

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. Harsco Corporation*, No. 01-166 (E.D. Ky) was lodged on August 29, 2001, with the United States District Court for the Eastern District of Kentucky. The consent decree settles claims for civil penalties and injunctive relief against Harsco Corporation ("Harsco") pursuant to Section 113(b) of the Clean Air Act ("the Act"), 42 U.S.C. 7413(b), based on violations of Kentucky's State Implementation Plan promulgated under the Act. 401 KAR 63:010(3)(1), (2). The consent decree requires Harsco to construct a partial enclosure with spraying equipment to control dust emissions from its slag recycling operations. The consent decree also requires Harsco to pay a civil penalty of \$175,000.

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. Harsco Corporation*, DOJ Ref.# 90-5-2-1-2115/1.

The proposed consent decree may be examined at the office of the United States Attorney, Eastern District of Kentucky, 110 West Vine Street, Suite 400 Lexington, Kentucky (859) 233-2661 and the Region 4 Office of the Environmental Protection Agency, 61 Forsyth Street, S.W. Atlanta, Georgia 30303. A copy of the proposed consent decree may 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 \$9.25 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Ellen M. Mahan,

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

[FR Doc. 01-23952 Filed 9-24-01; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree

Notice is hereby given that a proposed Consent Decree between the Surfrider Foundation and the United States Section of the International Boundary and Water Commission was lodged with the United States District Court for the Southern District of California on September 12, 2001. The proposed Consent Decree concerns alleged violations of Section 402 of the Clean Water Act, 33 U.S.C. 1342, at the South Bay International Wastewater Treatment Plant, located at 2415 Dairy Mart Road, San Diego County, San Diego, California. The proposed Consent Decree would require the performance of certain environmental studies and evaluations relating to discharges of wastewater from the Plant.

The United States Department of Justice will receive written comments relating to the proposed Consent Decree for a period of thirty (30) days from the date of publication of this notice. Comments should be addressed to S. Randall Humm, Trial Attorney, United States Department of Justice, Environmental Defense Section, P.O. Box 23986, Washington, D.C. 20026-3986, with copies provided to William A. Wilcox, Jr., International Boundary and Water Commission, Office of the Staff Counsel, 4171 No. Mesa Street; Suite C-310, El Paso, TX 79902, and should reference *Surfrider Foundation v. Ramirez*, No. 99-CV-2441-BTM-JFS (S.D. Cal.); consolidated with *California v. Ramirez*, No. 01-CV-0270-BTM-JFS (S.D. Cal.).

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the Southern District of California, 4290 Edward J. Schwartz Federal Building, 880 Front Street, San Diego, California.

Letitia J. Grishaw,

Chief, Environmental Defense Section, Environment and Natural Resources Division, United States Department of Justice.

[FR Doc. 01-23950 Filed 9-24-01; 8:45 am]

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DEPARTMENT OF JUSTICE

Antitrust Division**Notice Pursuant to the National Cooperative Research and Production Act of 1993—Biotechnology Research and Development Corporation ("BRDC")**

Notice is hereby given that, on August 1, 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"), Biotechnology Research and Development Corporation ("BRDC") 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, Cargill Dow LLC, Minnetonka, MN has been added as a party 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 BRDC intends to file additional written notification disclosing all changes in membership.

On April 13, 1988, BRDC 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 May 12, 1988 (53 FR 16919).

The last notification was filed with the Department on November 27, 2000. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on March 29, 2001 (66 FR 17201).

Constance K. Robinson,

Director of Operations, Antitrust Division.

[FR Doc. 01-23960 Filed 9-24-01; 8:45 am]

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DEPARTMENT OF JUSTICE

Antitrust Division**Notice Pursuant to the National Cooperative Research and Production Act of 1993—PXI Systems Alliance, 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"), PXI Systems Alliance, 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, Adlink Technologies, Chungho City, Taipei, TAIWAN; and Integrated Production and Test Engineering, Genk, BELGIUM have been added as parties to this venture. Also, A&T Engineering, Mystic, CT; ATEME, Velizy, FRANCE; BittWare Research