

duty order on fresh garlic from China would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

### Background

The Commission instituted this review on February 1, 2006 (71 FR 5374) and determined on May 8, 2006 that it would conduct an expedited review (71 FR 29352, May 22, 2006). Notice of the scheduling of the Commission's review was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** on May 22, 2006 (71 FR 29352).

The Commission is scheduled to transmit its determination in this review to the Secretary of Commerce on September 28, 2006. The views of the Commission are contained in USITC Publication 3886 (September 2006), entitled *Fresh Garlic From China (Inv. No. 731-TA-683 (Second Review))*.

By order of the Commission.

Issued: September 28, 2006.

**Marilyn R. Abbott,**

Secretary to the Commission.

[FR Doc. E6-16383 Filed 10-3-06; 8:45 am]

BILLING CODE 7020-02-P

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Water Act and the Oil Pollution Act

Notice is hereby given that on September 22, 2006, a proposed consent decree in *United States v. Nacelle Land & Management Corporation, et al.*, Civ. No. 1:04-cv-201 was lodged with the United States District Court for the Northern District of Ohio.

In this action, the United States seeks, pursuant to the Oil Pollution Act, recoupment of the costs incurred by the U.S. Environmental Protection Agency ("U.S. EPA") in conducting oil response actions at Nacelle Land & Management Corporation's oil and brine separation facility located at 675 Lakeshore Blvd., Painesville Township, Lake County, Ohio ("Nacelle Facility"). The complaint also seeks civil penalties for alleged violations of the Clean Water Act and its pertinent regulations at the Nacelle Facility. Specifically, in its Complaint, the United States, on behalf of the Oil Spill Liability Trust Fund ("OSLTF"), and its administrator, the U.S. Coast Guard, seeks, pursuant to the Oil Pollution Act (OPA), 33 U.S.C. 2701, *et seq.*, to recover all unreimbursed oil

removal costs, including interest under OPA Section 1005, 33 U.S.C. 2705, prejudgment interest, administrative and adjudicative costs, and attorney's fees, totaling at least \$2,274,337.59, incurred by the United States, and/or expended by the OSLTF, in responding to the discharge and/or substantial threat of discharge of oil at and from Nacelle's the Nacelle Facility. The Complaint also seeks, on behalf of U.S. EPA, civil penalties pursuant to CWA Section 311, 33 U.S.C. 1321(b)(7), from Defendants Nacelle and Lake Underground for discharges of oil and brine into navigable waters of the United States at or adjacent to the Nacelle Facility, and for the failure of Nacelle and Lake Underground to prepare and implement an oil spill prevention control and countermeasures program at the Nacelle Facility.

Under the proposed Consent Decree, the United States would recover a total of \$300,000 (determined by a Department of Justice financial analyst to be the amount that the corporations can pay) as well as a portion of the proceeds of any sale or lease of certain properties owned by the companies. Of the \$300,000 to be recovered, \$200,000 would be paid to the OSLTF in satisfaction of the United States' claim for reimbursement of removal costs, and \$100,000 would be paid to the OSLTF in full settlement of the United States' claim for civil penalties under CWA Section 311, 33 U.S.C. 1321. A percentage of the proceeds from the sale or lease of properties owned by the corporations also would be paid into the OSLTF.

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, 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. Nacelle Land & Management Corp., et al.* D. J. Ref. 90-5-1-1-4365.

The proposed Consent Decree may be examined at the Office of the United States Attorney for the Northern District of Ohio, 801 West Superior Avenue Suite 400, Cleveland, OH 44113 (contact Asst. U.S. Attorney Steven Paffilas (216-622-3698)), and at U.S. EPA Region 5, 7th Floor Records Center, 77 West Jackson Blvd., Chicago, Illinois 60604 (contact Assoc. Regional Counsel Deirdre Tanaka (312-886-6730)). During the public comment period, the proposed consent decree may also be examined on the following Department of Justice Web site, [http://](http://www.usdoj.gov/enrd/open.html)

[www.usdoj.gov/enrd/open.html](http://www.usdoj.gov/enrd/open.html). A copy 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 a copy from the consent Decree Library, please enclose a check in the amount of \$7.25 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if by e-mail or fax, forward a check in that amount to the Consent Decree Library at the stated address.

**William Brighton,**

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

[FR Doc. 06-8483 Filed 10-03-06; 8:45 am]

BILLING CODE 4410-15-M

## DEPARTMENT OF LABOR

### Employee Benefits Security Administration Advisory Council on Employee Welfare and Pension Benefit Plans Working Group on Plan Asset Rules, Exemptions and Cross Trading, Working Group on a Procedurally Prudent Investment Process, and Working Group on Health Information Technology; Notice of Meeting

Pursuant to the authority contained in Section 512 of the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. 1142, the Working Groups assigned by the Advisory Council on Employee Welfare and Pension Benefit Plans to study the issues of (1) Plan asset rules, exemptions and cross trading, (2) a procedurally prudent investment process, and (3) health information technology, will hold public teleconference meetings on October 20, 2006.

