from the Marseilles facility, and nearly 275 tpy from the Mt. Victory facility. Ammonia is a lung irritant.

Under the proposed Consent Decree, Defendants will pay an $880,598 civil penalty and will spend over $1.6 million to install and test a system to capture particulate matter in each of its barns at the Marseilles and Mt. Victory facilities before it is vented to the outside. They will also use enzyme additive products on the manure accumulated in the layer barns to reduce ammonia emissions by at least 50 percent. Additional controls are required if dust or ammonia emissions are not satisfactorily reduced.

The Croton facility is required by the state of Ohio to install belt battery manure handling systems at its layer barns over the next five years. Because of this requirement, the Consent Decree requires alternative controls for the Croton facility. These include changes in bird variety and feed, which are expected to reduce both particulate matter and ammonia emissions. The Consent Decree requires extensive testing of these measures. If they are not successful, Buckeye will be required to install particulate impaction systems and other appropriate PM controls for the converted barns. The barns will also be treated with the enzyme product for ammonia control. The combination of particulate and ammonia controls at these facilities is also expected to reduce substantially fly infestations, which have been a subject of repeated state and private litigation against Buckeye.

While Buckeye recently sold its three facilities to Ohio Fresh Eggs LLC, the settlement requires Buckeye to bind the purchaser to implement the environmental improvements required under the Consent Decree. Buckeye remains liable for any violations.

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 of the Environmental and Natural Resources Division, Department of Justice, P.O. Box 7611, Washington, DC 20044, and should refer to *United States* v. *Buckeye Egg Farm, L.P. et al.*, D.J. Ref. 90–5–2–1–07262.

The Consent Decree may be examined at the Office of the United States Attorney, Northern District of Ohio, 4 Seagate, Suite 308, Toledo, Ohio 43604, or at the Region 5 Office of the Environmental Protection Agency, 77 West Jackson Street, Chicago, Illinois 60604–3590. During the public comment period the proposed Consent Decree may also be examined on the following 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, PO 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, please enclose a check in the amount of $17.75 (71 pages at 25 cents per page reproduction cost) payable to the U.S. Treasury.

William D. Brighton,

Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 04–5421 Filed 3–10–04; 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

In accordance with 28 U.S.C. 50.7 and section 122 of the Comprehensive Environmental Response, Compensation and Liability Act (''CERCLA''), 42 U.S.C. 9622, notice is hereby given that on March 2, 2004, a proposed Consent Decree in the consolidated actions of *United States* v. *Marvin Mahan, et al.*, C.A. No. 00CV4953 (WHW) and *United States* v. *Transtech Industries, Inc.*, C.A. No. 01–5398 (WHW), was lodged with the United States District Court for the District of New Jersey.

In these consolidated actions in the United States, on behalf of the United States Department of the U.S. Environmental Protection Agency (''EPA''), seeks reimbursement of certain response costs incurred and to be incurred in connection with response actions at the Chemsol, Inc. Superfund Site, located in Piscataway, New Jersey (the ''Site''). The Complaints allege that defendants Marvin Mahan, Tang Realty, Inc., and Transtech Industries, Inc., are liable under section 107(a) of CERCLA, 42 U.S.C. 9607(a). Pursuant to the Consent Decree, the defendants will reimburse, on an ability to pay basis, the plaintiff United States for certain response costs incurred and to be incurred by the plaintiff in remediating 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 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. *Marvin Mahan, et al.*, D.J. Ref. 90–11–3–06104/1&2.

The Consent Decree may be examined at the Office of the United States Attorney for the District of New Jersey, 970 Broad Street, Room 400, Newark, New Jersey 07102, and at the offices of EPA Region II,290 Broadway, New York, New York 10007. 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 $12.00 (25 cents per page reproduction cost), payable to the U.S. Treasury.

Robert Gluck,

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

[FR Doc. 04–5418 Filed 3–10–04; 8:45 am]

BILLING CODE 4410–15–M

DEPARTMENT OF JUSTICE

Notice of Proposed Settlement Agreement Under the Oil Pollution Act of 1990

Notice is hereby given that the United States Department of Justice, on behalf of the U.S. Department of Commerce, National Oceanic and Atmospheric Administration (''NOAA'') and the U.S. Department of the Interior, Fish and Wildlife Service (''DOI'') (hereinafter referred to together as the ''Settling Agencies'') have reached a settlement with Sociedad Naviera Ultragas Ltda. (''Sociedad'') regarding claims for injuries to natural resources arising from an oil spill that occurred in Chelsea Creek, East Boston, Massachusetts.

