

accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS—ON—LINE) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202–205–1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on December 2, 2005, based on a complaint filed by SAS Praxim (“SAS”) of La Tronche, France, and Varian Medical Systems, Inc. (“Varian”) of Palo Alto, California. The complaint, as supplemented, alleged violations of section 337 by Resonant Medical, Inc. (“Resonant”) of Montreal, Canada, in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain devices for determining organ positions and certain subassemblies thereof by reason of infringement of claims 1, 2, 5, and 10 of U.S. Patent No. 5,447,154. 70 FR 72314 (2005).

On February 16, 2006, the ALJ issued an ID (Order No. 5) granting a motion to intervene as a complainant filed by non-party Université Joseph Fourier (Grenoble) (“UJF”) of Grenoble, France. That ID was not reviewed by the Commission.

On April 10, 2006, the three complainants and sole respondent Resonant jointly moved to terminate the investigation in its entirety on the basis of a settlement agreement. On April 20, 2006, the Commission investigative attorney filed a response supporting the joint motion. On April 25, 2006, the ALJ issued an ID (Order No. 12) granting the joint motion to terminate.

No petitions for review of the ID were filed.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in section 210.42 of the Commission's Rules of Practice and Procedure (19 CFR 210.42).

By order of the Commission.

Issued: May 15, 2006.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E6–7582 Filed 5–17–06; 8:45 am]

**BILLING CODE 7020–02–P**

## INTERNATIONAL TRADE COMMISSION

[USITC SE–06–033]

### Government in the Sunshine Act Meeting Notice

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

**TIME AND DATE:** June 1, 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. Nos. 731–TA–624 and 625 (Second Review) (Helical Spring Lock Washers from China and Taiwan)—briefing and vote. (The Commission is currently scheduled to transmit its determination and Commissioners' opinions to the Secretary of Commerce on or before June 12, 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 12, 2006.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 06–4698 Filed 5–16–06; 2:35 pm]

**BILLING CODE 7020–02–P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Clean Water Act

In accordance with 28 CFR 50.7, 38 FR 19029, notice is hereby given that on May 11, 2006, a Consent Decree was lodged with the United States District Court for the District of Connecticut in *United States v. Metropolitan District of Hartford, Connecticut*, Civil Action No. 3:06–cv–00728–PCD. A complaint was also filed simultaneously with the lodging of the Consent Decree. In the complaint the United States, on behalf of the U.S. Environmental Protection Agency (EPA), alleges that the defendant Metropolitan District of Connecticut (“the MDC”) violated the Clean Water Act, 33 U.S.C. 1251, *et seq.*, (“CWA”) in connection with the MDC's operation of its publicly-owned treatment works. The complaint alleges that the MDC discharged untreated wastewater to navigable waters through point sources other than those

authorized by the MDC's permit. The consent decree requires the MDC to pay a civil penalty of \$850,000–\$425,000 to the co-plaintiff State of Connecticut and \$425,000 to the United States—and to perform injunctive relief to achieve compliance with the Clean Water Act.

The Department of Justice will receive comments relating to the proposed 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, Department of Justice, P.O. Box 7611, Washington, DC 20044, and should refer to *United States v. Metropolitan District Commission*, D.J. Ref. 90–5–1–1–084404.

The proposed consent decree may be examined at the office of the United States Attorney, 157 Church St., New Haven, Connecticut, 06510, and at the Region I office of the Environmental Protection Agency, One Congress Street, Suite 1100, Boston, Massachusetts 02114. 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 proposed consent decree may also be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, 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, please enclose a check (there is a 25 cent per reproduction cost) in the amount of \$43.25 payable to the “U.S. Treasury.”

**Ronald G. Gluck,**

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

[FR Doc. 06–4661 Filed 5–17–06; 8:45 am]

**BILLING CODE 4410–15–M**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. NRTL2–98]

### NSF International; Application for Expansion of Recognition

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Notice.

**SUMMARY:** This notice announces the application of NSF International for expansion of its recognition to use

additional test standards, and presents the Agency's preliminary finding to grant this request for expansion. This preliminary finding does not constitute an interim or temporary approval of this application.

