

from July 14, 2004, to the target date for completion of the 481 investigation, *i.e.*, until August 20, 2004, and has also determined to consolidate the two investigations. The parties may include comments on the effect, if any, of such consolidation in their comments on the ALJ's remand findings in Inv. No. 337-TA-481.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in sections 201.7(a), 210.42(h)(2), and 210.51(a) of the Commission's Rules of Practice and Procedure (19 CFR 201.7(a), 210.42(h)(2), 210.51(a)).

Issued: May 21, 2004.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary.*

[FR Doc. 04-12014 Filed 5-26-04; 8:45 am]

BILLING CODE 7820-02-P

## DEPARTMENT OF JUSTICE

### Notice of Lodging of a Consent Decree Under the Resource Conservation and Recovery Act

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that on May 7, 2004, a proposed Consent Decree in *United States of America v. Heartland Cement Company, Inc., and Rinco Inc.*, Civil Action No. 04-1144-JTM, was lodged with the United States District Court for the District of Kansas.

The Complaint, which was filed by the United States on behalf of the Environmental Protection Agency, alleges that Heartland Cement Company, Inc., and Rinco Inc., violated regulations promulgated under the Resource Conservation and Recovery Act at Heartland's cement manufacturing facility in Independence, Kansas. Specifically, the Complaint alleges that hazardous waste at the facility was not properly characterized; three waste containers were not completely closed; the lining of the secondary containment around a waste tank had holes; and several pieces of equipment lack tags or other identifying marks. The Complaint seeks the imposition of a civil penalty. The Consent Decree requires the defendants to pay a civil penalty in the amount of \$111,668.00.

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. Heartland Cement Co., Inc. and Rhineco Inc.*, D.J. Ref. No. 90-7-1-06933.

The Consent Decree may be examined at the Office of the United States Attorney, 301 N. Main St., Suite 1200, Wichita, Kansas 67202, and at U.S. EPA Region 7, 901 N. 5th St., 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 \$5.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Robert E. Maher, Jr.,**

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

[FR Doc. 04-11952 Filed 5-26-04; 8:45 am]

BILLING CODE 4410-15-M

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act

Under 28 CFR 50.7 notice is hereby given that on May 13, 2004, a proposed consent decree in *United States v. David L. Rieker*, Civil Action No. 8:03-CV-647-T-26MAP was lodged with the United States District Court for the Middle District of Florida, Tampa Division.

In this action, brought pursuant to section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("the Act"), 42 U.S.C. 9607, the United States sought reimbursement for response costs incurred by EPA at the Dave Chemical Removal Action Site ("Site") located in Tampa, Hillsborough County, Florida, against David L. Rieker, the owner and operator of the Site at the time of disposal. Under the decree, Settling Defendant will make a one-time payment of \$100,000, based on his limited ability to pay, to resolve his

liability for EPA costs incurred to clean up the Site.

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 v. David L. Rieker*, D.J. Ref. 90-11-3-08032.

The proposed consent decree may be examined at the Office of the United States Attorney, Middle District of Florida, Tampa Division, 400 North Tampa Street, Room 3200, Tampa, Florida 33602, and at U.S. EPA Region IV, Atlanta Federal Building, 61 Forsyth Street, Atlanta, Georgia 30303. 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 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 \$5.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Ellen M. Mahan,**

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

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BILLING CODE 4410-15-M

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Clean Water Act

In accordance with 28 CFR 50.7, 38 FR 19029, notice is hereby given that on May 3, 2004, a Consent Decree was lodged with the United States District Court for the District of Connecticut in *United States v. Town of Branford*, Civil Action No. 3:04-cv-00735 (JCH). A complaint was also filed simultaneously with the lodging of the Consent Decree. In the complaint the United States, on behalf of the U.S. Environmental Protection Agency (EPA), alleges that the defendant Town of Branford ("the Town") violated the Clean Water Act, 33 U.S.C. 1251, *et seq.*, ("CWA") in connection with the City's operation of