

with the first year's annual rental for each lease issued in accordance with the requirements of 30 CFR 218.155, and satisfy the bonding requirements of 30 CFR part 256, subpart I, as amended. Each bidder in a successful high bid must have on file, in the MMS Gulf of Mexico Region's Adjudication Unit, a currently valid certification (Debarment Certification Form) certifying that the bidder is not excluded from participation in primary covered transactions under Federal nonprocurement programs and activities. A certification previously provided to that office remains currently valid until new or revised information applicable to that certification becomes available. In the event of new or revised applicable information, the MMS will require a subsequent certification before lease issuance can occur. Persons submitting such certifications should review the requirements of 43 CFR, part 12, subpart D. A copy of the Debarment Certification Form is contained in the Final Notice of Sale 182 package.

Affirmative Action: The MMS requests that the certification required by 41 CFR 60-1.7(b) and Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, on the Compliance Report Certification Form, Form MMS-2033 (June 1985), and the Affirmative Action Representation Form, Form MMS-2032 (June 1985), be on file in the MMS Gulf of Mexico Region's Adjudication Unit prior to bidding. In any event, these forms are required to be on file in the MMS Gulf of Mexico Region's Adjudication Unit prior to execution of any lease contract. Bidders must also comply with the requirements of 41 CFR part 60.

Information to Lessees: The Final Notice of Sale 182 package contains a document titled "Information to Lessees." These Information to Lessees items provide information on various matters of interest to potential bidders.

Notice of Bidding Systems

Section 8(a)(8) (43 U.S.C. 1337(a)(8)) of the OCS Lands Act, as amended, requires that at least 30 days before any lease sale, a Notice be submitted to Congress and published in the **Federal Register**. This Notice of Bidding Systems is for Sale 182, Central Gulf of Mexico, scheduled to be held in March 2002.

In Sale 182, unleased blocks and partial blocks are being offered under a bidding system that uses a cash bonus and fixed royalty rates of 16 $\frac{2}{3}$ percent for blocks in water depths of less than 400 meters and 12 $\frac{1}{2}$ percent in water

depths of 400 meters or deeper, except during periods of royalty suspension.

This bidding system is authorized under 30 CFR 260.110(a)(7), which allows use of a cash bonus bid with a royalty rate of not less than 12 $\frac{1}{2}$ percent and with suspension of royalties for a period, volume, or value of production, and an annual rental.

Analysis performed by the MMS indicates that use of this system with the royalty suspension volumes and price thresholds specified in the Final Notice of Sale provides an incentive for development of this area while ensuring that a fair sharing of revenues will result if major discoveries are made and produced.

Specific provisions for Sale 182 are contained in the document "Royalty Suspension Provisions, Sale 182," and a map titled "Lease Terms and Economic Conditions, Sale 182, Final" depicts blocks and applicable royalty suspension volumes. Both documents are included in the Final Notice of Sale 182 package.

The MMS expects to use these same leasing systems in OCS lease sales in the Central and Western Gulf of Mexico in the future. For these sales, the specific blocks offered under each system will be shown on the sale's "Lease Terms and Economic Conditions" map. The MMS will publish a new notice of leasing systems for Central and Western Gulf of Mexico sales for any sales in which different systems are used.

Dated: February 11, 2002.

Lucy Querques Denett,

Acting Director, Minerals Management Service.

[FR Doc. 02-3818 Filed 2-14-02; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

Sanction for Breach of Administrative Protective Order

AGENCY: International Trade Commission.

ACTION: Sanction for breaches of Commission administrative protective order.

SUMMARY: Notice is hereby given of the sanction imposed by the Commission for the breach of the administrative protective order ("APO") issued in Certain Plasma Display Panels and Products Containing Same, Inv. No. 337-TA-445. The Commission determined to adopt the recommendation of the presiding administrative law judge (ALJ) that the firm of Morrison & Foerster be

publically reprimanded for institutional problems at the firm in its handling of confidential business information obtained under administrative protective orders (APOs).

FOR FURTHER INFORMATION CONTACT: Jean H. Jackson, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone 202-205-3104. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal at 202-205-1810. General information concerning the Commission can also be obtained by accessing its Internet server (<http://www.usitc.gov>).

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on January 22, 2001, based on a complaint filed by the Board of Trustees of the University of Illinois of Urbana, IL, and Competitive Technologies Inc. of Fairfield, CT. The respondents named in the investigation were Fujitsu Ltd., Fujitsu General Ltd., Fujitsu General America Corp., Fujitsu Microelectronic, Inc., and Fujitsu Hitachi Plasma Display Ltd. (collectively, "Fujitsu"). Complainants alleged that Fujitsu violated section 337 of the Tariff Act of 1930 by importing into the United States, selling for importation, and/or selling within the United States after importation certain plasma display panels and products containing same that infringe certain claims of U.S. Letters Patent Nos. 4,866,349 and 5,081,400. 66 FR 6668 (Jan. 22, 2001). The Commission terminated the investigation based on the withdrawal of the complaint on July 31, 2001. 66 FR 40722. (Aug. 3, 2001).

On May 8, 2001, the presiding ALJ issued Order No. 15 imposing sanctions on Fujitsu and its attorneys for breaching the APO issued in the investigation. She also recommended that the Commission publicly reprimand the law firm that represented Fujitsu, Morrison & Forester, LLP. The Commission has adopted the ALJ's recommendation.

Attorneys at Morrison & Forester unintentionally disseminated sensitive confidential business information (CBI) belonging to complainants to seven employees of respondent Fujitsu. One of those employees actually read the CBI and further disseminated the CBI to his supervisor. The latter two employees are employed in positions in which they could use the CBI to complainants' detriment. The ALJ found that the disclosure stemmed in part from institutional problems with Morrison & Foresters' handling of CBI, as evidenced

by the fact that five Morrison & Forester attorneys were involved in the disclosure.

