from subheading 2707.99 to subheading 2707.60. The change was proposed to achieve international uniformity in customs classification for these products under the Harmonized System. The existing rate of duty was carried over to the new classification.

Following implementation of the modification in December 1995, it was

recognized that there was a collateral movement of under 75 percent cresols between subheadings of the HTS that resulted in a significant increase in the rate of duty applicable to this product. Under Section 1205, modifications to the HTS must have substantial duty-rate neutrality and not alter existing competitive conditions. As a consequence, the Commission has received a request from the USTR requesting "advice in respect of making a technical rectification to the [HTS] to address treatment of [under 75 percent cresols]." The USTR has requested the Commission's advice by July 28, 1997.

In order to restore the rate of duty previously applied to under 75 percent cresols, the Commission proposes to amend the advice in Inv. No. 1205-3 to include creation of a new subheading for this product, HTS 2707.60.15, carrying the pre-implementation rate of duty (Free in column 1 and column 2), as follows:

The HTS is modified by striking subheadings 2707.60.10 and 2707.60.20 and inserting the following in lieu thereof:
[2707 Oils and other products of the distillation . . .]
[2707.60 Phenols:]
Metacresol, orthocresol, paracresol and metaparcresol:

2707.60.10	..... Having a purity of 75 percent or more by weight	1¢/kg + 3.3%	Free (A, CA, E, IL, J, MX)	15.4¢/kg +42.5%
2707.60.15	..... Other	Free		Free
2707.60.30	..... Other	2.9¢/kg + 12.5%	Free (A, CA, E, IL, J, MX)	7.7¢/kg +29.5%

Request for Comment

Accordingly, the Commission is seeking comments concerning this proposed technical rectification to the HTS.

Deadline

Comments must be received no later than the close of business July 11, 1997, in order to be considered by the Commission.

Written Submissions

All submissions should be addressed to the Secretary, United States International Trade Commission, 500 E St. SW., Washington, DC. 20436. Commercial or financial information that a party desires the Commission to treat as confidential must be submitted on separate sheets of paper, each clearly marked "Confidential Business Information" at the top. All submissions requesting confidential treatment must conform with the requirements of § 201.6 of the Commission's rules of practice and procedure (19 CFR 201.6). All written submissions, except for confidential business information, will be made available for inspection by interested persons.

TDD Access: Hearing impaired individuals are advised that information on this matter can be obtained by contacting our TDD terminal on (202) 205-1810.

World Wide Web Access: This notice, and any subsequent notices published pursuant to section 1210 of the 1988 Act, may be obtained from the ITC Internet web server: <http://www.usitc.gov>.

Issued: June 30, 1997.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 97-17580 Filed 7-2-97; 8:45 am]

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DEPARTMENT OF JUSTICE

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

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States and State of Vermont v. Town of Bennington, et al.*, Civil Action Nos. 2:97CV197 and 2:97CV208 was lodged on June 30, 1997, with the United States District Court for the District of Vermont. The complaint in this action seeks (1) to recover, pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. §§ 9601 et seq., response costs incurred and to be incurred by the U.S. Environmental Protection Agency ("EPA") at the Bennington Landfill Superfund Site located in the Town of Bennington, Vermont ("Site"); and (2) injunctive relief under Section 106 of CERCLA, 42 U.S.C. § 9606. The defendants are Add, Inc., Bennington College, Bijur Lubricating Co., Central Vermont Public Service Corporation, Chemfab Corporation, CLR Corporation, Courtaulds Structural Composites, Inc., Eveready Battery Company, Inc., G-C-D-C, Inc. (f/k/a Bennington Iron Works, Inc.), H.M. Tuttle Co., Inc., Johnson Controls, Inc., MASCO/Schmelzer Corporation, Southwestern Vermont

Medical Center, Textron, Inc., Town of Bennington, Vermont, Triangle Wire and Cable, Inc., U.S. Tsubaki, Inc., Vermont Agency of Transportation and Vermont Bag and Film, Inc.

The proposed Consent Decree embodies an agreement with 5 potentially responsible parties ("PRPs") at the Site pursuant to Sections 106 and 107 of CERCLA, 42 U.S.C. §§ 9606 and 9607: (1) to perform a non-time critical removal action ("NTCRA") at the Site comprising the design, construction and monitoring of a multi-barrier cap; and (2) to implement a natural resource damages ("NRD") restoration project. The proposed Consent Decree also embodies an agreement with 14 PRPs at the Site pursuant to Section 122(g) of CERCLA, 42 U.S.C. § 9622(g), to pay \$1,776,600, in aggregate, in settlement of claims for past and future response costs at the Site and claims for natural resource damages. The monies paid by these 14 settlers will be used to partially fund the NTCRA and the NRD restoration project being performed by the 5 performing parties.

The Consent Decree provides the settling defendants with a release for civil liability for EPA's and the State of Vermont's ("State's") past and future CERCLA response costs and natural resource damages at the Site for resources under the trusteeship of the Secretary of the Interior and the Secretary of Commerce, through the National Oceanic and Atmospheric Administration, and under the trusteeship of the State.

