

The proposed consent decree will settle the United States' claims for natural resource damages under the Oil Pollution Act, 33 U.S.C. 2701, *et seq.*, on behalf of the National Oceanic and Atmospheric Administration ("NOAA") and the Department of the Interior ("DOI") (together, the "Federal Trustees") against France Shipmanagement S.A. relating to an oil spill from the tank vessel *Anitra*, which occurred in May 1996 in the Big Stone Anchorage of the Delaware Bay. Pursuant to the proposed consent decree, France Shipmanagement S.A. will pay \$1,500,000.00 as natural resource damages to the Federal Trustees and to the State of New Jersey's Department of Environmental Protection (together, the "Trustees"). Of that amount, approximately \$237,000 has been, or will be, paid to the Trustees for reimbursement of their assessment costs. The remaining approximately \$1,273,000.00 will be utilized by the Trustees for restoration projects.

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 of the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States, et al., v. France Shipmanagement S.A.*, Civil Action No. 04-cv-04807-JHR-JBR, D.J. Ref. 90-5-1-1-4380.

The proposed consent decree may be examined at the Office of the United States Attorney, District of New Jersey, 970 Broad Street, Newark, New Jersey 07102. During the public comment period, the proposed consent decree may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the proposed 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. If requesting a copy of the proposed consent decree, please so note and enclose a check in the amount of \$16.75 (25 cent per page reproduction cost) payable to the U.S. Treasury.

**Ronald Gluck,**

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

[FR Doc. 04-23100 Filed 10-13-04; 8:45 am]

BILLING CODE 4410-15-M

## DEPARTMENT OF JUSTICE

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

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that on September 20, 2004, a proposed consent decree in *United States v. Mississippi Bakery, a division of Aldi, Inc.*, Civil Action No. 304CV80102 was lodged with the United States District Court for the Southern District of Iowa.

In this action the United States sought civil penalties and injunctive relief with respect to violations of the Clean Air Act, 42 U.S.C. 7401, *et seq.* ("CAA") at defendant's Mississippi Bakery facility located in Burlington, Iowa. This consent decree requires the defendant to pay a civil penalty of \$60,000 and to perform injunctive relief to address violations of the industrial refrigerant repair, testing, recordkeeping and reporting regulations at 40 CFR Part 82, Subpart F, §§ 82.152-82.166, promulgated pursuant to Subchapter VI of the CAA, 42 U.S.C. 7671-7671q.

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, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Mississippi Bakery, a division of Aldi, Inc.*, D.J. Ref. 90-5-2-08100.

The consent decree may be examined at the Office of the United States Attorney, Southern District of Iowa, U.S. Courthouse Annex, Southern District of Iowa, U.S. Courthouse Annex, Suite 286, 110 E. Court Avenue, Des Moines, Iowa 50309, and at U.S. EPA Region 7, 901 No. 5th Street, Kansas City, Kansas 66101. During the public comment period, the consent decree, may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.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

\$3.75 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Catherine R. McCabe,**

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

[FR Doc. 04-23102 Filed 10-13-04; 8:45 am]

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## 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 September 30, 2004, a proposed Consent Decree in *United States and State of Texas v. City of Plainview*, Civil Action No. 5-04CV0218-C was lodged with the United States District Court for the Northern District of Texas.

In this action the United States sought civil penalties and injunctive relief for violations of Sections 301, 309 and 402 of the Clean Water Act ("the Act"), 33 U.S.C. 1311, 1319, and 1342, and for violations of the City's National Pollutant Discharge Elimination System ("NPDES") permit for the City's publicly owned wastewater treatment works ("POTW"), located in Plainview, Texas. The Consent Decree settles the claims that the city violated the Act and its NPDES permit by: (1) Discharging pollutants in excess of the effluent limitations specified in its NPDES permit; (2) failing to comply with the final effluent limitations specified for Ammonia-Nitrogen by March 1, 2000; and (3) failing to operate and maintain its POTW as required by the permit. The Consent Decree requires that the City pay a \$75,000 civil penalty to the federal government. The Consent Decree also requires that the City implement and comply with a comprehensive Management, Operation and Preventative Maintenance Program for its POTW during the term of the Consent Decree, and provide quarterly and annual reports to the EPA with copies to the State of Texas.

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, 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 State of Texas v. City of Plainview*, D.J. Ref. 90-5-1-1-07661.