**DATES:** You must submit information or comments, or any request for extension of the time to comment, by the following dates:

- Hard copy: postmarked or sent by June 2, 2006.
- Electronic transmission or facsimile: sent by June 2, 2006.

**ADDRESSES:** You may submit information or comments to this notice—identified by docket number NRTL2-98—by any of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- OSHA Web site: <http://ecommments.osha.gov>. Follow the instructions for submitting comments on OSHA's Web page.
- Fax: If your written comments are 10 pages or fewer, you may fax them to the OSHA Docket Office at (202) 693-1648.
- Regular mail, express delivery, hand delivery and courier service: Submit three copies to the OSHA Docket Office, Docket No. NRTL2-98, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-2625, Washington, DC 20210; telephone (202) 693-2350. (OSHA's TTY number is (877) 889-5627.) OSHA Docket Office hours of operation are 8:15 a.m. to 4:45 p.m., EST.

**Instructions:** All comments received will be posted without change to <http://dockets.osha.gov>, including any personal information provided. OSHA cautions you about submitting personal information such as social security numbers and birth dates.

**Docket:** For access to the docket to read background documents or comments received, go to <http://dockets.osha.gov>. Contact the OSHA Docket Office for information about materials not available through the OSHA Web page and for assistance in using the Web page to locate docket submissions.

**Extension of Comment Period:** Submit requests for extensions concerning this notice to the Office of Technical Programs and Coordination Activities, NRTL Program, Occupational Safety and Health Administration, U.S. Department of Labor, Room N-3655, 200 Constitution Avenue, NW., Washington, DC 20210. Or, fax to (202) 693-1644.

**FOR FURTHER INFORMATION CONTACT:** Office of Technical Programs and

Coordination Activities, NRTL Program, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-3653, Washington, DC 20210, or phone (202) 693-2110.

#### SUPPLEMENTARY INFORMATION:

##### Notice of Application

The Occupational Safety and Health Administration (OSHA) hereby gives notice that NSF International has applied for expansion of its current recognition as a Nationally Recognized Testing Laboratory (NRTL). NSF's expansion request covers the use of additional test standards. OSHA's current scope of recognition for NSF may be found in the following informational Web page: <http://www.osha.gov/dts/otpca/nrtl/nsf.html>.

OSHA recognition of an NRTL signifies that the organization has met the legal requirements in section 1910.7 of Title 29, Code of Federal Regulations (29 CFR 1910.7). Recognition is an acknowledgment that the organization can perform independent safety testing and certification of the specific products covered within its scope of recognition and is not a delegation or grant of government authority. As a result of recognition, employers may use products "properly certified" <sup>1</sup> by the NRTL to meet OSHA standards that require testing and certification.

The Agency processes applications by an NRTL for initial recognition or for expansion or renewal of this recognition following requirements in Appendix A to 29 CFR 1910.7. This appendix requires that the Agency publish two notices in the **Federal Register** in processing an application. In the first notice, OSHA announces the application and provides its preliminary finding and, in the second notice, the Agency provides its final decision on the application. These notices set forth the NRTL's scope of recognition or modifications of that scope. We maintain an informational Web page for each NRTL, which details its scope of recognition. These pages can be accessed from our Web site at <http://www.osha.gov/dts/otpca/nrtl/index.html>.

The most recent notice published by OSHA specifically related to NSF's recognition granted a renewal of its NRTL status, which became effective on August 30, 2005 (70 FR 51371).

<sup>1</sup> Properly certified means, in part, that the product is labeled or marked with the NRTL's "registered" certification mark (*i.e.*, the mark the NRTL uses for its NRTL work) and that the product certification falls within the scope of recognition of the NRTL.

The current address of the NSF facility already recognized by OSHA is: NSF International, 789 Dixboro Road, Ann Arbor, MI 48105.

