

time for submitting responses to the 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 complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondents, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and 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: May 8, 2006.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 06-4413 Filed 5-10-06; 8:45 am]

BILLING CODE 7020-02-P

## INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 731-TA-671-673 (Second Review)]

### Silicomanganese From Brazil, China, and Ukraine

**AGENCY:** United States International Trade Commission.

**ACTION:** Scheduling of expedited five-year reviews concerning the antidumping duty orders on silicomanganese from Brazil, China, and Ukraine.

**SUMMARY:** The Commission hereby gives notice of the scheduling of expedited reviews pursuant to section 751(c)(3) of the Tariff Act of 1930 (19 U.S.C. 1675(c)(3)) (the Act) to determine whether revocation of the antidumping duty orders on silicomanganese from Brazil, China, and Ukraine would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. For further information concerning the conduct of these reviews and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

**DATES:** *Effective Date:* April 10, 2006.

**FOR FURTHER INFORMATION CONTACT:** Mary Messer (202-205-3193), Office of Investigations, U.S. International Trade Commission, 500 E Street, SW.,

Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for these reviews may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

#### SUPPLEMENTARY INFORMATION:

**Background.**—On April 10, 2006, the Commission determined that the domestic interested party group response to its notice of institution (71 FR 135, January 3, 2006) of the subject five-year reviews was adequate and that the respondent interested party group response was inadequate. The Commission did not find any other circumstances that would warrant conducting full reviews. Accordingly, the Commission determined that it would conduct expedited reviews pursuant to section 751(c)(3) of the Act.

**Staff report.**—A staff report containing information concerning the subject matter of the reviews will be placed in the nonpublic record on June 1, 2006, and made available to persons on the Administrative Protective Order service list for these reviews. A public version will be issued thereafter, pursuant to section 207.62(d)(4) of the Commission's rules.

**Written submissions.**—As provided in section 207.62(d) of the Commission's rules, interested parties that are parties to the reviews and that have provided individually adequate responses to the notice of institution,<sup>1</sup> and any party other than an interested party to the reviews may file written comments with the Secretary on what determinations the Commission should reach in the reviews. Comments are due on or before June 28, 2006 and may not contain new factual information. Any person that is neither a party to the five-year reviews nor an interested party may submit a brief written statement (which shall not contain any new factual information) pertinent to the reviews by June 28, 2006. However, should the Department of Commerce extend the time limit for its completion of the final results of its reviews, the deadline for comments (which may not contain new factual

<sup>1</sup> The Commission has found the response submitted by Eramet Marietta Inc. to be individually adequate. Comments from other interested parties will not be accepted (see 19 CFR 207.62(d)(2)).

information) on Commerce's final results is three business days after the issuance of Commerce's results. If comments contain business proprietary information (BPI), they must 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). Even where electronic filing of a document is permitted, certain documents must also be filed in paper form, as specified in II(C) of the Commission's Handbook on Electronic Filing Procedures, 67 FR 68168, 68173 (November 8, 2002).

In accordance with sections 201.16(c) and 207.3 of the 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.

**Determination.**—The Commission has determined to exercise its authority to extend the review period by up to 90 days pursuant to 19 U.S.C. 1675(c)(5)(B).

**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.

By order of the Commission.

Issued: May 5, 2006.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E6-7154 Filed 5-10-06; 8:45 am]

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## INTERNATIONAL TRADE COMMISSION

[USITC SE-06-032]

### Government in the Sunshine Act Meeting Notice

**AGENCY HOLDING THE MEETING:** United States International Trade Commission.

**TIME AND DATE:** May 17, 2006 at 11 a.m.

**PLACE:** Room 101, 500 E Street SW., Washington, DC 20436, Telephone: (202) 205-2000.

**STATUS:** Open to the public.

#### MATTERS TO BE CONSIDERED:

1. Agenda for future meetings: none.
2. Minutes.
3. Ratification List.
4. Inv. No. 731-TA-461 (Second Review) (Gray Portland Cement and

Cement Clunker from Japan)—briefing and vote. (The Commission is currently scheduled to transmit its determination and Commissioners' opinions to the Secretary of Commerce on or before May 31, 2006.)

5. Outstanding action jackets: none.

In accordance with Commission policy, subject matter listed above, not disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting.

By order of the Commission.

