

by 19 U.S.C. 1677(9), who are parties to the reviews. A party granted access to BPI following publication of the Commission's notice of institution of the reviews need not reapply for such access. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

**Staff report.** The prehearing staff report in the reviews will be placed in the nonpublic record on December 20, 2005, and a public version will be issued thereafter, pursuant to section 207.64 of the Commission's rules.

**Hearing.** The Commission will hold a hearing in connection with these reviews beginning at 9:30 a.m. on January 24, 2006, at the U.S. International Trade Commission Building. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before January 11, 2006. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and make oral presentations should attend a prehearing conference to be held at 9:30 a.m. on January 18, 2006, at the U.S. International Trade Commission Building. Oral testimony and written materials to be submitted at the public hearing are governed by sections 201.6(b)(2), 201.13(f), 207.24, and 207.66 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony *in camera* no later than 7 business days prior to the date of the hearing.

**Written submissions.** Each party to the reviews may submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of section 207.65 of the Commission's rules; the deadline for filing is January 12, 2006. Parties may also file written testimony in connection with their presentation at the hearing, as provided in section 207.24 of the Commission's rules, and posthearing briefs, which must conform with the provisions of section 207.67 of the Commission's rules. The deadline for filing posthearing briefs is February 2, 2006; witness testimony must be filed no later than three days before the hearing. In addition, any person who has not entered an appearance as a party to the reviews may submit a written statement of information pertinent to the subject of the reviews on or before February 2, 2006. On February 23, 2006, the Commission will make available to parties all information on which they have not had an opportunity to

comment. Parties may submit final comments on this information on or before February 27, 2006, but such final comments must not contain new factual information and must otherwise comply with section 207.68 of the Commission's rules. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain BPI must also 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).

Additional written submissions to the Commission, including requests pursuant to section 201.12 of the Commission's rules, shall not be accepted unless good cause is shown for accepting such submissions, or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

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

**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.

Issued: September 2, 2005.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 05-17884 Filed 9-8-05; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging Proposed Consent Decree

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States v. Congaree Downs Limited Partnership, et al.*, Case No. 3:05-cv-02505, was lodged with the

United States District Court for the District of South Carolina on August 30, 2005. This proposed Consent Decree concerns a complaint filed by the United States against the Defendants pursuant to Section 301(a) of the Clean Water Act ("CWA"), 33 U.S.C. 1311(a), to obtain injunctive relief from and impose civil penalties against the Defendants for filling wetlands without a permit.

The proposed Consent Decree requires the defendants to pay a civil penalty and restore the impacted wetland to its natural grade contour. The Department of Justice will accept written comments relating to this proposed Consent Decree for thirty (30) days from the date of publication of this notice. Please address comments to Emery Clark, Assistant United States Attorney, United States Attorney's Office, Wachovia Building, Suite 500, 1441 Main Street, Columbia, South Carolina 29201 and refer to *United States v. Congaree Downs Limited Partnership, et al.*, Case No. 3:05-cv-02505.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the District of South Carolina, 901 Richland Lane, Columbia, South Carolina.

In addition, the proposed Consent Decree may be viewed on the World Wide Web at <http://www.usdoj.gov/enrd/open.html>.

**Stephen Samuels,**

*Assistant Chief, Environmental Defense Section, Environment and Natural Resources Division.*

[FR Doc. 05-17848 Filed 9-8-05; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Revised Consent Decree Under the Clean Air Act

Under 28 CFR 50.7, notice is hereby given that on August 31, 2005, a First Revised Consent Decree in the matter of *United States, et al. v. Marathon Ashland Petroleum LLC*, Civil Action No. 4:01-CV-40119-PVG, was lodged with the United States District Court for the Eastern District of Michigan.

