

the **Federal Register**. The Secretary will prepare a service list containing the names and addresses of all persons, or their representatives, who are parties to this investigation upon the expiration of the period for filing entries of appearance.

Limited disclosure of confidential business information (CBI) under an administrative protective order (APO) and CBI service list.—Pursuant to section 206.17 of the Commission's rules, the Secretary will make CBI gathered in this investigation available to authorized applicants under the APO issued in the investigation, provided that the application is made not later than 21 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 CBI under the APO.

Hearings on injury and remedy.—The Commission has scheduled separate hearings in connection with the injury and remedy phases of this investigation. The hearing on injury will be held beginning at 9:30 a.m. on April 15, 1999 at the U.S. International Trade Commission Building. In the event that the Commission makes an affirmative injury determination or is equally divided on the question of injury in this investigation, a hearing on the question of remedy will be held beginning at 9:30 a.m. on June 8, 1999. Requests to appear at the hearings should be filed in writing with the Secretary to the Commission on or before April 7 and June 2, 1999, respectively. All persons desiring to appear at the hearings and make oral presentations should attend prehearing conferences to be held at 9:30 a.m. on April 12 and June 4, 1999, respectively, at the U.S. International Trade Commission Building. Oral testimony and written materials to be submitted at the hearing are governed by sections 201.6(b)(2) and 201.13(f) of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony *in camera* no later than 7 days prior to the date of the hearing.

Written submissions.—Each party is encouraged to submit a prehearing brief to the Commission. The deadline for filing prehearing briefs on injury is April 9, 1999; that for filing prehearing briefs on remedy, including any commitments pursuant to 19 U.S.C. § 2252(a)(6)(B), is May 27, 1999. Parties may also file posthearing briefs. The deadline for filing posthearing briefs on injury is April 20, 1999; that for filing posthearing briefs on remedy is June 14, 1999. In addition, any person who has not entered an appearance as a party to

the investigation may submit a written statement of information pertinent to the consideration of injury on or before April 20, 1999, and pertinent to the consideration of remedy on or before June 14, 1999. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain confidential business information must also conform with the requirements of section 201.6 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 section 201.16(c) of the Commission's rules, each document filed by a party to the investigation must be served on all other parties to the investigation (as identified by the 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: This investigation is being conducted under the authority of section 202 of the Trade Act of 1974; this notice is published pursuant to section 206.3 of the Commission's rules.

By order of the Commission.
Issued: January 22, 1999.

Donna R. Koehnke,

Secretary.

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DEPARTMENT OF JUSTICE

Notice of Consent Judgments Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act

In accordance with Departmental Policy, 28 CFR 50.7, 38 FR 19029, and 42 U.S.C. § 9622(d), notice is hereby given that a proposed Consent Decree in *United States v. C&D Technologies, Inc., et al.*, Civil Action Number 99-52 (WHW), DOJ #90-11-2-1075, was lodged in the United States District Court for the District of New Jersey on January 6, 1999. The Consent Decree resolves the liability of defendants under Sections 106(a) and 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. §§ 9606(a) and 9607(a), and the Resource Conservation and Recovery Act, 42 U.S.C. § 6973 relating to the NL Industries, Inc. Superfund Site in Pedricktown, New Jersey (the "Site").

Under the proposed decree Defendants agree to perform EPA's first operable unit and Phase V removal action for the Site as set forth in EPA's

Record of Decision of July 1994 ("OU1"), which requires: excavation, treatment, and disposal of soils and removal of stream sediments contaminated with lead above the remedial action objective of 500 parts per million (ppm); extraction and treatment of contaminated ground water; and appropriate environmental monitoring to ensure effectiveness of the remedy. The estimated cost for the remedy is \$21,021,550. Defendants also agree to pay the first \$3,515,064 in Past Costs and Future Response Costs incurred in connection with the Site. In exchange for the work and payment of response costs, Defendants will receive a covenant not to sue for response actions at the Site subject to certain reservations of rights.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, written comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. C&D Technologies, Inc., et al.* DOJ # 90-11-2-1075.

The proposed Consent Decree may be examined at the Office of the United States Attorney, District of New Jersey, 970 Broad Street Room 501, Newark, New Jersey 07102; at the Region II Office of the U.S. Environmental Protection Agency, 290 Broadway, New York, New York 10278; and at the Consent Decree Library, 1120 G Street, N.W., 3d Floor, Washington, D.C. 20005, (202) 624-0892. Copies of the Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 3d Floor, Washington, D.C. 20005. In requesting a copy, please enclose a check in the amount of \$65.50 (25 cents per page reproduction costs) payable to the Consent Decree Library.

Joel M. Gross,

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

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)

In accordance with Departmental policy at 28 CFR 50.7, notice is hereby given that on January 8, 1999, a