This is the second breach within a two year period of an APO issued in a section 337 investigation by attorneys with the firm of Morrison and Foerster. The earlier breach occurred in Inv. No. 337-TA-419, Certain Excimer Laser Systems for Vision Correction Surgery and Components Thereof and Methods for Performing Such Surgery, Inv. No. 337-TA-419, Notice of June 4, 1999.

Morrison & Foerster is very experienced in Commission practice. However, the current breach and the recent prior breach demonstrate a disturbing and unacceptable pattern of failure to safeguard information released under APO. CBI received from private parties plays an important role in Commission investigations. The Commission's ability to obtain such information depends on the confidence of the submitting parties that their confidential information will be protected.

The authority for this action is conferred by section 337(n) of the Tariff Act of 1930, 19 U.S.C. 1337(n) and by §201.15 (a) of the Commission's rules of practice and procedure (19 CFR 201.15 (a)).

By order of the Commission.

Issued: February 13, 2002.

Marilyn R. Abbott,

Acting Secretary.

[FR Doc. 02-3942 Filed 2-14-02; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Air Act

Under the Policy set out at 28 CFR 50.7, notice is hereby given that on January 24, 2002, a proposed Consent Decree (Decree) in *United States of America v. PSEG Fossil LLC*, Civil Action No. 02CV340, was lodged with the United States District Court for the District of New Jersey. This enforcement action under the Clean Air Act involves alleged violations of requirements intended to prevent the significant deterioration of air quality under the Environmental Protection Agency's "New Source Review" Program. The United States and the State of New Jersey sought injunctive relief and civil penalties from PSEG Fossil LLC ("PSEG"), which owns and operates the coal-fired electric generating stations known as Unit 2 of the Hudson Electricity Generating Station in Hudson County, New Jersey; Units 1 and 2 of the

Mercer Electricity Generating Station in Mercer County, New Jersey; and Unit 2 of the Bergen Electricity Generating Station in Bergen County, New Jersey. The United States and New Jersey alleged that PSEG failed to comply with the requirements of the Clean Air Act at these facilities by failing to seek permits prior to making major modifications to parts of these facilities and by failing to install appropriate pollution control devices to control emissions of air pollutants—specifically, sulfur dioxide, nitrogen oxides, and particulate matter—from these facilities.

The proposed Decree requires PSEG to undertake various activities at the Hudson, Mercer, and Bergen Units in order to reduce the emission of air pollutants, including the following measures: that installation and operation of state-of-the-art equipment to control PSEG's emissions of nitrogen oxides, sulfur dioxide, and particulate matter; the optimization and operation of PSEG's existing pollution control equipment; limitations on the use of certain fuels; and the surrender of certain emission allowances. The Decree also requires PSEG to undertake a series of environmentally beneficial projects, valued at \$6 million, and to pay a civil penalty of \$1.4 million.

The Department of Justice will receive comments relating to the proposed Consent Decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Washington, DC 20044-7611, and refer to *United States v. PSEG Fossil LLC*, DOJ Case Number 90-5-2-1-1866/1.

The proposed Consent Decree may be examined at the office of the United States Attorney for the District of New Jersey, 970 Broad Street, Newark, New Jersey 07102, and at the Region 2 office of the Environmental Protection Agency, 290 Broadway, New York, New York 10007. A copy of the proposed Consent Decree may also be obtained by mailing a request to the Consent Decree Library, U.S. Department of Justice, P.O. Box 7611, Washington, DC 20044-7611, or by faxing a request to Tonia Fleetwood, Department of Justice Consent Decree Library, fax no. (202) 616-6584; phone confirmation no. (202) 514-1547. In requesting a copy, please reference *United States v. PSEG Fossil LLC*, DOJ Case Number 90-5-2-1-1866/1, and enclose a check in the amount of

\$17.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

W. Benjamin Fisherow,

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

[FR Doc. 02-3803 Filed 2-14-02; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Lodging Proposed Consent Decree; Corrected Notice

In accordance with Department Policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States v. Specialty Minerals, Inc., Thomas Foley, Jr. and Dorothy K. Foley*, Civil Action No. 3:01CV1853 (RNC) (D. Conn.), was lodged with the United States District Court for the District of Connecticut on October 3, 2001. This notice corrects an inadvertent error in the notice published on January 7, 2002, at 67 FR 758. That Notice improperly referred to the property owner as "John J. Foley, Jr.," instead of Thomas Foley, Jr. This proposed Consent Decree concerns a complaint filed by the United States against Specialty Minerals, Inc., Thomas Foley, Jr. and Dorothy K. Foley, pursuant to Sections 301(a) and 404 of the Clean Water Act, 33 U.S.C. 1311(a) and 1344, and imposes civil penalties against Defendant, Specialty Minerals, Inc., for the unauthorized discharge of dredged or fill material into waters of the United States located in wetlands adjacent to a tributary of Blackberry River, located in North Canaan, Connecticut.

The proposed Consent Decree requires the payment of civil penalties, in addition to the performance of onsite mitigation and partial restoration at the site of the violation.

The Department of Justice will accept written comments relating to this proposed Consent Decree for thirty (30) days from the date of publication of this notice. Please address comments to Brenda M. Green, Assistant United States Attorney, United States Attorney's Office, 157 Church Street, 23rd Floor, New Haven, Connecticut 06510 and refer to *United States v. Specialty Minerals, Inc., Thomas Foley, Jr. and Dorothy K. Foley*, DJ #90-5-1-1-05702.

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