The First Revised Consent Decree supercedes a Consent Decree entered in the above-referenced action in August of 2001 ("August 2001 Consent Decree") among the United States, as Plaintiff, the County of Wayne, the State of Louisiana, and the State of Minnesota, as Plaintiff-Intervenor, and Marathon Ashland Petroleum LLC ("MAP"), as Defendant. In the August 2001 Consent Decree, MAP agreed to undertake, *inter*

*alia*, numerous projects to reduce emissions of air pollutants at seven refineries that MAP owns and operates. The proposed First Revised Consent Decree includes numerous changes, including substituting some of the original control technologies that proved ineffective or potentially unsafe for alternative, proven technologies, extending some compliance deadlines while accelerating others, incorporating some new final emissions limits, and modifying provisions relating to reporting, recordkeeping, modification, and termination.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the First Revised 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. Marathon Ashland Petroleum LLC*, D.J. Ref. No. 90-5-2-1-07247.

The First Revised Consent Decree may be examined at the Office of the United States Attorney, 211 W. Fort St., Suite 2300, Detroit, Michigan 48226, and at U.S. EPA Region 5, 77 W. Jackson St., Chicago, IL 60604. During the public comment period, the First Revised 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 First Revised 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 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 \$59.50 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**William D. Brighton,**

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

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## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on August 19, 2005, a proposed consent decree was

lodged in *United States v. Reichhold Limited, et al.*, No. 5:03-CV-0077-3(CAR) (M.D. Ga.). The consent decree settles the United States' claims against the Estate of Thomas W. Cleveland and Jacqueline Woolfork Mathes as well as "Woolfolk Settlement Agreement Parties" [Woolfolk Chemical Works, Ltd; The J.W. Woolfolk Trust; John W. Moye, Thomas W. Cleveland, Jr., James Teabo, and Rachel Mathes, individually, and in their capacity as former or current Co-Trustees of the J.W. Woolfolk Trust; The Elizabeth Woolfolk Moye Trust; John W. Moye, as Trustee of the Elizabeth Woolfolk Moye Trust; The Anita Woolfolk Cleveland Trust; Thomas W. Cleveland, Jr. and James Teabo, as former or current Trustees of The Anita Woolfolk Cleveland Trust; The Jacqueline Woolfolk Mathes Trust; and Rachel Mathes, as Trustee of The Jacqueline Woolfolk Mathes Trust] and the "Woolfolk Parties" [John H. Thurman; Elizabeth Cleveland Martin; Margie Cleveland Hoots; Anita Beauregard Cleveland; Blake Hansford Cleveland; Letitia M. Unver; Julia M. Poppell; Ann Cleveland Hoots; Deborah Cleveland; John C. Alden; Emma D. Alden; Thomas Alden; David Victor Hewes; Betty L. Hewes; Hope Hewes Robinson; Pamela Hewes Jones; James C. Liipfert, Jr.; Lucile B. Dudley; Richard B. Liipfert; Jephtha B. Liipfert; Susan A. Thurman; Mary Anne Thurman; Martha Kay Thurman; Thomas David Thurman; and Josephine Kujawinski] under Section 107 the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9607, in connection with the Woolfolk Chemical Superfund Site in Fort Valley, Georgia (the "Site").

Under the proposed consent decree the United States will participate in recovery against Continental Insurance Company ("Continental") from a lawsuit against Continental to obtain insurance coverage brought by the Woolfolk Settlement Agreement Parties relating to the site.

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 v. Reichhold Limited, et al.*, No. 5:03-CV-0077-3(CAR) (M.D. Ga.) and DOJ #90-11-3-07282.

The consent decree may be examined at the Office of the United States Attorney for the Middle District of Georgia, 433 Cherry St., Macon, Georgia

31202. 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](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 \$8.75 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Ellen M. Mahan,**

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

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## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Emergency Review—Comment Request

September 5, 2005.

The Department of Labor (DOL) has submitted the following (see below) information collection request (ICR), utilizing emergency review procedures, to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35). OMB approval has been requested by September 16, 2005. A copy of this ICR, with applicable supporting documentation, may be obtained by calling the DOL Departmental Clearance Officer, Ira Mills, on (202) 693-4122 (this is not a toll-free number) or e-mail: [mills.ira@dol.gov](mailto:mills.ira@dol.gov).

Comments and questions about the ICR listed below should be submitted to the Office of Information and Regulatory Affairs (OIRA), Attn.: OMB Desk Officer for the Employment and Training Administration, Office of Management and Budget, Room 10235, Washington, DC 20503 (202) 395-7316 (this is not a toll-free number) before September 16, 2005.

The Office of Management and Budget is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including