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**Ellen M. Mahan,**

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

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**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Water Act

Under 28 CFR 50.7, notice is hereby given that on March 5, 2002, a proposed consent decree in *United States and Ohio v. City of Youngstown, Ohio*, Civil Action No. 4:98 CV 2438, was lodged with the United States District Court for the Northern District of Ohio.

In this action, the United States sought injunctive relief and civil penalties under Section 309(b) and (d) of the Clean Water Act ("the Act"), 33 U.S.C. 1319(b) and (d), against the City of Youngstown, Ohio, ("Youngstown") for violations of Section 301 of the Act, 33 U.S.C. 1311, and the terms and conditions of Youngstown's National Pollutant Discharge Elimination System ("NPDES") permits at Youngstown's wastewater treatment plant and throughout its sewer collection system. The Complaint alleges that Youngstown violated the Clean Water Act and its applicable NPDES permits by failing to meet certain permit deadlines, failing to comply with effluent limitations in its permits, discharging wastewater and raw sewage through unpermitted point sources, failing to monitor its discharges in accordance with its permit requirements, and failing to notify the regulatory agencies of missed deadlines.

The proposed Clean Water Act consent decree provides for injunctive relief consisting of the following: (1) Elimination of the overflow point known as outfall 6108 at the Orchard Meadow area of Mill Creek Park; (2) elimination of certain specified direct discharges of sanitary sewage and process wastewater that are not currently connected to the Youngstown collection system; (3) development and implementation of Youngstown's long term control plan as required by its discharge permit; (4) removal of accumulated sewer sediments in the Mill Creek collector; (5) short-term improvements to Youngstown's collection system maintenance programs, documentation, and data management; (6) an evaluation of Youngstown's collection system maintenance programs and data management and proposed

improvements; (7) replacement of the Meadowbrook pump station and the Lansdowne pump station and evaluation of additional upgrades at the Dry Run pump station; (8) implementation of a revised inspection schedule for combined sewer overflows; (9) implementation of measures to reduce vandalism at manholes within the collection system; and (10) installation of additional level sensing equipment at certain specified overflow structures. In addition, Youngstown will pay a civil penalty of \$60,000, to be split evenly between the United States and its co-plaintiff the State of Ohio, to resolve the claims in the Complaint.

The Department of Justice will receive, for a period of 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, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States and Ohio v. City of Youngstown*, DOJ Ref. #90-5-1-1-4383.

The proposed consent decree may be examined at the office of the United States Attorney for the Northern District of Ohio, 1800 Bank One Center, 600 Superior Avenue East, Cleveland, Ohio 44114, and at U.S. EPA Region 5, 77 West Jackson Boulevard, Chicago, IL 60604. 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 a request to Tonia Fleetwood, fax no. (202) 514-0097 phone confirmation number (202) 514-1547. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$9.75 (25 cents per page reproduction costs), payable to the U.S. Treasury.

**William D. Brighton,**

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

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## DEPARTMENT OF JUSTICE

### Antitrust Division

#### Notice Pursuant to the National Cooperative Research and Production Act of 1993—Center for Waste Reduction Technologies (CWRT): Solvent Selection Guide

Notice is hereby given that, on February 7, 2002, pursuant to section 6(a) of the National Cooperative

Research and Production Act of 1993, 15 U.S.C. *et seq.* ("the Act"), CWRT: Solvent Selection Guide has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to section 6(b) of the Act, the identities of the parties are Center for Waste Reduction Technologies ("CWRT"), New York, NY; Cytec Industries Inc., West Paterson, NJ; The Dow Chemical Company, Midland, MI; E.I. du Pont de Nemours & Company, Wilmington, DE; GalxoSmithKline, King of Prussia, PA; Pharmacia, Peapack, NJ; Pfizer Corporation, New London, CT; and Rohm and Haas Company, Philadelphia, PA. The nature and objectives of the venture are to develop solvent selection tools to facilitate the selection of solvent candidates in early compound development, make life cycle EHS impacts/issues visible for each solvent candidate, facilitate process optimization in late compound development, explore solvent mixtures that do not introduce additional complexity into managing solvents, and explore designer solvent possibilities.

**Constance K. Robinson,**

*Director of Operations, Antitrust Division.*

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## DEPARTMENT OF JUSTICE

### Antitrust Division

#### Notice Pursuant to the National Cooperative Research and Production Act of 1993—DVD Copy Control Association ("DVD CCA")

Notice is hereby given that, on January 15, 2002, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), DVD Copy Control Association ("DVD CCA") 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, Alphacast Co. Ltd., Seoul, REPUBLIC OF KOREA; Almedio, Inc., Tokyo, JAPAN; AniMeta Systems, Inc.,