

**ACTION:** Request for written submissions.**EFFECTIVE DATE:** September 28, 2001.

**SUMMARY:** The Commission received a request from the United States Trade Representative (USTR) on September 28, 2001, to provide advice on the probable effect on U.S. trade under the North American Free Trade Agreement (NAFTA), total U.S. trade, and on domestic producers of certain modifications to the rules of origin in NAFTA Annexes 401 and 403. The USTR request states that most of these modifications are technical changes that will conform the NAFTA rules of origin to corresponding changes in the HTS due to revisions in Harmonized System nomenclature that are scheduled to take effect on January 1, 2002.

**FOR FURTHER INFORMATION:** Information may be obtained from David Lundy, Office of Industries (202-205-3439, or [lundy@usitc.gov](mailto:lundy@usitc.gov)); and on legal aspects, from William Gearhart, Office of the General Counsel (202-205-3091). The media should contact Margaret O'Laughlin, Office of Public Affairs (202-205-1819). Hearing impaired individuals are advised that information on this matter can be obtained by contacting the TDD terminal (202-205-1810). General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS-ON-LINE) at <http://dockets.usitc.gov/eol/public>. Advice on a previous set of modifications (Phase 1) was provided to the USTR on September 14, 2001 and a public version of this report is available on the Commission's Internet server.

**Background**

According to the USTR's letter, U.S. negotiators have recently reached agreement in principle with representatives of the governments of Canada and Mexico on proposed modifications to Annex 401 of the NAFTA. Chapter 4 and Annexes 401 and 403 of the NAFTA contain the rules of origin for application of the tariff provisions of the NAFTA to trade in goods. Section 202(q) of the North American Free Trade Agreement Implementation Act (the Act) authorizes the President, subject to the consultation and layover requirements of section 103 of the Act, to proclaim such modifications to the rules as may from time to time be agreed to by the NAFTA countries. One of the requirements set out in section 103 of the Act is that the President obtain advice from the United States International Trade Commission.

The USTR requested that the Commission provide advice on the probable effect on U.S. trade under NAFTA, total U.S. trade, and on domestic producers of the affected articles as a result of 311 proposed modifications to the rules of origin in NAFTA Annexes 401 and 403. A list of the proposed modifications is available from the Office of the Secretary to the Commission or by accessing the electronic version of this notice at the Commission's Internet site (<http://www.usitc.gov>). The current U.S. rules of origin can be found in general note 12 of the 2001 U.S. Harmonized Tariff Schedule (see "General Notes" link, <http://dataweb.usitc.gov/scripts/tariff/toc.html>).

The USTR request states that most of the modifications are technical changes that will conform the NAFTA rules of origin to corresponding changes in the HTS due to revisions in Harmonized System nomenclature that are scheduled to take effect on January 1, 2002.

As requested, the Commission will forward its advice to the USTR by October 24, 2001, and will release a public version of its advice as soon as possible thereafter.

**Written Submissions**

No public hearing is being scheduled in connection with preparing this advice. However, interested parties are invited to submit written statements (original and 14 copies) concerning any economic effects of the modifications. Commercial or financial information that a submitter 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 section § 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 in the Office of the Secretary to the Commission for inspection by interested parties. To be ensured of consideration by the Commission, written statements relating to the Commission's report should be submitted to the Commission at the earliest practical date and must be received no later than the close of business on October 18, 2001. All submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street SW., Washington, DC 20436. 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.

Issued: October 1, 2001.

By order of the Commission.

**Donna R. Koehnke,**

*Secretary.*

[FR Doc. 01-24929 Filed 10-3-01; 8:45 am]

**BILLING CODE 7020-02-P**

**DEPARTMENT OF JUSTICE****Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)**

Under section 122(d)(2) of CERCLA, 42 U.S.C. 9622(d)(2), and 28 CFR 50.7, notice is hereby given that on September 14, 2001, a proposed Consent Decree in *United States v. A-1 Auto Service, Inc.*, Civil Action No. 3:01CV1567(AHN), was lodged with the United States District Court for the District of Connecticut.

In this action, the United States sought recovery of over \$1.6 million costs incurred by the United States Environmental Protection Agency in conducting a soil cleanup removal action at the National Oil Service Superfund Site in West Haven, Connecticut. The United States filed its complaint pursuant to section 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9607(a), seeking recovery of over \$1.6 million. The complaint named over 400 defendants which disposed of waste oil at the Site. The proposed Consent Decree resolves the United States' cost recovery claims against all of those defendants. Under the proposed Decree, the settling defendants collectively agree to pay over \$810,000 in partial reimbursement of the United States' response costs. The proposed Consent Decree also contains a settlement with two federal agencies, the United States Coast Guard and the United States Postal Service. Under the proposed Consent Decree, these two settling federal agencies agree to pay a total of \$988.56.

The Department of Justice will receive for a period of thirty (3) days from the date of this publication comments relating to the proposed Consent Decree. Comments should be addressed to the Acting Assistant Attorney General, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United*

*States v. A-1 Auto Service, Inc.*, D.J. Ref. 90-11-3-07333.

