

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.

[FR Doc. 04-20428 Filed 9-8-04; 8:45 am]

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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](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

\$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.

[FR Doc. 04-20472 Filed 9-8-04; 8:45 am]

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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](mailto: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

reproduction costs), payable to the U.S. Treasury.

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

[FR Doc. 04-20471 Filed 9-8-04; 8:45 am]

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**DEPARTMENT OF JUSTICE**

**Drug Enforcement Administration**

[Docket No. DEA-249R]

**Controlled Substances: Proposed Revised Aggregate Production Quotas for 2004**

**AGENCY:** Drug Enforcement Administration (DEA), Justice.

**ACTION:** Notice of proposed revised 2004 aggregate production quotas.

**SUMMARY:** This notice proposes revised 2004 aggregate production quotas for controlled substances in Schedules I and II of the Controlled Substances Act (CSA).

**DATES:** Written comments must be postmarked, and electronic comments must be sent, on or before September 30, 2004.

**ADDRESSES:** To ensure proper handling of comments, please reference "Docket No. DEA-249" on all written and electronic correspondence. Written comments being sent via regular mail should be sent to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Washington, DC 20537, Attention: DEA Federal Register Representative/CCD. Written comments

sent via express mail should be sent to DEA Headquarters, Attention: DEA Federal Register Representative/CCD, 2401 Jefferson-Davis Highway, Alexandria, VA 22301. Comments may be directly sent to DEA electronically by sending an electronic message to *dea.diversion.policy@usdoj.gov*. Comments may also be sent electronically through *http://www.regulations.gov* using the electronic comment form provided on that site. An electronic copy of this document is also available at the *http://www.regulations.gov* Web site. DEA will accept attachments to electronic comments in Microsoft Word, WordPerfect, Adobe PDF, or Excel file formats only. DEA will not accept any file format other than those specifically listed here.

**FOR FURTHER INFORMATION CONTACT:** Christine A. Sannerud, Ph.D., Chief, Drug and Chemical Evaluation Section, Drug Enforcement Administration, Washington, DC 20537, Telephone: (202) 307-7183.

**SUPPLEMENTARY INFORMATION:** Section 306 of the CSA (21 U.S.C. 826) requires that the Attorney General establish aggregate production quotas for each basic class of controlled substance listed in Schedules I and II. This responsibility has been delegated to the Administrator of the DEA by Section 0.100 of Title 28 of the Code of Federal Regulations. The Administrator in turn, has redelegated this function to the Deputy Administrator, pursuant to § 0.104 of Title 28 of the Code of Federal Regulations.

On December 15, 2003, DEA published a notice of established initial

2004 aggregate production quotas for certain controlled substances in Schedules I and II (68 FR 69720). This notice stipulated that the DEA would adjust the quotas in early 2004 as provided for in Part 1303 of Title 21 of the Code of Federal Regulations.

The proposed revised 2004 aggregate production quotas represent those quantities of controlled substances in Schedules I and II that may be produced in the United States in 2004 to provide adequate supplies of each substance for: the estimated medical, scientific, research and industrial needs of the United States; lawful export requirements; and the establishment and maintenance of reserve stocks. These quotas do not include imports of controlled substances for use in industrial processes.

The proposed revisions are based on a review of 2003 year-end inventories, 2003 disposition data submitted by quota applicants, estimates of the medical needs of the United States, product development, and other information available to the DEA.

Therefore, under the authority vested in the Attorney General by section 306 of the CSA of 1970 (21 U.S.C. 826), delegated to the Administrator of the DEA by § 0.100 of Title 28 of the Code of Federal Regulations, and redelegated to the Deputy Administrator pursuant to § 0.104 of Title 28 of the Code of Federal Regulations, the Deputy Administrator hereby proposes the following revised 2004 aggregate production quotas for the following controlled substances, expressed in grams of anhydrous acid or base:

Basic class	Previously established initial 2004 quotas	Proposed revised 2004 quotas
<b>Schedule I</b>		
2,5-Dimethoxyamphetamine .....	3,501,000	3,501,000
2,5-Dimethoxy-4-ethylamphetamine (DOET) .....	2	2
2,5-Dimethoxy-4-n-propylthiophenethylamine (2C-T-7) .....	10	10
3-Methylfentanyl .....	2	2
3-Methylthiofentanyl .....	2	2
3,4-Methylenedioxyamphetamine (MDA) .....	11	11
3,4-Methylenedioxy-N-ethylamphetamine (MDEA) .....	5	5
3,4-Methylenedioxymethamphetamine (MDMA) .....	16	16
3,4,5-Trimethoxyamphetamine .....	2	2
4-Bromo-2,5-Dimethoxyamphetamine (DOB) .....	2	2
4-Bromo-2,5-Dimethoxyphenethylamine (2-CB) .....	2	2
4-Methoxyamphetamine .....	2	2
4-Methylaminorex .....	2	2
4-Methyl-2,5-Dimethoxyamphetamine (DOM) .....	2	2
5-Methoxy-3,4-Methylenedioxyamphetamine .....	2	2
5-Methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT) .....	10	10
Acetyl-alpha-methylfentanyl .....	2	2
Acetyldihydrocodeine .....	2	2
Acetylmethadol .....	2	2
Allylprodine .....	4	4