

11. On August 20, 1999, West Bend notified the Commission about the water distillers.

12. West Bend failed to report to the Commission in a timely manner as required by Section 15(b) of the CPSA, 15 U.S.C. 2064(b). A failure to furnish information under section 15(b) of the CPSA is a prohibited act under 15 U.S.C. 2067(a)(4). West Bend "knowingly" failed to report, as that term is defined in 15 U.S.C. 2069(d), and is subject to a civil penalty, pursuant to 15 U.S.C. 2069(a)(1).

III. Response of West Bend

13. West Bend denies all of the allegations of the staff and in particular denies that it violated the reporting requirements of Section 15(b) of the CPSA, 15 U.S.C. 2064(b) or 16 CFR Part 1115. West Bend believes that it has demonstrated to the Commission that it investigated and dealt with product failures promptly and responsibly and that it reasonably relied on expert consultant advice that the product failures were due to conditions highly unlikely to occur in the United States. In settling this matter, West Bend does not admit any fault, liability or statutory or regulatory violation.

14. West Bend contends that the motor manufacturer improperly assembled some of the cooling motors, making the unit susceptible to voltage surges and causing the motors to fail unsafely. These surges and failures could cause the motor and housing to ignite, presenting a fire hazard to the consumer. West Bend and the motor manufacturer are currently in litigation. See *The West Bend Company v. Chiaphua Components Ltd., Case No. 00-C-0617, Eastern District of Wisconsin*.

IV. Agreement of the Parties

15. The Commission has jurisdiction over this matter under the Consumer Product Safety Act (CPSA), 15 U.S.C. 2051 *et seq.*

16. West Bend knowingly, voluntarily and completely waives any rights it may have to:

a. The issuance of a complaint in this matter.

b. an administrative or judicial hearing with respect to the staff allegations discussed in paragraphs 4 through 12 above;

c. judicial review or other challenge or contest of the validity of the Commission's Order;

d. a determination by the Commission as to whether a violation of section 15(b) of the CPSA, 15 U.S.C. 2064(b) has occurred;

e. a statement to findings of fact and conclusion of law with regard to the staff allegations; and

f. to any claims under The Equal Access to Justice Act.

17. Upon provisional acceptance of this Settlement Agreement and order by the Commission, this Settlement Agreement and Order shall be placed on the public records and shall be published in the **Federal Register** in accordance with 16 CFR 1118.20.

18. The Settlement Agreement and Order becomes effective upon final acceptance by the Commission and service of the Final Order upon West Bend.

19. Upon final acceptance of this Settlement Agreement by the Commission, West Bend agrees to pay to the United States Treasury a civil penalty in the amount of Two Hundreds and Twenty Five Thousands Dollars (\$225,000.00) within ten calendar days after receipt of service of the Final Order, in settlement of the allegations in paragraphs four through twelve above.

20. West Bend agrees to entry of the attached Order, which is incorporated herein by reference, and to be bound by its terms.

21. This Settlement Agreement and Order are entered into for settlement purposes only and shall not constitute a determination or admission of any fault, liability or statutory or regulatory violation.

22. The Commission's Order in this matter is issued under the provisions of the CPSA, 15 U.S.C. 2051, *et seq.*, and 16 CFR 1118.20, and a violation of this Order may subject West Bend to appropriate legal action.

23. This Settlement Agreement and Order is binding upon and shall inure to the benefit of West Bend, its agents, representatives and employees, and West Bend's corporate parents, assigns or successors.

24. Agreements, understanding, representations, or interpretations made outside of this Settlement Agreement and Order may not be used to vary or to contradict its terms.

25. For the purposes of section 6(b) of the CPSA, 15 U.S.C. 2055(b), this matter shall be treated as if a complaint had been issued, and the Commission may publicize the terms of the Settlement Agreement and Order.

Dated: January 22, 2001.

The West Bend Company.

Neil Halvorson, Esq.,
General Counsel.

Dated: January 24, 2001.

