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Authority: This review is being terminated under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.69 of the Commission's rules (19 CFR 207.69).

Issued: October 8, 2004.

By order of the Commission.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 04-23029 Filed 10-13-04; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF JUSTICE

Notice of Consent Decree Pursuant to the Clean Water Act

In accordance with Departmental Policy, 28 CFR 50.7, 38 FR 19029, notice is hereby given that a proposed consent decree in *United States and State of Texas v. City of Carthage*, Civ. No. 6:04-CV-451, DOJ #90-5-1-1-07648, was lodged in the United States District Court for the Eastern District of Texas on September 30, 2004. The Consent Decree resolves the liability of the named defendant to the United States and the State of Texas for violations of Section 301 of the Clean Water Act, 33 U.S.C. 1311. The claims arise from the City's discharge of effluent from its publicly owned treatment works in violation of the effluent limits contained in its National Pollution Discharge Elimination System permits.

The proposed Consent Decree provides that the City will construct an improved treatment system using chlorination to treat the effluent and meet specified operation and maintenance requirements. Additionally, the City will pay a civil penalty of \$20,000 for the violations of the Clean Water Act and will perform a supplemental environmental project ("SEP") which consists of hooking up 29 residences that are currently on septic tanks to sewer lines.

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 and State of Texas v. City of Carthage*, DOJ #90-5-1-1-07648. The proposed Consent Decree may be examined at the Office of the United States Attorney, Eastern District of Texas, Tyler Division, 110 N. College St., Suite 700 Tyler, Texas 75702, and at U.S. EPA Region 6, 1445 Ross Avenue, Suite 1200, Dallas, Texas, 75202. 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), 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 \$13.50 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Thomas Mariani,

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

[FR Doc. 04-23097 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

Under 28 CFR 50.7, notice is hereby given that on September 30, 2004, a proposed Consent Decree in *United States v. Chevron Phillips Chemical Company LP*, Civil Action No. H-04-3814 was lodged with the United States District Court for the Southern District of Texas.

In this action the United States sought injunctive relief and a civil penalty to address violations of Section 112(r) of the Act, 42 U.S.C. 7412(r), (prevention of accidental chemical releases); 40 CFR Part 68, Chemical Accident Prevention Provisions; and 40 CFR Part 60, New Source Performance Standards related to the Pasadena Plastics Complex, a chemical manufacturing facility owned and operated by Chevron Phillips Chemical Company LP ("Chevron Phillips") in Pasadena, Texas.

Under the proposed Consent Decree, Chevron Phillips has agreed to pay a

\$1.8 million civil penalty. In addition, Chevron Phillips will perform two Supplemental Environmental Projects ("SEPs") at a cost of at least \$1.2 million. The first project requires Chevron Phillips to buy and arrange for the installation of a fuel cell to provide electricity for the operation of Moody Gardens, located in the Houston/Galveston non-attainment area. The second project requires Chevron Phillips to supply hazardous material equipment and training to the Pasadena Volunteer Fire Department. The settlement also requires Chevron Phillips to satisfy a number of work practice requirements designed to help reduce the chances of accidental releases of hazardous chemicals from the facility.

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. Chevron Phillips Chemical Company*, D.J. Ref. No. 90-5-2-1-07840.

The Consent Decree may be examined during the public comment period 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 \$11.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Thomas A. Mariani, Jr.,

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

[FR Doc. 04-23098 Filed 10-13-04; 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 of 1980

Notice of hereby given that on September 22, 2004 a proposed Consent

Decree in *United States v. Chief Consolidated Mining Company, et. al.*, an action under Sections 107 and 113 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (“CERCLA”), as amended, 42 U.S.C. 9607 and 9613, was lodged with the United States District Court for the District of Utah, Case No. 2:04CV00891 BSJ.

In this action, the United States sought the recovery of costs incurred and to be incurred by the United States in response to releases or threatened releases of hazardous substances at and from the Eureka Mills NPL Site located in Eureka, Utah (the “Site”). The United States alleged that the Chief Consolidated Mining Company (“Chief”) was liable under CERCLA Section 107(a)(1) and (2), 42 U.S.C. 9607(a)(1) and (2), as a past owner and operator of a portion of the Site at the time of disposal and as a present owner of a portion of the Site upon which hazardous substances have been released, for those response costs set forth in CERCLA Section 107(a)(4)(A)–(D), 42 U.S.C. 9607(a)(4)(A)–(D).