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 Environmental and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044, and should refer to *United States and State of Vermont v. Town of Bennington, et al.*, DOJ Ref. No. 90-11-3-868A.

The proposed consent decree may be examined at the Office of the United States attorney, 11 Elmwood Avenue, Burlington Vermont, 05401; the Region I Office of the Environmental Protection Agency, Region I Records Center, 90 Canal Street, First Floor, Boston, MA 02203; and at the Consent Decree Library, 1120 G Street, N.W., Fourth Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, Fourth Floor, N.W., Washington, DC 20005. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$40.75 (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. 97-17604 Filed 7-2-97; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Comprehensive, Environmental Response, Compensation and Liability Act ("CERCLA")

In accordance with Department policy, 28 CFR § 50.7, and Section 122(d)(2) of CERCLA, 42 U.S.C. 9622(d)(2), notice is hereby given that a proposed Consent Decree in *U.S. v. Larry Jones et al.*, 1:97-CV-73-1 (M.D. Ga.), was lodged on May 15, 1997 with the United States District Court for the Middle District of Georgia. This Consent Decree resolves the action brought by the United States against the settling defendants pursuant to Sections 106 and 107 of CERCLA, 42 U.S.C. §§ 9606 and 9607. The settling defendants are the past and present owners and operators of the T.H. Agriculture Site ("THAN Site" or "Site"), operable unit 2, located in Albany, Georgia.

The Consent Decree requires the settling defendants to perform a remedial design/remedial action ("RD/RA") for operable unit 2 at the Site. Further, the Consent Decree requires the settling defendants to reimburse the United States for all future response

costs incurred by the United States at operable unit 2.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to proposed Consent Decree. Comments should be addressed to the Assistant Attorney General for the Environmental and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *U.S. v. Larry Jones et al.*, DOJ #90-11-3-1061A.

The proposed Consent Decree may be examined at the office of the United States Attorney, 345 Broad Avenue, Albany, Georgia; the Region 4 office of the Environmental Protection Agency, 61 Forsyth Street, S.W., Atlanta, GA 30303; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. 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. In requesting a copy please refer to the referenced case and enclose a check for the reproduction costs. If you want a copy of the Consent Decree (plus attachments), then the amount of the check should be \$43.75 (175 pages at 25 cents per page). The check should be made payable to the Consent Decree Library.

Walker Smith,

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

[FR Doc. 97-17437 Filed 7-2-97; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Consent Decrees in Action Under the Comprehensive Environmental Response, Compensation and Liability Act

In accordance with the Departmental Policy, 28 C.F.R. § 50.7, notice is hereby given that two Consent Decrees in *United States v. Ralph Riehl, et al.*, Civil Action No. 89-226(E), were lodged with the United States District Court for the Western District of Pennsylvania on May 8, 1997.

On October 16, 1989, the United States filed a complaint against the owners and operator of, and certain transporters to, the Millcreek Dump Superfund Site (the "Site"), pursuant to Section 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9607(a). In September 1991, the United States added additional defendants to the action. The proposed

Consent Decree resolves the liability for defendants Penn Iron & Metal Company ("Penn Iron"), Liberty Iron & Metal Company ("Liberty") (now operating as one company called "LIMCO"), and Union Iron & Metal Company for response costs incurred and to be incurred by the United States at the Site. The Consent decree requires the Penn and Liberty to pay \$450,000 and Union to pay \$17,000 in reimbursement of response costs.

The Department of Justice will accept written comments relating to these proposed Consent Decrees for thirty (30) days from the date of publication of this notice. Please address comments to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044 and refer to *United States v. Ralph Riehl, et al.*, DOJ No. 90-11-3-519.

Copies of the proposed Consent Decrees may be examined at the Office of the United States Attorney, Western District of Pennsylvania, Federal Building and Courthouse, Room 137, 6th and States Streets, Erie, Pennsylvania, 15219; Region III Office of the Environmental Protection Agency, 841 Chestnut Building, Philadelphia, Pennsylvania, 19107; and at the Consent Decree Library, 1120 G Street, NW, 4th Floor, Washington, D.C. 20005 (202) 624-0892. Copies of the proposed Decrees may be obtained in person or by mail from the Consent decree Library, 1120 G Street, NW, 4th Floor, Washington, D.C. 20005. When requesting a copy of the proposed Consent Decree, please enclose a check in the amount of \$5.75 for the Union Decree and \$6.00 for the Penn Iron and Liberty Decree to cover the twenty-five cents per page reproduction costs. Please make the check payable to the "Consent Decree Library."

Joel M. Gross,

Chief, Environmental Enforcement Section, Environment and Natural Resources Division, U.S. Department of Justice.

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DEPARTMENT OF JUSTICE

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

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States v. Shell Oil Company and Shell Wood River Refining Company*, Civil Action No. 97-539-WDS, was