

Washington, D.C. 20044, and should refer to *United States and State of Vermont v. Bennington Potters, Inc., et al.*, DOJ Ref. No. 90-11-3-868A/1.

The proposed consent decree may be examined at the Office of the United States Attorney, 11 Elmwood Avenue, Burlington Vermont 05401; the Region I Office of the Environmental Protection Agency, Region I Records Center, 90 Canal Street, First Floor, Boston, MA 02203; and at the Consent Decree Library, 1120 G Street NW, Fourth Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library 1120 G Street NW, Fourth Floor, Washington, DC 20005. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$5.25 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Bruce Gelber,

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

[FR Doc. 99-2078 Filed 1-28-99; 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

Notice is hereby given that on January 7, 1999 a proposed Consent Decree ("Decree") in *United States v. Anne Zabel, et al*, Civil Action No. CIV98-4162, was lodged with the United States District Court for the District of South Dakota. The United States filed this action pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9601, et seq., to recover the past response costs incurred at or in connection with the Zabel Battery Site in Sioux Falls, South Dakota.

The proposed Consent Decree resolves claims against Anne Zabel and the City of Sioux Falls. The proposed Consent Decree will recover response costs of \$201,350.

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

Zabel Civil Action No. CIV98-4162, and D.J. Ref. #90-11-2-1205.

The Decree may be examined at the United States Department of Justice, Environment and Natural Resources Division, Denver Field Office, 999 18th Street, North Tower Suite 945, Denver, Colorado, 80202 and the U.S. EPA Region VIII, 999 18th Street, Superfund Records Center, Suite 500, Denver, CO 80202, and at the Consent Decree Library, 1120 G Street, NW., 3rd Floor, Washington, DC 20005, (202) 624-0892. A copy of the Decree 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 enclose a check in the amount of \$4.75 for the Decrees (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. 99-2077 Filed 1-28-99; 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—Advanced Lead-Acid Battery Consortium ("ALABC")

Notice is hereby given that, on October 13, 1998, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Advanced Lead-Acid Battery Consortium ("ALABC") 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, Matsushita Battery Industrial Co., Ltd., Osaka, JAPAN has been added 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 Advanced Lead-Acid Battery Consortium ("ALABC") intends to file additional written notification disclosing all changes in membership.

On June 15, 1992, Advanced Lead-Aid battery Consortium ("ALABC") 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 July 29, 1992 (57 FR 33522).

The last notification was filed with the Department on July 13, 1998. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on September 29, 1998 (63 FR 51952).

Constance K. Robinson,

Director of Operations Antitrust Division.

[FR Doc. 99-2085 Filed 1-28-99; 8:45 am]

BILLING CODE 4410-11-M

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Biotechnology Research and Development Corporation ("BRDC")

Notice is hereby given that, on November 5, 1998, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Biotechnology Research and Development Corporation ("BRDC") 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, Maxygen, Inc., Santa Clara, CA has been added as a party to this venture.

On September 18, 1998, BRDC issued to Maxygen, Inc. ("Maxygen") and Maxygen purchased from BRDC, 746 $\frac{2}{3}$ shares of common stock, without par value, of BRDC. Simultaneously, with the issuance and purchase of the shares of the common stock, BRDC and Maxygen entered into an Agreement to be bound by BRDC Master Agreement effective as of June 10, 1988, by and among BRDC and its common stockholders. Maxygen has the rights set forth in the BRDC Master Agreement in all project technology made, discovered, conceived, developed, learned or acquired by or on behalf of BRDC in connection with, or arising out of, or as the result of, a research project in existence while Maxygen is a common stockholder of BRDC.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research