The sessions will take place in Room N4437-A, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210. The purpose of the open meetings is for each Working Group to discuss its report/recommendations for the Secretary of Labor. The meetings will run from 11 a.m. to approximately 5 p.m., starting with the Working Group on Plan Asset Rules, Exemptions and Cross Trading, followed by the Working Group on a Procedurally Prudent Investment Process, followed by the Working Group on Health Information Technology.

Organizations or members of the public wishing to submit a written statement pertaining to the topic may do

so by submitting 25 copies on or before October 13, 2006 to Larry Good, Executive Secretary, ERISA Advisory Council, U.S. Department of Labor, Suite N-5623, 200 Constitution Avenue, NW., Washington, DC 20210. Statements also may be submitted electronically to [good.larry@dol.gov](mailto:good.larry@dol.gov). Statements received on or before October 13, 2006 will be included in the record of the meeting. Individuals or representatives of organizations wishing to address the Working Group should forward their requests to the Executive Secretary or telephone (202) 693-8668. Oral presentations will be limited to 10 minutes, time permitting, but an extended statement may be submitted for the record. Individuals with disabilities who need special accommodations should contact Larry Good by October 13 at the address indicated.

Signed at Washington, DC, this 27th day of September, 2006.

**Ann L. Combs,**

*Assistant Secretary, Employee Benefits Security Administration.*

[FR Doc. E6-16381 Filed 10-3-06; 8:45 am]

BILLING CODE 4510-29-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-59,990]

#### **Ademco; a Division of Honeywell Security and Custom Electronics; a Subsidiary of Honeywell International, Inc. Syosset, NY; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273), and Section 246 of the Trade Act of 1974 (26 U.S.C. 2813), as amended, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance on September 19, 2006, applicable to workers of Honeywell International, Inc., Honeywell Security and Custom Electronics, Syosset, New York. The notice will be published soon in the **Federal Register**.

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The workers are engaged in the production of alarm device equipment.

New findings show that there was a previous certification, TA-W-53,773, issued on January 6, 2004, for workers

of Ademco, a division of Honeywell Security and Custom Electronics, a subsidiary of Honeywell International, Inc., Syosset, New York who were engaged in employment related to the production of alarm device equipment. That certification expires January 6, 2006. To avoid an overlap in worker group coverage, the certification is being amended to change the impact date from August 30, 2005 to January 7, 2006, for workers of the subject firm.

The amended notice applicable to TA-W-59,990 is hereby issued as follows:

All workers of Ademco a division of Honeywell Security and Custom Electronics, a subsidiary of Honeywell International, Inc., Syosset, New York, who became totally or partially separated from employment on or after January 7, 2006, through September 19, 2008, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974 and are also eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974.

Signed at Washington, DC this 28th day of September 2006.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E6-16353 Filed 10-3-06; 8:45 am]

BILLING CODE 4510-30-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-60,107]

#### **Saint-Gobain Performance Plastics Corporation, Mundelein, IL; Notice of Termination of Investigation**

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on September 20, 2006 in response to a petition filed by a company official on behalf of workers at Saint-Gobain Performance Plastics Corporation, Mundelein, Illinois.

The petitioner has requested that the petition be withdrawn. Consequently, the investigation has been terminated.

Signed in Washington, DC, this 27th day of September 2006.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E6-16349 Filed 10-3-06; 8:45 am]

BILLING CODE 4510-30-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-59,465]

#### **Saint Gobain Crystals, Solon, OH; Notice of Affirmative Determination Regarding Application for Reconsideration**

By application dated July 7, 2006, the International Chemical Workers Union Council, Local 852C, (Union), requested administrative reconsideration of the Department's Notice of Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance, applicable to workers and former workers of the subject firm. The Department's determination was issued on June 7, 2006. The Department's Notice of determination was published in the **Federal Register** on July 14, 2006 (71 FR 40160).

In the request for reconsideration, the Union alleges that the Department's initial investigation did not include all of the articles produced at the subject firm. The determination states that the subject worker group produces calcium fluoride crystals.

The petition (dated May 24, 2006) filed by the Union on behalf of workers at the subject firm states that the subject facility produces "crystals, crystal products."

The Department has carefully reviewed the Union's request for reconsideration and has determined that the Department will conduct further investigation.

### Conclusion

After careful review of the application, I conclude that the claim is of sufficient weight to justify reconsideration of the Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, DC, this 4th day of August 2006.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E6-16350 Filed 10-3-06; 8:45 am]

BILLING CODE 4510-30-P