

parties (as defined in 19 U.S.C. 1677(9)) who are parties to the investigations under the APO issued in the investigations, provided that the application is made not later than seven days after the publication of this notice in the **Federal Register**. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

#### Conference

The Commission's Director of Operations has scheduled a conference in connection with these investigations for 9:30 a.m. on October 22, 1998, at the U.S. International Trade Commission Building, 500 E Street SW, Washington, DC. Parties wishing to participate in the conference should contact Elizabeth Haines (202-205-3200) not later than October 20, 1998, to arrange for their appearance. Parties in support of the imposition of antidumping duties in these investigations and parties in opposition to the imposition of such duties will each be collectively allocated one hour within which to make an oral presentation at the conference. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the conference.

#### Written Submissions

As provided in sections 201.8 and 207.15 of the Commission's rules, any person may submit to the Commission on or before October 27, 1998, a written brief containing information and arguments pertinent to the subject matter of the investigations. Parties may file written testimony in connection with their presentation at the conference no later than three days before the conference. If briefs or written testimony contain BPI, they must conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means.

In accordance with sections 201.16(c) and 207.3 of the rules, each document filed by a party to the investigations must be served on all other parties to the investigations (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

**Authority:** These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.12 of the Commission's rules.

Issued: October 2, 1998.

By order of the Commission.

**Donna R. Koehnke,**

Secretary.

[FR Doc. 98-27022 Filed 10-7-98; 8:45 am]

BILLING CODE 7020-02-P

#### DEPARTMENT OF JUSTICE

##### Notice of Lodging of Consent Decree

Notice is hereby given that on September 16, 1998, a proposed Third Partial Consent Decree in *United States v. Findett Corporation, et al.* No. 4:97CV01557CDP (E.D. Mo.) was filed with the United States District Court for the Eastern District of Missouri. The action was filed on July 25, 1997 under Section 107 of CERCLA, 42 U.S.C. 9607, to recover response costs incurred or to be incurred by the United States associated with Findett/Hayford Bridge Road Site in St. Charles, Missouri.

Under the terms of the proposed Decree, Milton Tegethoff will pay a total of \$350,000 to the Superfund, exclusively for past United States response costs. The first and second Partial Consent Decrees pending before the Court provides for the payment of an additional \$2,167,076. The United States' outstanding past costs were estimated at approximately \$3.2 million as of March 31, 1998.

The Third Partial Consent Decree may be examined at the Office of the United States Attorney, U.S. Court & Custom House, 1114 Market Street, Room 401, St. Louis, MO 63101; the Region VII Office of the Environmental Protection Agency, 726 Minnesota Avenue, Kansas City, Kansas 66101; and at the Consent Decree Library, 1120 G Street, NW, 4th Floor, Washington, DC 20005, (202) 624-0892. A copy may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW, 3rd Floor, Washington, DC 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$4.00 (25 cents per page reproduction costs), payable to the Consent Decree Library.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication comments relating to the proposed Partial Consent Decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, U.S. Department of Justice, 950 Pennsylvania Ave., NW, Washington, DC 20530, and should refer to *United States v. Findett*

*Corporation, et al.*, DOJ Ref. #90-11-2-417A.

**Bruce S. Gelber,**

Deputy Chief, Environmental Enforcement Section.

[FR Doc. 98-26978 Filed 10-7-98; 8:45 am]

BILLING CODE 4410-15-M

#### DEPARTMENT OF JUSTICE

##### Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as Amended

Notice is hereby given that on September 22, 1998, a proposed consent decree in *United States v. Charles B. Foushee, Jr., et al.*, Civil Action No. 5:98CV124-MCK, was lodged with the United States District Court for the Western District of North Carolina.

In this action, the United States sought reimbursement of response costs under Section 107 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, pertaining to the Caldwell Systems Site in Caldwell County, North Carolina. The United States alleged that two defendants, Caldwell Systems, Inc. and Charles B. Foushee, Jr., operated a facility that treated, stored, and disposed of hazardous substances at the Site. The United States also alleged that a third defendant, Caldwell Industrial services, transported hazardous substances to the Site for incineration and disposal. In the settlement, the defendants agree jointly and severally to pay the United States \$141,500, an amount based on their ability to pay in settlement of the civil claims alleged in the complaint.

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 of the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Charles B. Foushee, Jr., et al.*, D.J. Ref. 90-11-2-615/1.

The consent decree may be examined at the Office of the United States Attorney, Suite 1700, Carillon Building, 227 West Trade Street, Charlotte, North Carolina, at U.S. EPA Region 4, Atlanta Federal Center, 61 Forsyth Street, S.W., Atlanta, Georgia, and at the Consent Decree Library, 1120 G Street, N.W., 3rd Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the consent decree may be obtained in person or by mail

from the Consent Decree Library, 1120 G Street, N.W., 3rd Floor, Washington, D.C. 20005.

When requesting a copy, please enclose a check in the amount of \$7.50 (25 cents per page reproduction cost) payable to the Consent Decree Library.