U.S. Consumer Product Safety Commission.
Alan H. Schoem,
Assistant Executive Director, Office of the Compliance.

Eric L. Stone,
Director, Legal Division, Office of Compliance.

Jimmie L. Williams, Jr.,
Trial Attorney, Legal Division, Office of Compliance.

Order

Upon consideration of the Settlement Agreement entered into between the West Bend Company, a Subsidiary of Illinois Tool Works, Inc., and the staff of the U.S. Consumer Product Safety Commission; and the Commission having jurisdiction over the subject matter and The West Bend Company, and it appearing that the Settlement Agreement and Order is in the public interest, it is

Ordered, that the Settlement Agreement be, and hereby is, accepted, and it is

Further Ordered, that upon final acceptance of the Settlement Agreement and Final Order, The West Bend Company shall pay the Commission a civil penalty in the amount of Two Hundreds and Twenty Five Thousand Dollars (\$225,000.00) within 10 calendar days after service of this Final Order upon The West Bend Company.

Provisionally accepted and Provisional Order issued on the 20th day of January, 2001.

By Order of the Commission.

Sadye E. Dunn,

Secretary,

U.S. Consumer Product Safety Commission.

[FR Doc. 01-4559 Filed 2-23-01; 8:45 am]

BILLING CODE 6355-01-M

DEPARTMENT OF DEFENSE

Department of the Air Force

Record of Decision (ROD) for Joint Use of Airfield Facilities at Kelly Air Force Base (AFB), Texas

AGENCY: Department of the Air Force, DoD.

ACTION: Notice.

SUMMARY: On December 14, 2000, the Air Force signed the ROD for Joint Use of Airfield Facilities at Kelly AFB, Texas.

The Defense Base Closure and Realignment Act requires compliance with the National Environmental Policy Act (NEPA) in implementing base closures and realignments for property disposal (10 U.S.C. 2687 note). The Air

Force began a Programmatic Environmental Impact Statement (PEIS) in 1996 to fulfill the NEPA requirements. The analysis was completed in May 1997 and published as the Final Programmatic Environmental Impact Statement for the Disposal of Kelly AFB (FPEIS).

After the publication of the FPEIS the Air Force signed a ROD on July 24, 1997, indicating disposal of Kelly AFB property would be in accordance with the Greater Kelly Development Authority (GKDA) Master Plan. The disposal ROD deferred the decision regarding joint (i.e., military and civilian) use of the airfield facilities until detailed information on civil aircraft operations was available. At the time the disposal ROD was signed, the GKDA Master Plan did not include complete information fully describing the civil aircraft operations elements of the redevelopment.

The GKDA Master Plan, Appendix D published in January 1998, and further refined in October 1999, defined civil aircraft operational scenarios associated with redevelopment of Kelly AFB. A Supplemental Environmental Impact Statement (SEIS) was completed in August 2000, addressing the environmental impacts associated with the anticipated civil aircraft operations. The SEIS addressed noise, air quality, and land use impacts as well as environmental justice concerns related to the updated, projected civil aircraft operations combined with ongoing military aircraft operations. Taking into consideration the results of the SEIS, the Air Force signed a ROD on December 14, 2000 authorizing joint use of the airfield at Kelly AFB.

FOR FURTHER INFORMATION CONTACT: Jonathan D. Farthing, HQ AFCEE/ECA, 3207 North Road, Brooks Air Force Base, Texas 78235-5363, 210-536-3787 or fax to 210-536-3890.

Janet A. Long,

Air Force Federal Register Liaison Officer.

[FR Doc. 01-4566 Filed 2-23-01; 8:45 am]

BILLING CODE 5001-05-U

DEPARTMENT OF DEFENSE

Department of the Army

ARMS Initiative Implementation

AGENCY: Department of the Army, DOD.

ACTION: Notice of meeting.

SUMMARY: Pursuant to Public Law 92-463, notice is hereby given of the next meeting of the Armament Retooling and Manufacturing Support (ARMS) Executive Advisory Committee (EAC).