The Settling Agencies are acting in their capacities as designated natural resource trustees under the Oil Pollution Act of 1990, 33 U.S.C. 2701 *et seq.* to recover damages for natural resources, as authorized by 33 U.S.C. 2702(b)(2)(A). The oil spill occurred on June 8, 2000, when a tugboat collided with a vessel, spilling approximately 58,000 gallons of fuel oil into Chelsea Creek.

Pursuant to the Agreement, Sociedad will pay $42,136.00 to NOAA and $6,479.00 to DOI, as reimbursement for the Settling Agencies' damage assessment costs. In addition, Sociedad will pay $100,000 to fund the performance of two 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 Settlement Agreement. 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 the Settlement Agreement among NOAA, DOI, and Sociedad Naviera Ultragas Ltda, D.J. Ref. 90–5–1–1–07462.

The proposed Settlement Agreement may be examined at the Office of NOAA, Office of General Counsel, One Blackburn Drive, Suite 205, Gloucester, MA 01930. During the public comment period, the proposed 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 proposed Settlement Agreement 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*), fax no. (202) 514–0097, telephone confirmation number (202) 514–1547. If requesting a copy of the proposed Settlement Agreement please so note and enclose a check in the amount of $3.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Ronald Gluck,

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

[FR Doc. 04–5419 Filed 3–10–04; 8:45 am]

BILLING CODE 4410–15–M

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Portland Cement Association

Notice is hereby given that, on February 10, 2004, pursuant to Section 6(a), of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), Portland Cement Association (''PCA'') has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing a change in its membership status. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, Keystone Cement Company, Exton, PA has been added as a Member. Dixon-Marquette has been acquired by CEMEX, a Member, and is no longer listed. Florida Rock Industries, Jacksonville, FL is no longer a Member. GCC Dacotah and GCC Rio Grande, El Paso, TX have changed their names to GCC of America, Inc. Lone Star Industries and RC Cement Co., Bethlehem, PA have changed their names to Buzzi Unicem USA Inc. North Texas Cement Company, Houston, TX has changed its name to Ash Grove Texas, L.P. The Affiliate Members, California Cement Promotion Council, Citrus Heights, CA and Cement and Concrete Pavement Council of Texas, Euless, TX have changed their names, respectively, to California Nevada Cement Production Council and Cement Council of Texas.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and PCA intends to file additional written notification disclosing all changes in membership.

On January 7, 1985, PCA filed its original notification pursuant to Section 6(a) or the Act. The Department of Justice published a notice in the **Federal Register** pursuant to section 6(b) of the Act on February 5, 1985 (50 FR 5015).

The last notification was filed with the Department on September 26, 2003. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on October 22, 2003 (68 FR 60416).

Dorothy B. Fountain,

Deputy Director of Operations, Antitrust Division.

[FR Doc. 04–5456 Filed 3–10–04; 8:45 am]

BILLING CODE 4410–11–M

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Video-Enhanced Residential ADSL Broadband Technology

Notice is hereby given that, on February 17, 2004, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), Video-Enhanced Residential ADSL Broadband Technology has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to Section 6(b) of the Act, the identities of the parties are Sarnoff Corporation, Princeton, NJ; SBC Technology Resources, Inc., Austin, TX; Alcatel USA, Plano, TX; and Thomson, Inc., Princeton, NJ. The nature and objectives of the venture are to accelerate adoption of ADSL by creating technology that will allow telecom operators to deploy a broad range of video services (in addition to data) with functionality that will make these services a strong competitor to cable and satellite offerings. Cable and satellite presently offer viewers a selection of over 100 channels, including live events. The new ADSL services will offer subscribers a similar selection. The revenue from these entertainment services will help defray the cost of ADSL deployment and make other services economically viable on an incremental basis.

Dorothy B. Fountain,

Deputy Director of Operations, Antitrust Division.

[FR Doc. 04–5455 Filed 3–10–04; 8:45 am]

BILLING CODE 4410–11–M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Importer of Controlled Substances; Notice of Registration

By Notice dated November 14, 2003 and published in the **Federal Register** on December 2, 2003, (68 FR 67473), Abbott Laboratories, 1776 North Centennial Drive, McPherson, Kansas 67460–1247, made application by renewal to the Drug Enforcement Administration (DEA) to be registered as an importer of Remifentanil (9739), a basic class of controlled substance listed in Schedule II.

The film plans to import the remifentanil to manufacture a controlled substance for distribution to its customers.

No comments or objections have been received. DEA has considered the factors in Title 21, United States Code, section 823(a) and determined that the registration of Abbott Laboratories to import the listed controlled substance is