

Import Investigations, U.S. International Trade Commission, telephone 202-205-2576.

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section § 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2004).

Scope of Investigation: Having considered the amended complaint, the U.S. International Trade Commission, on March 23, 2005, *ordered that*—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain network communications systems for optical networks or components thereof by reason of infringement of one or more of claims 5-11, 13 and 14 of U.S. Patent No. 5,978,115 and claims 1-25 and 27-37 of U.S. Patent No. 6,618,176, and whether an industry in the United States exists as required by subsection (a)(2) of section 337.

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is—Ciena Corporation, 1201 Winterson Road, Linthicum, Maryland 21090.

(b) The respondents are the following companies alleged to be in violation of section 337, and are the parties upon which the amended complaint is to be served:

Nortel Networks Corporation, 8200 Dixie Road, Brampton, Ontario, Canada L6T 5P6.

Nortel Networks Limited, 8200 Dixie Road, Brampton, Ontario, Canada L6T 5P6.

Nortel Networks, Inc., 2221 Lakeside Boulevard, Richardson, Texas 75082.

Flextronics International Ltd., One Marina Boulevard, #28-00, Singapore 018989.

Flextronics Telecom Systems Ltd., 802 St. James Court, St. Denis Street, Port Louis, Mauritius.

(c) David O. Lloyd, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Suite 401, Washington, DC 20436, who shall be the Commission investigative attorney, party to this investigation; and

(3) For the investigation so instituted, the Honorable Charles E. Bullock is designated as the presiding administrative law judge.

Responses to the amended complaint and the notice of investigation must be submitted by the named respondents in accordance with § 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(d) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the amended complaint and the notice of investigation. Extensions of time for submitting responses to the amended complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the amended complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the amended complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the amended complaint and this notice and to enter a final determination containing such findings, and may result in the issuance of a limited exclusion order or cease and desist order or both directed against the respondent.

Issued: March 24, 2005.

By order of the Commission.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 05-6299 Filed 3-29-05; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant To Comprehensive Environmental Response, Compensation, and Liability Act

Notice is hereby given that on March 22, 2005, a proposed Consent Decree in *United States v. Chemical Waste Management, et al.*, Civil Action No. 02-2007, was lodged with the United States District Court for the District of New Jersey.

The proposed Consent Decree resolves the United States' claims for reimbursement of response costs, pursuant to section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9607(a), and for civil penalties, pursuant to section 106 of CERCLA, against Waste Management, Inc., Chemical Waste Management, Inc., SCA Services, Inc., SCA Services of Passaic, Inc.,

Wastequid, Inc., Waste Management Holdings, Inc., Earthline Company, Anthony Gaess, Transtech Industries, Inc., Filcrest Realty, Inc. Inmar Associates, Inc., and Kin-Buc, Inc. ("Settling Defendants"), in connection with the Kin-Buc Landfill Superfund Site, in Edison, New Jersey ("Site"). Under the proposed Decree, Settling Defendants will: (1) Pay \$2,625,000 in reimbursement of the United States' Site-related response costs, plus interest; (2) pay \$100,000 in civil penalties, plus interest; (3) perform a Supplemental Environmental Project ("SEP"), involving (a) The transfer of title to approximately 96 acres of land; (b) the recording of Conservation Easements prohibiting most use and development of the land in perpetuity; and (c) payment of \$25,000 in SEP funding; and (4) provide Additional Relief, including the payment of at least \$83,000 for the preparation and implementation of initial and final financing plans, an open space land management plan, and a wetland restoration plan covering at least the 96 acres. To become effective, the Consent Decree must be approved by the United States District Court for the District of New Jersey.

For a period of thirty (30) days after the date of this publication, the U.S. Department of Justice will accept comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, U.S. Department of Justice, c/o David L. Weigert, Esq., Environmental Enforcement Section, PO Box 7611, Ben Franklin Station, Washington, DC 20044-7611, and should refer to *United States v. Chemical Waste Management, et al.*, Civil Action No. 02-2077, DJ # 90-11-3-1563/1.

