

If additional information is required contact: Brenda E. Dyer, Department Deputy Clearance Officer, Information Management and Security Staff, Justice Management Division, Department of Justice, Patrick Henry Building, Suite 1600, 601 D Street NW., Washington, DC 20530.

Dated: August 16, 2002.

Brenda E. Dyer,

*Department Deputy Clearance Officer,
Department of Justice.*

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DEPARTMENT OF JUSTICE

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

In accordance with Departmental policy and 28 CFR 50.7, notice is hereby given that a Consent Decree in *United States v. Occidental Chem. Corp.*, Civ. A. No. 4:CV-98-0686, was lodged on August 2, 2002, with the United States District Court for the Middle District of Pennsylvania.

In this action, the United States sought recovery of past and future response costs under section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9607, the imposition of a civil penalty under Section 106 of CERCLA, 42 U.S.C. 9606, due to Occidental Chemical Corporation's ("Occidental") failure to comply with EPA's 1997 Unilateral Administrative Order ("UAO"), Docket No. III-97-79-DC, and injunctive relief requiring Occidental to comply with the UAO in the future. Under the Consent Decree, Occidental will pay the United States \$561,000 for past and future response costs incurred or to be incurred in connection with the clean-up of the Centre County Kepone Superfund Site ("the Site"), located in State College, Centre County, Pennsylvania.

Furthermore, in order to fulfill its obligations under the UAO, which directed Occidental to "participate and cooperate" in performing the response actions at Operable Unit #1 ("OU-1") of the Site with Ruetgers Organics Corporation ("ROC"), Occidental will make a good faith offer to ROC of at least \$220,000 as its appropriate share of the response actions to be performed under the UAO. If ROC rejects Occidental's good faith offer, Occidental will instead pay \$220,000 to the EPA Hazardous Substance Superfund in reimbursement for response costs

incurred in connection with OU-1 at the Site.

Finally, to resolve its failure to comply with the UAO, Occidental will pay a civil penalty of \$21,000 and perform a Supplemental Environmental Project ("SEPP"), involving the acquisition of an environmental easement, the Hartle Farm, at a cost of at least \$84,000.

The Department of Justice will receive, for a period of not less than thirty (30) days from the date of this publication, comments relating to the proposed Consent Decree. 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 should refer to *United States v. Occidental Chem. Corp.* (4:CV-98-0686), DOJ Ref. #90-11-3-1436A.

The Consent Decree may be examined at the Office of the United States Attorney, 228 Walnut Street, Room 220, Harrisburg, PA 17108, and at the Region III Office of the Environmental Protection agency, 1650 Arch Street, Philadelphia, Pennsylvania 19103. A copy of the proposed Consent Decree may be obtained by mail from the Consent Decree Library, Department of Justice, P.O. Box 7611, Washington, DC 20044-7611, or by faxing a request to Tonia Fleetwood at (202) 514-0097 [Phone confirmation number (202) 514-1547]. In requesting a copy from the Consent Decree Library, please refer to the referenced case and enclose a check in the amount of \$10.25 (25 cents per page reproduction cost), payable to the United States Treasury.

Robert Brook,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division, Department of Justice.

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DEPARTMENT OF JUSTICE

Antitrust Division

United States v. National Association of Police Equipment Distributors, Inc.; Proposed Final Judgment and Competitive Impact Statement

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b)-(h), that a proposed Final Judgment, Stipulation and Competitive Impact Statement have been filed with the United States District Court for the Southern District of Florida in *United States of America*

v. National Association of Police Equipment Distributors, Inc. ("NAPED"), Civil Action No. 02-80703. On July 29, 2002, the United States filed a Complaint to obtain equitable and other relief to prevent and restrain violations of Section I of the Sherman Act as amended, 15 U.S.C. 1. The United States brought this action to enjoin NAPED from engaging in an unlawful group boycott of manufacturers that participated or considered participating in the United States General Services Administration program under Section 1122 of the National Defense Authorization Act of 1994 to make available police equipment products to state and local law enforcement agencies at GSA-negotiated prices. The proposed Final Judgment, filed at the same time as the Complaint, requires NAPED to eliminate the anticompetitive conduct identified in the Complaint.

Copies of the Complaint, proposed Final Judgment and Competitive Impact Statement are available for inspection at the Department of Justice in Washington, DC in Room 200, 325 Seventh Street, NW., and at the Office of the Clerk of the United States District Court for the Southern District of Florida, West Palm Beach Florida.

Public comment is invited within sixty (60) days of the date of this notice. Such comments, and responses thereto, will be published in the **Federal Register** and filed with the Court. Comments should be directed to Marvin N. Price, Jr., Chief, Chicago Field Office, Antitrust Division, U.S. Department of Justice, 209 S. LaSalle Street, Suite 600, Chicago, IL 60604, (telephone: (312) 353-7530).

Dorothy B. Fountain,

Deputy Director of Operations.

Stipulation

The undersigned parties, by their respective attorneys, stipulate as follows:

1. A Final Judgment in the form attached hereto may be filed and entered by the Court, upon the motion of any party or upon the Court's own motion, at any time after compliance with the requirements of the Antitrust Procedures and Penalties Act, 15 U.S.C. 16, and without further notice to any party or other proceedings, provided that plaintiff has not withdrawn its consent, which it may do at any time before entry of the proposed Final Judgment by serving notice thereof on defendant and by filing that notice with the Court.

2. Defendant shall abide by and comply with the provisions of the