

participate in the forum and provide their views on the issues discussed below as well as others they wish to raise. Considerations such as technical and funding constraints may limit the Commission's ability to implement some of the features that may be suggested at the forum, but the agency plans to take all such views into account in determining whether and how to permit electronic filing and to provide other facilities for doing docket-related business with the Commission electronically.

The Commission wants any document management system it may implement to benefit users inside and outside the agency. Permitting electronic filing would serve no purpose if document filers did not choose to file electronically. Consistent with the GPEA, the Commission does not intend to require electronic filing. The Commission encourages attendees to provide their views on what system features would be helpful to them. For example, some document formats may be easier to use than others. Moreover, some documents, such as papers drafted by the submitter, may be easier to file electronically than others, such as appendices containing material from reference works in hard copy. Further, how deadlines are set for electronic filing may affect a filer's decision to choose between paper and electronic filing.

A particularly relevant topic for the forum would be the potential technical difficulties that may arise in connection with electronic filing. For example, the software that removes confidential business information from the public versions of paper filings may not suffice for an electronic filing. Also, various circumstances may result in a failure to connect to the agency's website, delaying or preventing filing. To aid in such a discussion, the Commission encourages participants in the forum to bring technical staff familiar with the computer systems of participants' organizations.

The Commission is also interested in attendees' comments on how to change the filing process. Currently, filers generally must submit an original and fourteen paper copies of a document. Electronic filing would present the agency with a number of options for how to proceed with respect to that requirement. The Commission could remove entirely the requirement for submitting paper copies. That would mean that Commission personnel either would forgo the use of paper copies or would incur staff time and printing costs making copies for their use. Alternatively, the agency could

continue, over the long or short term, to require a number of paper copies. Moreover, the Commission could permit filers to submit certain documents electronically while other types of document would continue to be filed in paper form. In addition, for those documents that eventually would be fileable electronically, electronic filing could be phased in over time so that initially parties could file some documents electronically, but other documents might continue in paper form.

The Secretary to the Commission will preside at the forum, assisted by agency staff who are members of the agency's Document Imaging Oversight Committee. The forum will be open to the public. However, to seek an opportunity to make an initial statement, no longer than five minutes in length, a person must submit a request to do so by the deadline for requests set out above. A person who attends the forum without having submitted such a request will be given an opportunity to make a statement as time permits. A person may submit written comments on the issues raised in this notice by the deadline for written comments set out above whether or not he or she files a request or attends the forum.

Issued: May 17, 2001.

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 ("CERCLA")

Notice is hereby given that a proposed consent decree in *United States v. Agway Inc., et al.* Civ. No. 3:01cv0637 NAM/GLS, was lodged on May 1, 2001 with the United States District Court for the Northern District of New York. The Consent Decree concerns hazardous waste contamination at the Tr-Cities Barrel Superfund Site (the "Site"), located in the Town of Fenton, Broome County, New York. The Consent Decree would resolve the liability for reimbursement of response costs incurred by the United States in connection with the Site as to forty-three potentially responsible parties against whom the United States filed a complaint on behalf of the United States

Environmental Protection Agency ("EPA"). The Consent Decree also requires the settling defendants to perform the Remedial Design/Remedial Action ("RD/RA") as set forth in the Record of Decision issued by EPA on March 31, 2000.

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, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Agway Inc., et al.*, DOJ Ref. #90-11-3-1514/1.

The proposed consent decree may be examined at the office of the United States Attorney for the District of New Jersey, 231 Foley U.S. Courthouse, 445 Broadway, Albany, NY 12207 (contact Assistant United States Attorney James Woods); and the Region II Office of the Environmental Protection Agency, 290 Broadway, New York, New York 10007-1866 (contact Assistant Regional Counsel, Michael Mintzer). A copy of the proposed consent decree may be obtained by mail from the Consent Decree Library, P.O. Box 7611, Washington, DC 20044-7611. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$29.00 (25 cents per page reproduction costs) for the Consent Decree without Appendices, or in the amount of \$61.50 for the Consent Decree with all Appendices, payable to the Consent Decree Library.

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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 the policy of the Department of Justice, notice is hereby given that a proposed consent decree in *The United States of America v. The Atlantic Richfield Company, the Atlantic Richfield Company v. The United States of America* Civ. Nos. 1:99-CV-1743 and 5:98-CV-2645, was lodged with the United States District Court for the Northern District of Ohio, on May 4, 2001. The United States brought an action against Defendant, the