The proposed Consent Decree may be examined at the Office of the United States Attorney, District of New Jersey, Peter W. Rodino, Jr. Federal Building, 970 Broad Street, 7th Floor Newark, New Jersey and the office of the U.S. Environmental Protection Agency, Region II, New Jersey Superfund Branch, 290 Broadway, 19th Floor, New York, New York. 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>. Copies 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 number

(202) 514-0097, phone confirmation number (202) 514-1547. If requesting a copy of the proposed Consent Decree, including attachments, please enclose a check in the amount of \$70.00 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Ronald G. Gluck,

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

[FR Doc. 05-6304 Filed 3-29-05; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Air Act

Under the policy set out at 28 CFR 50.7, notice is hereby given that on March 18, 2005, the United States lodged with the United States District Court for the Southern District of Ohio a proposed consent decree ("Consent Decree") in the case of *United States, et al v. Ohio Edison Co., et al.*, Civ. A. No. 2:99-CV-1181. The Consent Decree settles claims under the Clean Air Act ("Act") by the United States and the States of New York, New Jersey and Connecticut against Ohio Edison Company ("Ohio Edison"), a subsidiary of FirstEnergyCorp. ("FirstEnergy"), regarding its W.H. Sammis Station coal-fired power plant ("Sammis plant") in Stratton, Ohio.

The settlement resolves a lawsuit filed in 1999 alleging that Ohio Edison undertook construction projects at the Sammis plant in violation of the Prevention of Significant Deterioration provisions of the Act, 42 U.S.C. 7470-7492, and the New Source Review provisions of the Act, 42 U.S.C. 7501-7515. In a 2003 trial on liability, the U.S. District Court for the Southern District of Ohio upheld the Clean Air Act violations. The Consent Decree settles the remedy phase of the litigation, averting a second trial.

Under the Consent Decree, Ohio Edison agrees to significantly reduce its annual emissions of sulfur dioxide ("SO₂") and nitrogen oxide ("NO_x") by installing state-of-the-art pollution controls on the two largest steam-generating units of the Sammis plant (Units 6 and 7); installing other pollution controls on the five smaller Sammis units (Units 1 to 5); and capping its annual SO₂ and NO_x emissions from the Sammis plant. In addition, Ohio Edison agrees to undertake pollution reduction measures at several other FirstEnergy coal-fired plants.

As part of the settlement, Ohio Edison agrees to pay a civil penalty of \$8.5 million. Ohio Edison also agrees to undertake projects to mitigate past harm to the environment including renewable energy projects valued at approximately \$14.4 million, involving electricity generated by wind power (or, with the governments' approval, landfill gas). In addition, Ohio Edison agrees to fund \$10 million worth of environmentally beneficial projects in the States of New York, New Jersey and Connecticut. Finally, Ohio Edison agrees to fund a solar energy project in Allegheny County, Pennsylvania, and a project addressing air quality in the Shenandoah National Park.

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, D.C. 20044-7611, and should refer to *United States, et al v. Ohio Edison Co., et al.*, DOJ Ref. No. 90-5-2-1-06894.

The Consent Decree may be examined at the offices of the United States Attorney, Southern District of Ohio, 280 North High Street, Fourth Floor, Columbus, Ohio 43215, and at the offices of U.S. EPA Region 5, 77 W. Jackson Boulevard, Chicago, Illinois 60604-3590.

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 \$20 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Catherine R. McCabe,

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

[FR Doc. 05-6303 Filed 3-29-05; 8:45 am]

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DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—IMS Global Learning Consortium, Inc.

Notice is hereby given that, on February 28, 2005, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), IMS Global Learning Consortium, Inc. has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. 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, HarvestRoad, Ltd., Perth, Western Australia, Australia; Indiana University-Purdue University Indianapolis, Indianapolis, IN; and Pearson Education, Inc., Boston, MA have been added as parties to this venture.

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 IMS Global Learning Consortium, Inc. intends to file additional written notification disclosing all changes in membership.

On April 7, 2000, IMS Global Learning Consortium, Inc. filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on September 13, 2000 (65 FR 55283).

The last notification was filed with the Department on December 8, 2004. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on February 2, 2005 (70 FR 5485).

Dorothy B. Fountain,

Deputy Director of Operations, Antitrust Division.

[FR Doc. 05-6278 Filed 3-29-05; 8:45 am]

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LIBRARY OF CONGRESS

Copyright Office

[Docket No. 2005-2 CARP CRA]

Adjustment of Cable Statutory License Royalty Rates

AGENCY: Copyright Office, Library of Congress.