The Chief settlement is based on the company’s limited financial resources and contains a confession of judgment in favor of EPA in the amount of sixty million dollars (\$60,000,000.00) which may be satisfied through the sale of Chief real estate holdings together with future profits, if any, and the proceeds from any insurance recovery. Additionally, the Chief Decree provides for various in-kind contributions of materials like clean water and soil necessary to implement the clean up and allows EPA to construct permanent repositories to contain contaminated soils on Chief’s property.

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. Chief Consolidated Mining Company, et. al.*, DJ# 901–11–3–07993/2.

The Consent Decree may be examined at U.S. EPA Region 8, 999 18th Street, Suite 500, Denver, Colorado, 80202. 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 \$13.25 payable to the U.S. Treasury (excluding appendices).

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

[FR Doc. 04–23101 Filed 10–13–04; 8:45 am]
BILLING CODE 4410–IS–M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Clean Water Act, 33 U.S.C. 1251 Act, et seq.

In accordance with Department policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States and the State of Ohio v. City of Clyde, Ohio*, Civil Action No. 3:04CV7587, was lodged on September 29, 2004, with the United States District Court for the Northern District of Ohio.

The proposed Consent Decree concerns injunctive relief and civil penalties against the City of Clyde, Ohio (“Clyde”), for alleged violations of the Clean Water Act (“the Act”), 33 U.S.C. 1251 *et seq.* Clyde owns and operates a publicly-owned wastewater treatment works (“POTW”), and the proposed Consent Decree addresses discharges of effluent from the POTW through an outfall into Raccoon Creek, a navigable water of the United States. It also resolves allegations that Clyde violated its 1994, 1997 and 2002 National Pollutant Discharge and Elimination System (“NPDES”) permits and Section 301 of the Act, 33 U.S.C. 1311, by: (1) Exceeding the effluent limitations contained in the three NPDES permits (or “the three permits”), (2) failing to comply with the monitoring requirements contained in the three NPDES permits, (3) failing to meet the compliance schedules contained in the NPDES permits, and (4) failing to comply with an EPA issued Administrative Order (“AO”).

In addition to resolving the allegations in the federal and state Complaints, the proposed Consent Decree provides for injunctive relief which includes Clyde coming into compliance with the current NPDES Permit and preparing a long term control plan for the regulating agencies. Installation of a compliance control screen, monitoring of Clyde’s outfall, and reporting requirements are also

included. Clyde will also pay a \$35,000 penalty.

The Department of Justice will receive comments relating to the proposed Consent Decree 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, United States Department of Justice, P.O. Box 7611, Washington, DC 20044–7611; and reference *United States and the State of Ohio v. City of Clyde, Ohio*, DJ #90–5–1–06524.

The proposed Consent Decree may be examined at the office of the United States Attorney for the Northern District of Ohio, Four Seagate, Suite 308, Toledo, OH 43604, and at the Region 5 office of the Environmental Protection Agency, 77 West Jackson Boulevard, 7th Floor, Chicago, IL 60604. 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, U.S. Department of Justice, P.O. Box 7611, 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 no. (202) 514–1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$28.00 (25 cents per page reproduction cost), payable to the U.S. Treasury, for the proposed Consent Decree with all attachments, or for \$7.75 for the proposed Consent Decree only, to: Consent Decree Library, U.S. Department of Justice, P.O. Box 7611, Washington, DC 20044–7611. The check should refer the *United States and the State of Ohio v. City of Clyde, Ohio*, DJ #90–5–1–06524.

William Brighton,

Assistant Section Chief, Environmental Enforcement Section.

[FR Doc. 04–23099 Filed 10–13–04; 8:45 am]
BILLING CODE 4410–15–M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to Oil Pollution Act

Notice is hereby given that on September 30, 2004, a proposed consent decree in *United States v. France Shipmanagement S.A.*, Civil Action No. 04-cv-048-7-JHR-JBR, was lodged with the United States District Court for the District of New Jersey.