

sought relief against Montgomery and Montgomery Aggregate Products, Inc., for failing to comply with permitting and notice requirements, in violation of the Clean Air Act ("CAA"), 42 U.S.C. 7401, *et seq.*, specifically the New Source Performance Standards ("NSPS"), for nonmetallic mineral processing plants, 40 CFR part 60.

A default judgment was entered against Defendant CGMS. The proposed Consent Decree would, resolve the remaining claims against Defendants Montgomery and Montgomery Aggregate Products, Inc., by *inter alia*, (1) requiring them to pay a civil penalty of \$72,000; (2) requiring Montgomery to perform the wetlands mitigation they previously agreed to undertake in the CAFO, as modified in the Decree; and (3) requiring them to comply with the provisions of the Clean Air Act and specifically, the NSPS for nonmetallic mineral processing plants, 40 CFR part 60, or pay stipulated penalties for any infraction thereof.

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, Environmental and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Montgomery, et al.*, D.J. Ref. 90-5-2-1-08092/1. Comments may also be submitted by e-mail to the following e-mail address:

[pubocmment-ees.enrd@usdoj.gov](mailto:pubocmment-ees.enrd@usdoj.gov).

The Consent Decree may be examined at the Office of the United States Attorney, Fifth Floor, 330 Ionia NW., Grand Rapids, MI 49503, and at the United States Environmental Protection Agency, Region V, 77 West Jackson Boulevard, C-14J, Chicago, IL 60604. During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site, to [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.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 \$25.75 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if by e-mail or fax, forward a check in that amount to the Consent Decree Library at the stated address. In requesting a copy exclusive

of exhibits and defendants' signatures, please enclose a check in the amount of \$9.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Jennifer L. McManus,**

*Assistant United States Attorney, U.S. Attorney's Office—Western District of Michigan.*

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## DEPARTMENT OF JUSTICE

### Antitrust Division

#### Notice Pursuant to the National Cooperative Research and Production Act of 1993—ASTM International—Standards

Notice is hereby given that, on March 13, 2007, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), ASTM International—Standards ("ASTM") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing additions or changes to its standards development activities. 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, ASTM has provided an updated list of current, ongoing ASTM standards activities originating between December 2006 and February 2007, designated as Work Items. A complete listing of ASTM Work Items, along with a brief description of each, is available at <http://www.astm.org>.

On September 15, 2004, ASTM 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 November 10, 2004 (69 FR 65226).

The last notification was filed with the Department on December 14, 2006. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on January 25, 2007 (72 FR 3415).

For additional information, please contact: Thomas B. O'Brien, Jr., General Counsel, at 100 Barr Harbor Drive, West Conshohocken, PA 19428, telephone 610-832-9597 e-mail address [tobrien@astm.org](mailto:tobrien@astm.org).

**Patricia A. Brink,**

*Deputy 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—Interchangeable Virtual Instruments Foundation, Inc.

Notice is hereby given that, on February 27, 2007, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Interchangeable Virtual Instruments Foundation, Inc. has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. 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, BCO, Inc., Billerica, MA has withdrawn as a party to this venture. In addition, Systems & Electronics Inc. has changed its name to DRS Sustainment Systems, Inc., St. Louis, MO.

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 Interchangeable Virtual Instruments Foundation, Inc. intends to file additional written notifications disclosing all changes in membership.

On May 29, 2001, Interchangeable Virtual Instruments Foundation, Inc. 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 30, 2001 (66 FR 39336).

The last notification was filed with the Department on December 8, 2006. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on December 29, 2006 (71 FR 78468).

**Patricia A. Brink,**

*Deputy Director of Operations, Antitrust Division.*

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