

Supplementary Rules

Section 1: Under 43 CFR 8365.1–6, the Bureau of Land Management will enforce the following rules for developed recreation sites within the area managed by the Butte Field Office, Montana.

- a. You may not engage in any activities that disturb other campers between 10 p.m. and 7 a.m.
- b. Your pets must be controlled on leashes and their droppings picked up and disposed of.
- c. You must not swim outside of designated, roped-off areas.
- d. You may not bring livestock into a developed recreation site.
- e. You may not claim or hold extra camp units for yourself or others.
- f. You may only use day-use docks for short term (10 minutes) loading and unloading.

g. You must not leave your camp unit or any property unattended for more than a period of 24 consecutive hours.

Section 2: In addition to the rules in Section 1 of these supplementary rules, the following additional rules apply to all recreation fee sites managed by the Butte Field Office.

a. You must pay established fees, and fill out all registration material, in advance of using a boat ramp or other day-use facility, or immediately upon selecting a camp unit.

b. You must display your receipt of payment at your camp unit post for overnight camping or, for day-use facilities, on the dashboard of your vehicle in a clearly visible manner.

c. You must not camp or hold any camp unit longer than seven (7) consecutive days. This rule is limited to Holter Lake, Log Gulch, and Departure Point Recreation Sites.

d. You may not use overnight dock slips unless you are a paid, overnight camper.

e. You may not claim or hold extra boat dock slips for yourself or others.

f. You must not drive a motor vehicle into the Clark's Bay day-use site, or use the day-use site for social gatherings, after dusk until 9 a.m. the following day during the months of May through September, nor shall you conduct these uses in the site at any time during the months of October through April. Individuals wishing to make pedestrian use of the site during the closure periods are welcome to do so.

Penalties: On public lands, under section 303(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1733(a)) and 43 CFR 8360.0–7 any person who violates any of these supplementary rules within the boundaries established in the rules may

be tried before a United States Magistrate and fined no more than \$1,000 or imprisoned for no more than 12 months, or both. Such violations may also be subject to the enhanced fines provided for by 18 U.S.C. 3571.

Dated: December 28, 2004.

Martin C. Ott,
State Director.

[FR Doc. 05–2540 Filed 2–9–05; 8:45 am]

BILLING CODE 4310–SS–P

JUDICIAL CONFERENCE OF THE UNITED STATES

Meeting of the Judicial Conference Advisory Committee on Rules of Civil Procedure

AGENCY: Judicial Conference of the United States; Advisory Committee on Rules of Civil Procedure.

ACTION: Notice of open meeting.

SUMMARY: The Advisory Committee on Rules of Civil Procedure will hold an open meeting on Saturday, February 12, 2005, from 1 p.m. to 3 p.m. The meeting will be held in the Judicial Conference Center of the Thurgood Marshall Federal Judiciary Building, One Columbus Circle, NE.

[The meeting will follow the Saturday, February 12, 2005, public hearing which will begin at 8:30 a.m., and end at 12 noon. Original notice of the February 12, 2005, public hearing appeared in the **Federal Register** of February 1, 2005.]

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: February 3, 2005

John K. Rabiej,

Chief, Rules Committee Support Office.

[FR Doc. 05–2599 Filed 2–9–05; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Settlement Stipulation Under the Comprehensive Environmental Response, Compensation and Liability Act

Notice is hereby given that on January 28, 2005, a proposed Settlement Agreement in *In re Armstrong World Industries, Inc., et al.* Case No. 00–4471 (Bankr. D. Del.), was lodged with the United States Bankruptcy Court for the District of Delaware. In this action, the United States filed a proof of claim on behalf of the U.S. Environmental

Protection Agency (“EPA”), against Armstrong World Industries, Inc. (“AWI”), seeking the recovery of response costs incurred at seven sites under section 104(a) of the Comprehensive Environmental Response, Compensation and Liability Act, as amended, 42 U.S.C. 9604(a).

Under the proposed Settlement Agreement, the claims of the United States regarding 19 “Liquidated Sites” will be resolved for a total of \$8,727,738.80. In addition, the proposed Settlement Agreement will permit EPA to resolve in due course any alleged liabilities of AWI at any “Additional Sites” (e.g., presently unknown sites), whether prior to or following the effective date of a confirmed reorganization plan. Any settlements reached or judgments obtained regarding such Sites will be paid at the rate at which general unsecured claims against AWI will be paid. Under AWI’s proposed Fourth Amended Plan of Reorganization (the “Plan”), which has been approved by the United States Bankruptcy Court for the District of Delaware and is pending before the District Court, that rate is 59.5%. In addition, the United States has agreed that any claims which EPA may have at 18 identified sites, where EPA upon investigation does not believe it has claims, will be discharged upon confirmation of the Plan.

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, PO Box 7611, U.S. Department of Justice, Washington, DC 20044–7611, and should refer to *In re Armstrong World Industries, Inc.*, DJ No. 90–11–3–07780.

