

- Criminal Rules in Atlanta, Georgia, on January 23, 2004; and
- Bankruptcy Rules in Washington, DC., on January 30, 2004.
- The two public hearings on proposed amendments to the Appellate Rules, originally scheduled for January 20, 2004, in Los Angeles, California, and for January 26, 2004, in Washington, DC., have both been rescheduled, for April 13, 2004, in Washington, DC. The hearing will be held at 8:30 a.m., in the Fourth Floor Agency Conference Room of the Thurgood Marshall Federal Judiciary building, One Columbus Circle, NW.

[Original notice of all four hearings appeared in the **Federal Register** of September 10, 2003.]

FOR FURTHER INFORMATION CONTACT: John K. Rabiej, Chief, Rules Committee Support Office, Administrative Office of the United States Courts, Washington, DC 20544, telephone (202) 502-1820.

Dated: January 12, 2004.

John K. Rabiej,

Chief, Rules Committee Support Office.

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DEPARTMENT OF JUSTICE

Notice of Lodging of Settlement Agreement Under the Resource Conservation and Recovery Act (RCRA), the Clean Water Act, the Clean Air Act, the Toxic Substances Control Act, the Emergency Planning and Community-Right-To-Know Act and the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)

Notice is hereby given that on October 17, 2003, a proposed settlement in *In Re National Steel Corp.*, No. 02-08713 was lodged with the United States Bankruptcy Court for the Northern District of Illinois.

In this action the United States sought civil penalties and injunctive relief arising from National Steel Corporation's violation of several environmental statutes, including the Resource Conservation and Recovery Act, the Clean Water Act, the Clean Air Act, the Emergency Planning and Community Right-to-Know Act, the Toxic Substances Control Act, and the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA") at its three integrated steel mills in Granite City, Illinois, Ecorse, Michigan, and Portage, Indiana. The settlement agreement calls for the allowance of a general unsecured claim in the amount of \$2.1 million in civil

penalties for these violations. Payment of the penalty will be subject to procedures in National Steel Corporation's Chapter 11 Bankruptcy proceeding, *In Re: National Steel Corporation, et al.*, No. 02-08699 (Bankr. N.D. Ill., filed March 6, 2002).

In addition, the settlement agreement calls for the allowance of two general unsecured claims in the amounts of \$115,565 and \$5,200 for reimbursement of response costs incurred pursuant to CERCLA by EPA at the Abby Street/Hickory Woods Subdivision Superfund Site located in Buffalo, New York and the Rasmussen Dump Site located in Green Oak Township, Michigan, respectively. Payment of these response costs will also be subject to procedures in National Steel Corporation's Chapter 11 Bankruptcy proceeding.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the settlement. 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 *In Re National Steel, D.J. Ref. 90-11-3-07887*.

The settlement agreement may be examined at the Office of the United States Attorney, Northern District of Illinois, 219 South Dearborn Street, Suite 300, Chicago, IL 60604 and at U.S. EPA Region 5, 77 West Jackson Boulevard, Chicago, IL 60604. During the public comment period, the settlement agreement may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the settlement agreement 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), 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 \$2.00 (25 cents per page reproduction cost) payable to the U.S. Treasury.

William D. Brighton,

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

[FR Doc. 04-843 Filed 1-14-04; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Water Act

Notice is hereby given that on December 22, 2003, a proposed Consent Decree was lodged with the United States District Court for the Western District of Michigan in the matter of *United States et al. v. Walnutdale Farms et al.*, Civil No. 4:00-CV-193.

At the request of the Environmental Protection Agency ("EPA"), the United States initiated an action in October of 2002 against Walnutdale Farms, Inc. and its owners, Ralph and Kevin Lettinga (collectively "Defendants") seeking injunctive relief and civil penalties under Sections 309 (b) and (d) of the Clean Water Act (CWA), 33 U.S.C. §§ 1319 (b) and (d). The complaint alleged that the Defendants violated Sections 301 and 402 of the Act, 33 U.S.C. §§ 1311 and 1342, by discharging, without a permit, wastewater from the Walnutdale facility, which is a concentrated animal feeding operation (CAFO). Further, the complaint alleged that the Defendants violated the CWA by failing to apply for an NPDES permit, and by failing to comply with an administrative order issued by EPA in February 2001. On November 4, 2002, the Court consolidated this action with a previously filed action brought by the Sierra Club.

Under the proposed Consent Decree, the Defendants will implement specified remedial measures to assure compliance with requirements of the CWA and applicable regulations. Among other things, the Consent Decree requires the Defendants to design, construct and operate a storm water retention pond with the ability to capture and store all process wastewater generated by the production area of the facility, including the runoff and direct precipitation from a 25-year/24-hour rainfall event. Further, the proposed Consent Decree requires the Defendants to prepare and submit for approval to EPA and the Michigan Department of Environmental Quality a Comprehensive Nutrient Management Plan for the management and utilization of all wastes produced at the facility and at specific satellite facilities. Finally, the Consent Decree requires the Defendants to undertake a number of other compliance measures with respect to the operation and maintenance of waste storage devices and the land application of farm wastes. In addition to these compliance requirements, the proposed Consent Decree provides for the Defendants to pay \$100,000 plus