The EAC encourages the development of new and innovative methods to optimize the asset value of the Government-Owned, Contractor-Operated ammunition industrial base for peacetime and national emergency requirements, while promoting economical and efficient processes at minimal operating costs, retention of critical skills, community economic benefits, and a potential model for defense conversion. This meeting will be hosted by the U.S. Army, Operations Support Command. The purpose of the meeting is to update the EAC and public on the status of ongoing actions, new items of interest, and suggested future direction/actions. Topics for this meeting will include—Strategic Planning for the ARMS Program; Legislative Issues Impacting the ARMS Program; Facility Contracting and Leasing; and ARMS Metrics. This meeting is open to the public.

Dates of Meeting: March 28–29, 2001.

Place of Meeting: Grand Casino Gulfport Hotel—Oasis Resort and Spa, 3215 West Beach Boulevard, Gulfport, MS 39501.

Time of Meeting: 8:30 AM–5:00 PM on March 28 and 7:30 AM–12:30 PM on March 29.

FOR FURTHER INFORMATION CONTACT: Mr. Mike Perez, U.S. Army Operations Support Command, Attn: AMSOS-CCM-E, Rock Island Arsenal, IL 61299; Phone (309) 782-3360.

SUPPLEMENTARY INFORMATION: A block of rooms has been reserved at the Grand Casino Gulfport Hotel for the nights of 27–29 March 2001. The Grand Casino Gulfport Hotel is located at 3215 West Beach Boulevard, Gulfport, MS 39501, Local Phone (228) 870-7777. Please make your reservations by calling 800-354-2450. Be sure to mention Public/Private Task Force #22. Reserve your room prior to February 25th to get the Government Rate of \$70.00 a night. Also notify this office of your attendance by notifying Mike Perez, perezm@osc.army.mil, 309-782-3360 (DSN 793-3360). To insure adequate arrangements (transportation, conference facilities, etc.) for all attendees, we request your attendance notification with this office by March 1, 2001. Corporate casual is meeting attire.

Gregory D. Showalter,

Army Federal Register Liaison Officer.

[FR Doc. 01-4642 Filed 2-23-01; 8:45 am]

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DEPARTMENT OF DEFENSE

Department of the Army

Command and General Staff College (CGSC) Advisory Committee

AGENCY: Department of the Army, DOD.

ACTION: Notice of meeting.

SUMMARY: In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463) announcement is made of the following committee meeting:

Name of Committee: U.S. Army Command and General Staff College (CGSC) Advisory Committee.

Dates of Meeting: 19–21 March 2001.

Place of Meeting: Bell Hall, Room 113, Fort Leavenworth, Kansas 66027-1352.

Time of Meeting: 1700–2200 on 19 March 2001; 0730–2100 on 20 March 2001; and 0730–1400 on 21 March 2001.

Proposed Agenda:

1700–2200, 19 March 2001: Review of CGSC educational program.

0730–2100, 20 March 2001: Continuation of review.

0730–1030, 21 March 2001: Continuation of review.

1030–1130, 21 March 2001: Executive Session.

1130–1230, 21 March 2001: Report to Commandant.

FOR FURTHER INFORMATION CONTACT: Dr. Philip J. Brookes, Committee's Executive Secretary, USACGSC Advisory Committee, 1 Reynolds Ave., Bell Hall, Room 119, Fort Leavenworth, Kansas 66027-1352; or phone (913) 684-2741.

SUPPLEMENTARY INFORMATION: The purpose of the meeting is for the Advisory Committee to examine the entire range of college operations and, where appropriate, to provide advice and recommendations to the College Commandant and faculty.

The meeting will be open to the public to the extent that space limitations of the meeting location permit. Because of these limitations, interested parties are requested to reserve space by contacting the Committee's Executive Secretary at the above address or phone number.

Gregory D. Showalter,

Army Federal Register Liaison Officer.

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