#### General Background on the Application

NSF has submitted an application, dated May 10, 2005 (see Exhibit 16-1), to expand its recognition to include 19 additional test standards. The NRTL then amended the original application to request two additional test standards (see Exhibit 16-2). The NRTL Program staff has determined that each of these standards is an "appropriate test standard" within the meaning of 29 CFR 1910.7(c). However, one standard was already included in NSF's scope. Therefore, OSHA would approve twenty test standards for the expansion.

NSF seeks recognition for testing and certification of products for demonstration of conformance to the following test standards:

UL 48 .....	Electric Signs.
UL 65 .....	Wired Cabinets.
UL 174 .....	Household Electric Storage-Tank Water Heaters.
UL 250 .....	Household Refrigerators and Freezers.
UL 412 .....	Refrigeration Unit Coolers.
UL 430 .....	Waste Disposers.
UL 499 .....	Electric Heating Appliances.
UL 778 .....	Motor-Operated Water Pumps.
UL 858 .....	Household Electric Ranges.
UL 873 .....	Temperature-Indicating and -Regulating Equipment.
UL 979 .....	Water Treatment Appliances.
UL 1026 .....	Electric Household Cooking and Food Serving Appliances.
UL 1082 .....	Household Electric Coffee Makers and Brewing-Type Appliances.
UL 1083 .....	Household Electric Skillets and Frying-Type Appliances.
UL 1261 .....	Electric Water Heaters for Pools and Tubs.
UL 1598 .....	Luminaries.
UL 1889 .....	Commercial Filters for Cooking Oil.
UL 1951 .....	Electric Plumbing Accessories.
UL 2157 .....	Electric Clothes Washing Machines and Extractors.
UL 2158 .....	Electric Clothes Dryers.

The designations and titles of the above test standards were current at the time of the preparation of this notice.

OSHA's recognition of NSF, or any NRTL, for a particular test standard is limited to equipment or materials (*i.e.*, products) for which OSHA standards require third-party testing and certification before use in the workplace. Consequently, if a test standard also covers any product(s) for which OSHA does not require such

testing and certification, an NRTL's scope of recognition does not include that product(s).

Many UL test standards also are approved as American National Standards by the American National Standards Institute (ANSI). However, for convenience, we use the designation of the standards developing organization for the standard as opposed to the ANSI designation. Under our procedures, any NRTL recognized for an ANSI-approved test standard may use either the latest proprietary version of the test standard or the latest ANSI version of that standard. You may contact ANSI to find out whether or not a test standard is currently ANSI-approved.

#### Preliminary Finding on the Application

NSF has submitted an acceptable request for expansion of its recognition as an NRTL. In connection with this request, OSHA did not perform an on-site review of NSF's NRTL testing facilities. However, NRTL Program assessment staff reviewed information pertinent to the request and recommended that NSF's recognition be expanded to include the twenty additional test standards listed above (see Exhibit 16-3). Our review of the application file, the assessor's recommendation, and other pertinent documents indicate that NSF can meet the requirements, as prescribed by 29 CFR 1910.7, for the expansion for the twenty additional test standards listed above. This preliminary finding does not constitute an interim or temporary approval of the application.

OSHA welcomes public comments, in sufficient detail, as to whether NSF has met the requirements of 29 CFR 1910.7 for expansion of its recognition as a Nationally Recognized Testing Laboratory. Your comments should consist of pertinent written documents and exhibits. Should you need more time to comment, you must request it in writing, including reasons for the request. OSHA must receive your written request for extension at the address provided above no later than the last date for comments. OSHA will limit any extension to 30 days, unless the requester justifies a longer period. We may deny a request for extension if it is not adequately justified. You may obtain or review copies of NSF's requests, the on-site review report, other pertinent documents, and all submitted comments, as received, by contacting the Docket Office, Room N-2625, Occupational Safety and Health Administration, U.S. Department of Labor, at the above address. Docket No. NRTL2-98 contains all materials in the record concerning NSF's application.

The NRTL Program staff will review all timely comments and, after resolution of issues raised by these comments, will recommend whether to grant NSF's expansion request. The Assistant Secretary will make the final decision on granting the expansion and, in making this decision, may undertake other proceedings that are prescribed in Appendix A to 29 CFR 1910.7. OSHA will publish a public notice of this final decision in the **Federal Register**.

