

## JACKSON BISON AND ELK MANAGEMENT PLAN/EIS SCOPING MEETINGS

| Date                            | City                   | Location                                      |
|---------------------------------|------------------------|-----------------------------------------------|
| Friday, July 20, 2001 .....     | Jackson, WY .....      | Commissioners' Chamber (200 S. Willow)        |
| Saturday, July 21, 2001 .....   | Rock Springs, WY ..... | Holiday Inn (1675 Sunset Drive)               |
| Monday, July 23, 2001 .....     | Idaho Falls, ID .....  | Quality Inn (850 Lindsay Blvd.)               |
| Tuesday, July 24, 2001 .....    | Bozeman, MT .....      | Best Western Grantree (1325 N. 7th)           |
| Wednesday, July 25, 2001 .....  | Sheridan, WY .....     | Best Western Sheridan Center (612 N. Main)    |
| Thursday, July 26, 2001 .....   | Casper, WY .....       | Holiday Inn (300 W. "F" St.)                  |
| Friday, July 27, 2001 .....     | Riverton, WY .....     | City Hall (816 N. Federal Blvd.)              |
| Wednesday, August 1, 2001 ..... | Cheyenne, WY .....     | Little America (2800 W. Lincolnway)           |
| Thursday, August 2, 2001 .....  | Lakewood, CO .....     | Denver Sheraton West (360 Union Blvd.)        |
| Friday, August 3, 2001 .....    | Arlington, VA .....    | Holiday Inn at Ballston (4610 N. Fairfax Dr.) |

All meetings will be from 6:30 to 8:30pm.

This information will also be available on the website, sent to the mailing list, announced by local radio stations, and published in local newspapers.

**ADDRESSES:** Send written comments, and/or requests to be added to the mailing list, to Don DeLong, Assistant Project Leader, Jackson Bison and Elk Management Planning Office, PO Box 510, Jackson, Wyoming 83001, USA. Phone: 307-733-9212 extension 235, or via email to <bison/elk\_planning@fws.gov>

**FOR FURTHER INFORMATION CONTACT:** The Assistant Project Leader listed above, or Dr. Dan E. Huff, Project Leader, US Fish and Wildlife Service, Region 6, Box 25486, Denver Federal Center, Denver, CO 80225, USA. Phone: 303-236-8145 extension 605.

**SUPPLEMENTARY INFORMATION:** Dan Huff and Don DeLong are primary authors of this document.

GTNP and the NER border one another and are located just north of Jackson, in northwestern Wyoming. Together with the BTNF, they make up most of the southern half of the Greater Yellowstone Ecosystem. The NER comprises about 25,000 acres and the GTNP, about 304,000 acres. The Jackson Bison and Elk Herds make up one of the largest concentrations of free-ranging ungulates in North America. Currently, these herds total approximately 600 bison and 14,000 elk. The herds migrate across several jurisdictional boundaries including GTNP and southern Yellowstone National Park, the BTNF, Bureau of Land Management resource areas, and state and private lands, before they over-winter on the BTNF and the NER. Because of the wide range of authorities and interests, including cooperative management by the State of Wyoming on most federal lands, the NPS and FWS are seeking a cooperative approach to management planning involving all of the associated federal

and state agencies and a broad range of organized and private interests.

A management plan (Jackson Bison Herd Long Term Management Plan and Environmental Assessment) was developed by GTNP and the NER, in cooperation with and Wyoming Game and Fish Department and the BTNF, for the Jackson Bison Herd and finalized in September, 1996. A Record of Decision (ROD) for that document was approved in 1997. But, a lawsuit was brought by the Fund for Animals (FFA) in 1998 enjoining most federal management actions proposed in the 1996 plan. The court ruled that destruction of bison on federal lands for population control purposes could not be carried out until additional NEPA compliance was completed for those actions. The court also directed that additional NEPA compliance consider the effects of elk winter-feeding by the FWS on the NER, on the Jackson bison population.

The Refuge Improvement Act of 1997 requires that "Comprehensive Conservation Plans" (CCPs) be developed for all national wildlife refuges. For the NER, elk management, including winter-feeding would make up the most significant issue in that CCP. In order to coordinate the compliance required for NER and GTNP bison and elk management under NEPA itself, the FFA lawsuit, and the Refuge Improvement Act, and since many management actions for one affect both species, this planning/compliance process was proposed by GTNP and the NER, and directed by the DOI Assistant Secretary for Fish and Wildlife and Parks in 1999.

A series of prescoping public meetings was held on this project, prior to formal scoping, to share information and demonstrate interests in future desired conditions by the wide range of interests. Results of these meetings are available on the project WebPage. While formal identification of project scope, including issues to be addressed, will be carried out in the scoping process, information from the prescoping

meetings make it likely that bison and elk population size, habitat impacts of bison and elk and habitat management, associated recreation (including hunting programs), winter-feeding, and disease management will all be addressed. These issues may be redefined, and additional issues are likely to be identified.

Estimated dates for milestones in this process are listed below. Any revised dates will be provided in newsletters to the project mailing list, in news releases, and at the website.