The proposed Consent Decree may be examined at the Office of the United States Attorney, Connecticut Financial Center, New Haven, CT, and at U.S. EPA Region 1, One Congress Street, Boston, MA.

A copy of the proposed 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. For a copy of the proposed Consent Decree without the signature pages and attachments, please enclose a check in the amount of five dollars (\$5.00) (25 cents per page reproduction cost) payable to the Consent Decree Library. For a copy of the Decree with all signature pages and attachments, please enclose a check in the amount of one hundred and twelve dollars and 25 cents (\$112.25) payable to the Consent Decree Library.

**Catherine R. McCabe,**

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

[FR Doc. 01-24790 Filed 10-3-01; 8:45 am]

BILLING CODE 4410-15-M

## DEPARTMENT OF JUSTICE

### Notice of Lodging Proposed Consent Decree

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States v. Caribbean Airport Facilities, Inc., and Anthony Tirri*, Civil Action No. 01-2178 (JAG) (D.P.R.), was lodged with the United States Court for the District of Puerto Rico on September 5, 2001. This proposed Consent Decree concerns a complaint filed by the United States against Caribbean Airport Facilities, Inc. and Anthony Tirri, pursuant to the Clean Water Act, 33 U.S.C. 1311 and 1344, to obtain injunctive relief from and impose civil penalties against the Defendants for the unauthorized discharge of pollutants into waters of the United States in the Municipality of Carolina, Puerto Rico, and for noncompliance with the conditions and limitations of two permits issued by the United States Army Corps of Engineers under 33 U.S.C. 1344(a).

The proposed Consent Decree, among other things, (1) enjoins the Defendants from taking any actions that would discharge dredge or fill material into waters of the United States except in compliance with a permit issued pursuant to 33 U.S.C. 1344, (2) provides for mitigation for the environmental

harm caused by Defendants' past discharges, and (3) requires the Defendants to pay civil penalties in the amount of \$300,000.

The Department of Justice will accept written comments relating to this proposed Consent Decree for thirty (30) days from the date of publication of this notice. Please address comments to Scott Jordan, Senior Attorney, Environmental Defense Section, U.S. Department of Justice, P.O. Box 23986, Washington, D.C. 20026-3986. All comments must refer to *United States v. Caribbean Airport Facilities, Inc., and Anthony Tirri*, Department of Justice Reference No. 90-5-1-1-05837.

The proposed Consent Decree is on file at the Clerk's Office, United States District Court for the District of Puerto Rico at Frederico Degetau Federal Building, 150 Carlos Chardon Avenue, Hato Rey, Puerto Rico 00918, and may be examined there to the extent allowed by the rules of the Clerk's Office. In addition, the proposed Consent Decree may be viewed on the World Wide Web at <http://www.usdoj.gov/enrd/ltopics.htm>.

**Mary F. Edgar,**

*Assistant Chief, Environmental Defense Section, Environment & Natural Resources Division.*

[FR Doc. 01-24792 Filed 10-3-01; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under 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. Kenneth McDonald and Nicholas Menegatos*, C.A. No. 3:CV-01-0510, was lodged on September 11, 2001, with the United States District Court for the Middle District of Pennsylvania. The consent decree resolves the United States' claims against Defendant Nicholas Menegatos for violations of the Clean Air Act, 42 U.S.C. 7401-7671q, and the National Emission Standards for Hazardous Air Pollutants for asbestos ("asbestos NESHAP"), 40 CFR part 61, with respect to the partial demolition of a facility, located in Tannersville, Pennsylvania.

Under the consent decree, Defendant Menegatos, based upon his ability-to-pay, has agreed to pay a civil penalty in the amount of \$2700 and has agreed to take a training course that will familiarize him with the Clean Air Act and the asbestos NESHAP regulations.

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 Acting Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. Kenneth McDonald and Nicholas Menegatos*, C.A. No. 3:CV-01-0510, DOJ Reference No. 90-5-2-1-2217.

The proposed consent decree may be examined at the Office of the United States Attorney, 228 Walnut Street, Harrisburg, Pennsylvania 17108; and the Region III Office of the Environmental Protection Agency, 1650 Arch Street, Philadelphia, Pennsylvania 19103. 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 refer to the referenced case and enclose a check in the amount of \$5.75 (.25 cents per page production costs), payable to the Consent Decree Library.

**Robert D. Brook,**

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

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## DEPARTMENT OF JUSTICE

### Antitrust Division

#### Notice Pursuant to the National Cooperative Research and Production Act of 1993—Interchangeable Virtual Instruments Foundation, Inc.

Notice is hereby given that, on August 20, 2001, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Interchangeable Virtual Instruments Foundation, Inc. has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership status. 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, Flextronics International, Karlkrona, Blekinge Lan, Sweden; and Emergent Information Technologies, Colorado Springs, CO have been added as parties to this venture.

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