**Joel M. Gross,**

*Chief, Environmental Enforcement Section,  
Environment and Natural Resources Division.*  
[FR Doc. 98-26977 Filed 10-7-98; 8:45 am]

BILLING CODE 4410-15-M

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Clean Water Act

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States v. Machnik Bros., Inc.*, Civil No. 3:98-CV-1828 (D. Conn.), was lodged with the United States District Court for the District of Connecticut on September 15, 1998. The proposed Decree concerns alleged violations of sections 301(a) and 404 of the Clean Water Act, 33 U.S.C. 1311(a) and 1344, resulting from Defendant's unauthorized discharge of approximately 190 cubic yards of dredged material into Niantic Bay, Niantic, Connecticut. The Defendant was hired by the Niantic Bay Yacht Club to perform maintenance dredging the Niantic Bay pursuant to permit issued by the Corps of Engineers, but violated the conditions of the permit by disposing of the dredged material in the Bay instead of at an authorized upland location.

The proposed Consent Decree would require the payment of a civil penalty and would permanently enjoin the Defendant from future violations of the Clean Water Act.

The U.S. 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 Sharon E. Jaffe, Assistant United States Attorney, District of Connecticut, 915 Lafayette Blvd., Room 309, Bridgeport, CT 06604, and should refer to *United States v. Machnik Bros., Inc.*, Civil No. 3:98-CV-1828 (D. Conn.).

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the District of

Connecticut, 450 Main Street, Hartford, CT 06103.

**Letitia J. Grishaw,**

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

[FR Doc. 98-26980 Filed 10-7-98; 8:45 am]

BILLING CODE 4410-15-M

## DEPARTMENT OF JUSTICE

### Notice of Lodging of First Amendment to Modify Consent Decree Under Clean Air Act

Notice is hereby given that a proposed First Amendment To Modify Consent Decree in *United States v. USS/KOBE Steel Company*, Case No. 1:92CV1928, was lodged on September 25, 1998 with the United States District Court for the Northern District of Ohio. The proposed First Amendment modifies a consent decree that was entered by the district court on November 23, 1992, in an action brought under the Clean Air Act.

The proposed First Amendment To Modify Consent Decree requires the defendant to pay a stipulated penalty in the amount of \$440,000 and modifies some of the injunctive relief provided for in the original consent decree that was entered in 1992 by adding continuous emission monitoring, an interim CO limit, and significantly increased stipulated penalties.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed First Amendment To Modify Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, U.S. Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044, and should refer to *United States v. USS/KOBE Steel Company*, Case No. 1:92CV1928, D.J. Ref. 90-5-2-1-1714A.

The proposed First Amendment To Modify Consent Decree may be examined at any of the following offices: (1) the United States Attorney for the Northern District of Ohio, 1800 Bank One Center, 600 Superior Avenue, East, Cleveland, Ohio 44114-2600 (contact Assistant U.S. Attorney Arthur I. Harris); (2) the U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590 (contact Assistant Regional Counsel Debra Klassman); and (3) at the Consent Decree Library, 1120 G Street, N.W., Third Floor, Washington, D.C. 20005, (202) 624-0892. Copies of the proposed Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street,

N.W., Third Floor, Washington, D.C. 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$5.75 (25 cents per page reproduction charge) payable to Consent Decree Library.

**Joel M. Gross,**

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

[FR Doc. 98-26979 Filed 10-7-98; 8:45 am]

BILLING CODE 4410-15-M

## DEPARTMENT OF JUSTICE

### Antitrust Division

#### United States of America vs. Aluminum Company of America and AlumaX Inc.; Public Comments and Plaintiff's Response

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b)-(h), that the Public Comments and Plaintiff's Response have been filed with the United States District Court of the District of Columbia in *United States v. Aluminum Company of America and AlumaX, Inc.*, Civ. Action No. 9801497 (PLF).

On June 15, 1998, the United States filed a civil antitrust Complaint alleging that the proposed acquisition of AlumaX Inc. ("AlumaX") by Aluminum Company of America ("Alcoa") would violate Section 7 of the Clayton Act, 15 U.S.C. 18. The Complaint alleged that AlumaX and Alcoa are the two largest of the three producers of aluminum cast plate ("cast plate") in the world. Alcoa's proposed acquisition of AlumaX would have combined under single ownership almost 90% of the cast plate manufacturing business in the world. As a result, the proposed acquisition would substantially lessen competition in the manufacture and sale of cast plate world wide in violation of Section 7 of the Clayton Act.

Public comment was invited within the statutory 60-day comment period. The one comment received, and the response thereto, is hereby published in the **Federal Register** and filed with the Court. Copies of these materials may be obtained on request and payment of a copying fee.

**Constance K. Robinson,**

*Director of Operations, Antitrust Division.*

Pursuant to the requirements of the Antitrust Procedures and Penalties Act ("APPA"), 15 U.S.C. 16(b)-(h) ("Tunney Act"), the United States hereby responds to the single public comment received regarding the proposed Final Judgment in this case.