

*Public Comment Policy:* Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. MMS will honor this request to the extent allowable by law; however, we will not consider anonymous comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

*MMS Federal Register Liaison Officer:* Denise Johnson, (202) 208-3976.

Dated: August 9, 2003.

**E.P. Danenberger,**

*Chief, Engineering and Operations Division.*  
[FR Doc. 03-22974 Filed 9-9-03; 8:45 am]

**BILLING CODE 4310-MR-U**

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## JUDICIAL CONFERENCE OF THE UNITED STATES

### Meeting of the Judicial Conference Advisory Committee on Rules of Appellate Procedure

**AGENCY:** Judicial Conference of the United States, Advisory Committee on Rules of Appellate Procedure.

**ACTION:** Notice of open meeting.

**SUMMARY:** The Advisory Committee on Rules of Appellate Procedure will hold a one-day meeting. The meeting will be open to public observation but not participation.

**DATES:** November 7, 2003.

**TIME:** 8:30 a.m. to 5 p.m.

**ADDRESSES:** Loews Coronado Bay Hotel, 4000 Coronado Bay Road, Coronado, CA.

**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: September 3, 2003.

**John K. Rabiej,**

*Chief, Rules Committee Support Office.*

[FR Doc. 03-23011 Filed 9-9-03; 8:45 am]

**BILLING CODE 2210-55-M**

## JUDICIAL CONFERENCE OF THE UNITED STATES

### Hearings of the Judicial Conference Advisory Committees on Rules of Appellate, Bankruptcy, Civil, and Criminal Procedure

**AGENCY:** Judicial Conference of the United States, Advisory Committees on Rules of Appellate, Bankruptcy, Civil, and Criminal Procedure.

**ACTION:** Notice of proposed amendments and open hearings.

**SUMMARY:** The Advisory Committees on Rules of Appellate, Bankruptcy, Civil, and Criminal Procedure have proposed amendments to the following rules:

*Appellate Rules:* 4, 26, 27, 28, 28.1, 32, 32.1, 34, 35, and 45.

*Bankruptcy Rules:* 1007, 3004, 3005, 4008, 7004, and 9006.

*Civil Rules:* 5.1, 6, 24, 27, and 45, Admiralty Rules "B" and "C".

*Criminal Rules:* 12.2, 29, 32, 32.1, 33, 34, 45, and 59.

The text of the proposed rule amendments and the accompanying Committee Notes can be found at the United States Federal Courts' Home Page at <http://www.uscourts.gov/rules> on the Internet.

The Judicial Conference Committee on Rules of Practice and Procedure submits these amendments for public comment. All comments and suggestions with respect to them must be placed in the hands of the Secretary as soon as convenient and, in any event, not later than February 16, 2004. All written comments on the proposed rule amendments can be sent by one of the following four ways: electronic mail via the Internet at <http://www.uscourts.gov/rules>; regular mail to Peter G. McCabe, Secretary, Committee on Rules of Practice and Procedure of the Judicial Conference of the United States, Thurgood Marshall Federal Judiciary Building, Washington, DC 20544; overnight mail to Peter G. McCabe, Secretary, Committee on Rules of Practice and Procedure of the Judicial Conference of the United States, Thurgood Marshall Federal Judiciary Building, One Columbus Circle, NE., Washington, DC 20002; or facsimile to Peter G. McCabe at (202) 502-1755. In accordance with established procedures all comments submitted on the proposed amendments are available for public inspection.

Public hearings are scheduled to be held on the amendments to:

- Appellate Rules in Los Angeles, California, on January 20, 2004, and in Washington, DC, on January 26, 2004;
- Bankruptcy Rules in Washington, DC, on January 30, 2004;

- Civil Rules in Houston, Texas, on January 9, 2004; and
- Criminal Rules in Atlanta, Georgia, on January 23, 2004.

Those wishing to testify must contact the Secretary at the address above in writing at least 30 days before the hearing.

**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: September 3, 2003.

**John K. Rabiej,**

*Chief, Rules Committee Support Office.*

[FR Doc. 03-23012 Filed 9-9-03; 8:45 am]

**BILLING CODE 2210-55-M**

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## DEPARTMENT OF JUSTICE

### Notice of Lodging Proposed Consent Decree

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States v. Paul A. Heinrich and Charles Vogel Enterprises, Inc.*, Case No. 03-C-0075-S (W.D. Wis.), was lodged with the United States District Court for the Western District of Wisconsin on August 26, 2003.

This proposed Consent Decree concerns a complaint filed by the United States against Charles Vogel Enterprises, Inc. ("Vogel"), pursuant to subsections 309(b) and (d) of the Clean Water Act ("CWA"), 33 U.S.C. 1319(b), (d), to obtain injunctive relief from and impose civil penalties against Vogel for violating the Clean Water Act by discharging pollutants without a permit into waters of the United States. The proposed Consent Decree resolves these allegations by requiring Vogel to pay a civil penalty and to cooperate fully with the United States in its further proceedings against the remaining Defendant.

