

ID (Order No. 7) granting complainant's motion to amend the complaint to add six additional respondents. That ID was not reviewed by the Commission. 68 FR 54740 (Sept. 18, 2003).

On December 23, 2003, pursuant to Commission rule 210.21(c), Superbag moved to terminate the investigation with respect to Spectrum on the basis of a proposed consent order. On January 2, 2004, the Commission investigative attorney filed a response supporting the motion.

On January 8, 2004, the ALJ issued an ID (Order No. 23) granting the motion. No petitions for review of the ID were filed.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in section 210.42 of the Commission's rules of practice and procedure (19 CFR 210.42).

Issued: February 5, 2004.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary.*

[FR Doc. 04-2942 Filed 2-10-04; 8:45 am]

BILLING CODE 7020-02-P

## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on January 29, 2004, a proposed Consent Decree in *United States v. Aervoe Industries, Inc.*, et al., Civil Action No. C-04-00382, was lodged with the United States District court for the Northern District of California.

In this action, the United States sought reimbursement of response costs, pursuant to section 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9607(a), incurred in connection with the cleanup of the Lorentz Barrel and Drum Site in San Jose, CA. Aervoe Industries, Inc., D.A. Stuart Co., Ford Motor Company, General Mills, Inc., Golden Gate Petroleum Company, K-M Industries Holding Co., Inc., Pennzoil-Quaker State Company, Salz Leathers, Inc., Sunsweet Growers, Inc., and Textron Inc. ("Defendants") are signatories to the proposed Consent Decree. In addition, the proposed Consent Decree resolves a potential counterclaim by providing for a payment on behalf of the United States Navy. Under the proposed Consent Decree, the Defendants and the United

States Navy, collectively, are required to pay \$4,200,000.

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, D.C. 20044-7611, with a copy to Matthew A. Fogelson, Trial Attorney, U.S. Department of Justice, Environment and Natural Resources Division, Environmental Enforcement Section, 301 Howard Street, Suite 1050, San Francisco, CA 94105, and should refer to *United States v. Aervoe Industries, Inc.*, et al., D.J. Ref. 90-11-2-467/3. Commenters may request an opportunity for a public meeting in the affected area, in accordance with section 7003(d) of RCRA, 42 U.S.C. 6973(d).

The Consent Decree may be examined at the Office of the United States Attorney, 280 South First Street, Room 371, San Jose, CA, and at U.S. EPA Region IX, 75 Hawthorne Street, San Francisco, CA. During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. 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 or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$7.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Ellen M. Mahan,**

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

[FR Doc. 04-2978 Filed 2-10-04; 8:45 am]

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## DEPARTMENT OF JUSTICE

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

In accordance with 28 U.S.C. section 50.7 and section 122 of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9622, notice is hereby given that on January 13, 2004, a proposed Consent Decree in *United*

*States v. AFG Industries, Inc., et al.*, Civil Action No. 1:04-cv-172, was lodged with the United States District Court for the District of New Jersey.

In this action the United States, on behalf of the United States Department of the U.S. Environmental Protection Agency ("EPA"), seeks reimbursement of certain response costs incurred and to be incurred in connection with response actions at the Cinnaminson Groundwater Contamination Superfund Site (the "Site"), located in Townships of Cinnaminson and Delran, Burlington County, New Jersey. The Complaint alleges that defendants AFG Industries, Inc., Atlantic Metals Corporation, the BOC Group, Inc., Del Val Ink & Color, Inc., EPEC Polymers, Inc., Ford Motor Company, Hoeganaes Corporation, Honeywell International, Inc., L&L Redi-Mix, Inc., Sherman Wire Company, Tennessee Gas Pipeline Company, Twentieth Century Refuse Removal Co., SC Holdings, Inc., Waste Management of New Jersey, Inc., Waste Management of Pennsylvania, Inc., and Waste Management Disposal Services of Pennsylvania, Inc., are liable under section 107(a) of CERCLA, 42 U.S.C. 9607(a). Pursuant to the Consent Decree, the defendants will reimburse the plaintiff United States certain response costs incurred and to be incurred by the plaintiff in remediating the Site.

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, D.C. 20044-7611, and should refer to *United States v. AFG Industries, Inc., et al.*, D.J. Ref. 90-11-2-661B.

The Consent Decree may be examined at the Office of the United States Attorney for the District of New Jersey, 970 Broad Street, Room 400, Newark, New Jersey 07102, and at the offices of EPA Region II, 290 Broadway, New York, New York 10007. During the public comment period, the Consent Decree, may also be examined on the following Department of Justice Web site: <http://www.usdoj.gov/enrd/open.html>. 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 or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check