Situation Assessment (completed)—September 21, 2000;

Prescoping Meetings (completed)—February 10–May 5, 2001;

Notice of Intent" published in **Federal Register**—July 15, 2001;

Scoping Meetings—July 20–August 3, 2001;

Draft Plan/EIS available to the public—September 15, 2002;

Final Plan/EIS available to the public—September 15, 2003;

"Record of Decision" published in **Federal Register**—January 1, 2004.

Dated: July 17, 2001.

**Duane K. McDermond,**

*Regional Chief, National Wildlife Refuge System.*

[FR Doc. 01-17960 Filed 7-17-01; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF JUSTICE

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

Pursuant to Section 122(d)(2) of CERCLA, 42 U.S.C. 9622(d)(2), notice is hereby given that on July 6, 2001, a proposed Consent Decree in *United States v. Battery Properties, Inc.*, Civil Action No. 1-01-0009, was lodged with the United States District Court for the Middle District of Tennessee.

In this action the United States sought to recover response costs incurred by

the Environmental Protection Agency ("EPA") during the performance of a response action to address releases and threatened releases of hazardous substances at the Mallory Capacitor Co. Superfund Site ("Site") in Waynesboro, Wayne County, Tennessee. The Decree resolves the liability of Defendant Battery Properties, Inc. for the United States' past response costs, interim response costs, and future oversight costs. The Defendant will pay \$39,149 to the Hazardous Substances Superfund in reimbursement of EPA's response costs at or in connection with the Site through September 30, 1999. The Defendant will pay all response costs incurred between October 1, 1999 and the date of entry of the consent decree. In addition, Defendant will pay EPA's future oversight costs incurred during Defendant's performance under EPA's March 4, 1992 Unilateral Administrative Order for Remedial Design and Remedial Action.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the 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. Battery Properties, Inc.*, DOJ Ref. 90-11-2-733/1.

The Consent Decree may be examined at the Office of the United States Attorney, Middle District of Tennessee, 110 Ninth Avenue, S., Suite A-961, Nashville, Tennessee 37203, and at EPA Region 4, Atlanta Federal Center, 61 Forsyth Street, S.W., Atlanta, Georgia 30303. A copy of the 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. In requesting a copy, please refer to *United States v. Battery Properties, Inc.*, Civ. No. 1-01-0009 (M.D. Tenn.), DOJ Ref. 90-11-2-733/1, and enclose a check in the amount of \$5.25 (25 cents per page reproduction cost) payable to the Consent Decree Library.

**Ellen M. Mahan,**

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

[FR Doc. 01-17879 Filed 7-17-01; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Environment and Natural Resources Division; Notice of Lodging of 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. Hartz Construction Co., Inc.*, Civ. No. 98-C-4785 (N.D. Ill.), was lodged with the United States District Court for the Northern District of Illinois on June 15, 2001. This proposed Consent Decree concerns a complaint filed by the United States of America against Hartz Construction Co., Inc., pursuant to section 309(b) and (d), and section 404(s), of the Clean Water Act, 33 U.S.C. 1319(b), (d), 1344(s), to obtain injunctive relief and impose civil penalties against the Defendant for unlawfully discharging dredged or fill materials into waters of the United States at two sites located in Cook County, Illinois, and for failing to comply with requests for information in accordance with Clean Water Act section 308(a), 33 U.S.C. 1318(a).

The proposed Consent Decree requires the Defendant to pay a civil penalty in the amount of \$80,000, for its unauthorized discharges and for its noncompliance with requests for information. In addition, the Defendant has established an area within or adjacent to both of the sites for the purpose of creating waters of the United States to mitigate the loss of waters of the United States as alleged in the Complaint. The proposed Consent Decree further reflects the fact that the Defendant has represented that it has now fully and completely responded to the requests for information.

The Department of Justice will receive written comments relating to this proposed Consent Decree 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, Attention: Joshua M. Levin, P.O. Box 23986, Washington, D.C. 20026-3986. Please refer to the matter of *United States v. Hartz Construction Co., Inc.*, DJ Reference No. 90-5-1-1-05007.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the Northern District of Illinois, 219 South Dearborn Street, Chicago, IL 60604. In addition, the proposed Consent Decree may be

viewed on the World Wide Web at <http://www.usdoj.gov/enrd/enrd-home.html>.

**Scott A. Schachter,**

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

[FR Doc. 01-17880 Filed 7-17-01; 8:45 am]

BILLING CODE 4410-15-M

## DEPARTMENT OF JUSTICE

### Antitrust Division

#### Notice Pursuant to the National Cooperative Research and Production Act of 1993: AAF Association, Inc.

Notice is hereby given that, on June 19, 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"), AAF Association, 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, Grass Valley Group, Beaverton, OR; NL Technology, North Andover, MA; Pandora International, Ltd., Northfleet, Kent, United Kingdom; and Warner Bros., Burbank, CA have been added as parties to this venture. Also, Sonic Foundry, Madison, WI has been dropped 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 AAF Association, Inc. intends to file additional written notification disclosing all changes in membership.

On March 28, 2000, AAF Association, Inc. 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 June 29, 2000 (65 FR 40127).

The last notification was filed with the Department on March 20, 2001. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on April 11, 2001 (66 FR 18799).

**Constance K. Robinson,**

*Director of Operations, Antitrust Division.*

[FR Doc. 01-17883 Filed 7-17-01; 8:45 am]

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