The Department of Justice will accept written comments relating to this proposed Consent Decree for thirty (30) days from the date of publication of this Notice. Please address comments to the Office of the United States Attorney, Western District of Wisconsin, Attention: Leslie K. Herje, P.O. Box 1585, Madison, WI 53701-1585. Please refer to the matter of *United States v. Heinrich*, DJ Reference No. 90-5-1-1-16504.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the Western District of Wisconsin, P.O. Box 432, Madison, WI 53701-0432. In addition,

the proposed Consent Decree may be viewed at <http://www.usdoj.gov/enrd/open.html>.

**Scott A. Schacter,**

*Assistant Chief, Environmental Defense Section, Environment & Natural Resources Division.*

[FR Doc. 03-23072 Filed 9-9-03; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging Proposed Consent Decree

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States v. IMC Phosphates Co.*, Civil Action No. 8:03-cv-1814-T-17MSS (M.D. Fla.), was lodged with the United States District Court for the Middle District of Florida on August 27, 2003. This proposed Consent Decree concerns a complaint filed by the United States of America against IMC Phosphates Co., pursuant to Section 301 of the Clean Water Act, 33 U.S.C. 1311(a), to obtain injunctive relief from and impose civil penalties against the Defendant for self-reported violations of the terms and conditions of Clean Water Act section 404 permits for three properties located in Polk, Hardee and Hillsborough Counties, Florida. The proposed Consent Decree prohibits IMC Phosphates Co. from discharging any pollutant into waters of the United States, unless such discharge complies with the provisions of the Clean Water Act and its implementing regulations, requires restoration and monitoring of the impacted sites as well as preservation of a 139-acre parcel and the payment of a civil penalty.

The Department of Justice will accept written comments relating to this proposed Consent Decree for thirty (30) days from the date of publication of this notice. Please address comments to Daniel W. Eckhart, Assistant U.S. Attorney, 80 N. Hughey Avenue, Suite 201, Orlando, Florida and refer to DJ# 90-5-1-4-05140 and civil action number 8:03-cv-1814-T-17MSS.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the Middle District of Florida, 80 North Huhey Avenue, Orlando, Florida. In addition, the proposed Consent Decree may be

viewed on the World Wide Web at <http://www.usdoj.gov/enrd/open.html>.

**Daniel W. Eckhart,**

*Assistant United States Attorney, United States Attorney's Office, Orlando, Florida.*

[FR Doc. 03-23073 Filed 9-9-03; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

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

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that on August 26, 2003, a proposed Consent Decree in *United States v. Nassau Metals Corporation* (M.D.Pa.), C.A. No. 4:CV-03-1484, was lodged with the United States District Court for the Middle District of Pennsylvania.

In this action, the United States sought response costs incurred and to be incurred by the Environmental Protection Agency ("EPA"), pursuant to Section 107 of the Comprehensive Environmental Response, Compensation and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9607, in connection with the clean-up of the Eastern Diversified Metals Site, located in Schuylkill County, Pennsylvania. Further, the United States sought an order, pursuant to Section 106 of CERCLA, requiring defendant Nassau Metals Corporation ("Nassau") to complete the clean-up of the Site.

Under the Consent Decree, Nassau will implement the remedy selected in the November 21, 2001 Record of Decision for operable unit four. Implementation of this remedy will cost approximately \$14 million and will complete the clean-up of the Site. In addition, Nassau will pay future costs incurred by EPA in connection with the Site.

The Department of Justice will receive, for a period of 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, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Nassau Metals Corporation*, DOJ Ref. No. 90-11-3-223/1.

The proposed Consent Decree may be examined at the Office of the United States Attorney, 228 Walnut Street, Federal Building, Room 220, Harrisburg, PA 17108; and U.S. EPA Region 3, 1650 Arch Street, Philadelphia, Pennsylvania

19103. 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 number (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy the Consent Decree only from the Consent Decree Library, please enclose a check in the amount of \$24.75, or enclose a check in the amount of \$74.75 for the Consent Decree and the Exhibits thereto (.25 cents per page reproduction costs), payable to the U.S. Treasury.

**Robert D. Brook,**

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

[FR Doc. 03-23075 Filed 9-9-03; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Settlement Agreement Under the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA")

Under 28 CFR 50.7, notice is hereby given that on August 22, 2003, a proposed settlement agreement in *The Matter of Stody Company, Debtor*, Chapter 11, No. 01-52847-399, was lodged with the United States Bankruptcy Court for the Eastern District of Missouri.

The United States' claims in this action arise under Sections 106 and 107 of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9606 and 9607, and Section 7003 of the Resource Conservation and Recovery Act, as amended ("RCRA"), 42 U.S.C. 6973, for releases and threatened releases of hazardous substances at the Puente Valley Operable Unit of the San Gabriel Valley Superfund Site, Area 4, Los Angeles County, California, that may present an imminent and substantial endangerment to public health or welfare or the environment.

The settlement agreement resolves Debtor Stody Company's liability for past costs, future costs, and work associated with the remedial action required for the Site set forth in the Environmental Protection Agency's 1998 Interim Record of Decision.