The proposed Settlement Agreement may be examined at the office of the United States Attorney, District of Delaware, 1007 N. Orange Street, Suite 700, Wilmington, Delaware 19801, and at the Office of the Regional Counsel, U.S. Environmental Protection Agency, Region III, 1650 Arch St., Philadelphia, Pennsylvania 19103. During the comment period, the Stipulation and Agreement may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the Stipulation and Agreement may 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 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. In all correspondence, please refer to the case by its title and DOJ Ref. #90-11-3-07780.

Robert D. Brook,

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

[FR Doc. 05-2550 Filed 2-9-05; 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 January 27, 2005, a Consent Decree in *United States, et al. v. ConocoPhillips Company*, Civil Action No. H-05-0258, was lodged with the United States District Court for the Southern District of Texas.

In a complaint that was filed simultaneously with the Consent Decree, the United States, the State of Illinois, the State of Louisiana, the State of New Jersey, the Commonwealth of Pennsylvania, and the Northwest Clean Air Agency in the State of Washington sought injunctive relief and penalties against ConocoPhillips Company ("COPC"), pursuant to sections 113(b) and 304(a) of the Clean Air Act ("CAA"), 42 U.S.C. 7413(b), 7604(a), for alleged CAA violations and violations of the corollary provisions in State laws occurring at the following refineries owned and operated by COPC: Roxanna/Hartford, Illinois; Belle Chasse, Louisiana; Linden, New Jersey; Trainer, Pennsylvania; Ferndale, Washington; Carson/Wilmington, California; Rodeo/Santa Maria, California; Borger, Texas; and Sweeny, Texas.

Under the settlement, COPC will implement innovative pollution control technologies to reduce emissions of nitrogen oxides, sulfur dioxide, and particulate matter from refinery process units. COPC also will adopt facility-wide enhanced benzene waste monitoring and fugitive emission controls programs. In addition, COPC will pay a civil penalty of \$4.525 million for settlement of the claims in the complaint. Finally, COPC will undertake both Federal and State environmentally-beneficial projects worth more than \$10 million including covering and oil/water separator at its New Jersey refinery; purchasing a foam aerial apparatus for mutual, emergency

response aid in and around its Illinois refinery; donating \$400,000 to a local emergency planning committee to fund radio systems and an emergency broadcast radio system in the area of COPC's Pennsylvania refinery; donating \$400,000 to the Louisiana Department of Environmental Quality to support collection and recycling of household hazardous waste; purchasing a fire truck for mutual aid response in and around COPC's Washington refinery; replacing old fireplaces and wood stoves with new clean-burning fireplaces or certified wood stoves for low income households in the vicinity of the Washington refinery; and developing emissions inventories and targets for air pollution reduction by participating cities and towns in the vicinity of the Washington refinery.

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, et al. v. ConocoPhillips Company*, D.J. Ref. No. 90-5-2-1-06722/1.

The Consent Decree may be examined at the Office of the United States Attorney, 910 Travis St., Suite 1500, Houston, Texas 77208, and at U.S. EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733. 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 number (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 \$73.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Robert D. Brook,

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

[FR Doc. 05-2551 Filed 2-9-05; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Antitrust Division

Proposed Final Judgment and Competitive Impact Statement; *United States v. Eastern Mushroom Marketing Cooperative, Inc.*

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b)-(h), that a Complaint, proposed Final Judgment, Stipulation, and Competitive Impact Statement have been filed with the United States District Court for the Eastern District of Pennsylvania in *United States v. Eastern Mushroom Marketing Cooperative, Inc.*, Civil Case No. 04 CV 5829. The proposed Final Judgment is subject to approval by the Court after compliance with the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b)-(h), including expiration of the statutory 60-day public comment period.

On December 16, 2004, The United States filed a Complaint alleging that the Eastern Mushroom Marketing Cooperative, Inc., in order to support its price increases, acquired certain mushroom farms, then filed deed restrictions on the properties as part of an agreement among the cooperative members to restrict, forestall, and exclude competition from nonmember farmers in an unreasonable restraint of trade in violation of Section 1 of the Sherman Act. The Eastern Mushroom Marketing Cooperative, whose members grow, sell, and ship mushrooms to retail and food service outlets, is the largest mushroom cooperative in the United States. During the 2001-2002 growing season, the cooperative had approximately 19 members with control of more than 500 million pounds of mushrooms valued in excess of \$425 million. The cooperative controlled over 60 percent of all agaricus mushrooms grown in the United States during the 2001-2002 growing season and approximately 90 percent of all agaricus mushrooms grown in the eastern United States during the same growing season.

To restore competition, the proposed Final Judgment filed with the Complaint will require the cooperative to remove the deed restrictions already filed and will enjoin and restrain the cooperative from creating, filing, or enforcing any mushroom deed restrictions with respect to any real property in which the cooperative has an ownership or leasehold interest of any kind. A Competitive Impact Statement, filed by the United States, describes the Complaint, the proposed Final Judgment, and the remedies available to