Signed at Washington, DC this 29th day of March, 2006.

**Jonathan L. Snare,**

*Acting Assistant Secretary.*

[FR Doc. E6-7519 Filed 5-17-06; 8:45 am]

**BILLING CODE 4510-26-P**

#### FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

##### Sunshine Act Meetings

May 11, 2006.

**FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT:** Vol. 71, No. 84, at 25860, May 2, 2006.

**PREVIOUSLY ANNOUNCED TIME AND DATE:** 10 a.m., Thursday, May 18, 2006.

**PLACE:** The Richard V. Backley Hearing Room, 9th Floor, 601 New Jersey Avenue, NW., Washington, DC.

**STATUS:** Open.

**CHANGE IN MEETING:** The Commission has postponed the meeting to consider and act upon *Secretary of Labor v.*

*Cumberland Coal Resources, LP*, Docket Nos. PENN 2004-73-R, PENN 2004-74-R, 2004-75-R, PENN 2004-85-R, PENN 2004-86-R, PENN 2004-87-R, PENN 2004-88-R, PENN 2004-104-R, PENN 2004-105-R, PENN 2004-181, and PENN 2005-8. No earlier announcement of the change in meeting was possible.

**FOR FURTHER INFORMATION CONTACT:** Jean Ellen, (202) 434-9950/(202) 708-9300 for TDD Relay/1-800-877-8339 for toll free.

**Jean H. Ellen,**

*Chief Docket Clerk.*

[FR Doc. 06-4676 Filed 5-16-06; 11:15 am]

**BILLING CODE 6735-01-M**

#### FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

##### Sunshine Act Meeting

**DATE:** May 11, 2006.

**TIME AND DATE:** 10 a.m., Thursday, May 25, 2006.

**PLACE:** The Richard V. Backley Hearing Room, 9th Floor, 601 New Jersey Avenue, NW., Washington, DC.

**STATUS:** Open.

**MATTERS TO BE CONSIDERED:** The Commission will consider and act upon the following in open session: *Secretary of Labor v. Cumberland Coal Resources, LP*, Docket Nos. PENN 2004-73-R, PENN 2004-74-R, PENN 2004-75-R, PENN 2004-85-R, PENN 2004-86-R, PENN 2004-87-R, PENN 2004-88-R, PENN 2004-104-R, PENN 2004-105-R, PENN 2004-181, and PENN 2005-8. (Issues include whether substantial evidence supports the judge's findings that Cumberland violated 30 CFR 75.334(b)(1) on three occasions because its bleeder system failed to effectively dilute and carry away methane; whether substantial evidence supports the judge's finding that Cumberland had notice that its bleeder system violated 30 CFR 75.334(b)(1); and whether the judge correctly found that MSHA acted within its discretion in issuing imminent danger withdrawal orders on two occasions.)

The Commission heard oral argument in this matter on May 11, 2006.

Any person attending this meeting who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs, subject to 29 CFR 2706.150(a)(3) and 2706.160(d).

**FOR FURTHER INFORMATION CONTACT:** Jean Ellen, (202) 434-9950/(202) 708-9300 for TDD Relay/1-800-877-8339 for toll free.

**Jean H. Ellen,**

*Chief Docket Clerk.*

[FR Doc. 06-4680 Filed 5-16-06; 11:15 am]

**BILLING CODE 6735-01-M**

#### NUCLEAR REGULATORY COMMISSION

[Docket No. 50-416]

**Entergy Operations, Inc., System Energy Resources, Inc., South Mississippi Electric Power Association, and Entergy Mississippi, Inc., Grand Gulf Nuclear Station, Unit 1; Notice of Withdrawal of Application for Amendment to Facility Operating License**

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Entergy Operations, Inc., et al. (the licensee) to withdraw its application for proposed amendment to Facility Operating License No. NPF-29 for the Grand Gulf Nuclear Station, Unit 1, located in Claiborne County, Mississippi, dated June 27, 2005.