Issued: May 9, 2006.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 06-4488 Filed 5-9-06; 3:01 pm]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Consent Decree under the Comprehensive Environmental Response, Compensation and Liability Act

Notice is hereby given that on April 25, 2006, a proposed Consent Decree in *United States v. General Electric Company*, Civil Action No. 03CV4668 (HAA), was lodged with the United States District Court for the District of New Jersey. In that action, the United States seeks to recover from General Electric Company ("General Electric") response costs incurred in connection with the Grand Street Mercury Superfund Site, located in Hoboken, New Jersey ("the Site"), pursuant to section 107 of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9607. A number of other lawsuits have been filed and consolidated in connection with the release of mercury at the Site.

As part of the settlement, General Electric has placed \$3 million into an interest-bearing court registry account. The consent decree provides that the United States will receive \$2,805,000 plus interest accrued on that amount, and that the State of New Jersey will receive \$195,000 plus interest accrued on that amount. General Electric further agrees to file motions to withdraw its opposition to a consent decree that the United States and the State of New Jersey lodged in 2003 with other parties in Civil Action No. 96-3775 (HAA) and consolidated cases, and its opposition to aspects of other private settlements. General Electric further agrees to give up its claims for costs that it incurred in performing remediation at the Site and to withdraw its Petition to EPA

under CERCLA section 106(b)(2), 42 U.S.C. 9606(b)(2), for reimbursement of such costs. In exchange, the Plaintiffs covenant not to sue General Electric for their past costs at the Site and provide contribution protection for all response costs and response actions at the Site.

The Department of Justice will receive comments relating to this Consent Decree for a period of thirty (30) days from the date of this publication. 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, Attention: Nancy Flickinger, and should refer to *United States v. General Electric Co.*, DOJ #90-11-3-1769.

The Consent Decree may be examined at the Office of the United States Attorney for the District of New Jersey, 970 Broad Street, 7th Floor, Newark, NJ 07102, and at U.S. EPA Region II's Office, 290 Broadway, New York, NY 10007-1866. 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-mail 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 \$11.00 (25 cents per page reproduction cost) for a full copy of the consent decree, payable to the U.S. Treasury.

**Ronald Gluck,**

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

[FR Doc. 06-4372 Filed 5-10-06; 8:45 am]

BILLING CODE 4410-15-M

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Modification of the Consent Decree Entered in; *United States et al. v. Illinois Power Company and Dynegy Midwest Generation*

Notice is hereby given that on March 20, 2006, the United States lodged a Proposed Consent Decree Modification in the United States District Court for the Southern District of Illinois in the matter captioned *United States et al. v. Illinois Power Company and Dynegy Midwest Generation, Inc.*, (Civil Action

No. 99-833-MJR). This proposed Modifications was jointly agreed by the United States, the State of Illinois, the four citizen groups co-plaintiffs—the American Bottom Conservancy, Health and Environmental Justice—St. Louis, Inc., Illinois Stewardship Alliance, and the Prairie Rivers Network—and Dynegy Midwest Generation.

The proposed modification affects Section VI of the Consent Decree, *PM Emission Reductions and Controls*, which establishes a variety of requirements for Dynegy Midwest Generation, Inc. ("DMG") concerning particulate matter emissions at identified units in the DMG System. Under the Consent Decree, DMG is required to operate certain electric generating units so as to achieve and maintain an emissions rate of "not greater than 0.030 lb/mmBTU" or to undertake an alternative procedure defined in the Decree as a "Pollution Control Equipment Upgrade Analysis." Consent Decree ¶ 86. According to the proposed modification, the deadline for each of the two Hennepin Units set forth in Paragraph 86 will be changed to December 31, 2008, and the language in Paragraph 86 following the table, as well as Paragraph 88 in its entirety, will be deleted. By this change, among other things, rather than requiring the first Hennepin unit to meet the specified emission rate in 2006 and the second Hennepin unit to meet that rate in 2010, the Consent Decree will instead require DMG to ensure that both Hennepin units meet 0.030 lbs/mmBTU emissions rate by December 31, 2008.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the above-described Proposed Consent Decree Modification. 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. Illinois Power Company and Dynegy Midwest Generation, Inc.*, D.J. Ref. No. 90-5-2-1-06837.

During the public comment period, the proposed modification to 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 proposed modifications 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