The Consent Decree may be examined at the Office of the United States Attorney, Northern District of Texas,

1205 Texas Avenue, Suite 700, Lubbock, Texas 79401, and at U.S. EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202. During the public comment period, the Consent Decree, may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.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 \$12.00 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Thomas A. Mariani, Jr.,**

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

[FR Doc. 04-23096 Filed 10-13-04; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Stipulated Order To Amend Consent Judgment Under Environmental Laws and Partially Substitute Parties

Notice is hereby given that on October 8, 2004, a proposed Stipulated Order was lodged with the United States District Court for the Eastern District of Michigan in *United States v. Velsicol Chemical Corp.*, No. 82-10303 (E.D. Mich.). The Stipulated Order among the United States on behalf of the Environmental Protection Agency, the State of Michigan, and Velsicol Chemical Corporation ("Velsicol") would substitute the Custodial Trust created in the bankruptcy settlement agreement in *In re Fruit of the Loom, Inc.*, No. 99-4497 (Bankr. D. Del.) for Velsicol and would resolve Velsicol's obligations under the 1982 Consent Judgment as provided in the Stipulated Order and the bankruptcy settlement agreement. The 1982 Consent Judgment concerns the St. Louis Facility in St. Louis, Gratiot County, Michigan.

The Department of Justice will receive comments relating to the Stipulated Order for a period of thirty (30) days from the date of this publication. 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 v. Velsicol Chemical Corporation*, DJ Ref. No. 90-7-1-105.

The Stipulated Order may be examined at the Office of the United States Attorney for the Eastern District of Michigan, 211 West Fort Street, Suite 2001, Detroit, Michigan, and at the Region 5 Office of the United States Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois. During the public comment period, the Stipulated Order may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the Stipulated Order 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 \$27.75 (25 cents per page reproduction cost) payable to the U.S. Treasury for the entire Stipulated Order and attachments or the amount of \$3.00 for the Stipulated Order without attachments.

**Bruce S. Gelber,**

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

[FR Doc. 04-23095 Filed 10-13-04; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

#### Importer of Controlled Substances; Notice of Application

Pursuant to 21 U.S.C. 958(i), the Attorney General shall, prior to issuing a registration under this Section to a bulk manufacturer of a controlled substance in Schedule I or II and prior to issuing a regulation under 21 U.S.C. 952(a)(2)(b) authorizing the importation of such a substance, provide manufacturers holding registrations for the bulk manufacture of the substance an opportunity for a hearing.

Therefore, in accordance with 21 CFR 1301.34(a), this is notice that on May 24, 2004, Cambrex North Brunswick, Inc., Technology Center of New Jersey, 661 Highway One, North Brunswick, New Jersey 08902, made application by renewal to the Drug Enforcement Administration (DEA) for registration as an importer of Phenylacetone (8501), a basic class of controlled substance listed in Schedule II.

The company plans to import the controlled substance to manufacture amphetamine.

Any manufacturer who is presently, or is applying to be, registered with DEA to manufacture such basic class of controlled substance may file comments or objections to the issuance of the proposed registration and may, at the same time, file a written request for a hearing on such application pursuant to 21 CFR 1301.43 and in such form as prescribed by 21 CFR 1316.47.

Any such comments or objections or requests for hearing may be addressed, in quintuplicate, to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, United States Department of Justice, Washington, DC 20537, Attention: DEA Federal Register Representative (CCD) and must be filed no later than November 15, 2004.

This procedure is to be conducted simultaneously with and independent of the procedures described in 21 CFR 1301.34(b), (c), (d), (e) and (f). As noted in a previous notice published in the **Federal Register** on September 23, 1975, (40 FR 43745-43746), all applicants for registration to import a basic class of any controlled substances in Schedule I or II are and will continue to be required to demonstrate to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, that the requirements for such registration pursuant to 21 U.S.C. 958(a), 21 U.S.C. 823(a), and 21 CFR 1301.34(b), (c), (d), (e) and (f) are satisfied.

Dated: September 28, 2004.

**William J. Walker,**

*Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.*

[FR Doc. 04-23056 Filed 10-13-04; 8:45 am]

**BILLING CODE 4410-09-P**

## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

#### Manufacturer of Controlled Substances; Notice of Application

Pursuant to 21 CFR 1301.33(a), this is notice that on July 6, 2004, Cerilliant Corporation, 811 Paloma Drive, Suite A, Round Rock, Texas 78664, made application by renewal to the Drug Enforcement Administration (DEA) for registration as a bulk manufacturer of the basic classes of controlled substances listed: