

testimony in connection with their presentation at the hearing, as provided in section 207.24 of the Commission's rules, and posthearing briefs, which must conform with the provisions of section 207.67 of the Commission's rules. The deadline for filing posthearing briefs is March 14, 2005; witness testimony must be filed no later than three days before the hearing. In addition, any person who has not entered an appearance as a party to the reviews may submit a written statement of information pertinent to the subject of the reviews on or before March 14, 2005. On April 6, 2005, the Commission will make available to parties all information on which they have not had an opportunity to comment. Parties may submit final comments on this information on or before April 8, 2005, but such final comments must not contain new factual information and must otherwise comply with section 207.68 of the Commission's rules. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means, except to the extent permitted by section 201.8 of the Commission's rules, as amended, 67 FR 68036 (November 8, 2002).

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the reviews must be served on all other parties to the reviews (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Authority: These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.62 of the Commission's rules.

Issued: September 3, 2004.

By order of the Commission.

Marilyn R. Abbott,

Secretary to the Commission.

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Air Act

Pursuant to 28 CFR 50.7, notice is hereby given that on August 20, 2004,

a proposed consent decree in *United States and Ventura County Air Pollution Control District v. Diversified Panel Systems, Inc.*, Civil Action No. CV 04-7028-DT(JTLx), was lodged with the United States District Court for the Central District of California.

In this action, the United States sought injunctive relief and civil penalties under Section 110 of the Clean Air Act ("CAA") against Diversified Panel Systems, Inc. ("DPSI"), for violations of the federally enforceable California State Implementation Plan at DPSI's polystyrene block manufacturing and processing facility in Oxnard, California. The consent decree requires DPSI to pay a civil penalty to the United States in the amount of \$152,425, and will require DPSI to design and conduct appropriate emissions testing to demonstrate compliance with the emissions standards specified in the Authority to Construct permit issued by the Ventura County Air Pollution Control District ("VCAPCD"), upon which the VCAPCD will issue a Permit to Operate to DPSI for the facility. Quarterly monitoring and reporting will be required after the Permit to Operate is issued. As the permit issuing agency, VCAPCD is a co-plaintiff with the United States in the Consent Decree.

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 Ventura County Air Pollution Control District v. Diversified Panel Systems, Inc.*, D.J. Ref. #90-5-2-1-07680.

The consent decree may be examined at the Office of the United States Attorney, 300 N. Los Angeles Street, Los Angeles, California, and at U.S. EPA Region 9, Office of Regional Counsel, 75 Hawthorne Street, San Francisco, California. 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), 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

\$7.50 (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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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant To The Comprehensive Environmental Response, Compensation, and Liability Act

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States v. Monarch Greenback, LLC, et al.*, Civil Action No. CV 02-436-S-EJL was lodged on September 1, 2004, with the United States District Court for the District of Idaho. The consent decree requires the defendant Doe Run Resources Corporation to pay \$810,000 to the United States in reimbursement of costs incurred by the United States at the Talache Mine Tailings Superfund Site near Atlanta, Idaho.

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 for the Environment and Natural Resources Division, Department of Justice, P.O. Box 7611 Washington, DC. 20044-7611, and should refer to *United States v. Monarch Greenback, LLC, et al.*, DOJ Ref. #90-5-1-1-4541/1.

The proposed consent decree may be examined at the office of U.S. EPA Region 10, 1200 Sixth Avenue, Seattle, WA 98101. 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>. Copies 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), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting copies please refer to the referenced case and enclose a check in the amount of \$13.75 (25 cents per page