

exclusion order or cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: October 20, 2005.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 05-21317 Filed 10-25-05; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Air Act

Under 28 CFR 50.7, notice is hereby given that on October 12, 2005, a proposed consent decree in *United States v. ARCO Terminal Services Corp.*, Case No. 05-07358, was lodged with the United States District Court for the Central District of California.

In this action, the United States sought injunctive relief and civil penalties under Section 113 of the Clean Air Act ("CAA"), against ARCO Terminal Services Corp. ("ATSC") for failure to use the required control equipment to control emissions that resulted in 294 separate loading events that were subject to the control requirements of Rule 1142 at its marine loading facility in Long Beach, California. The Consent Decree requires ATSC to employ its existing control technology on all loading events subject to the requirements of Rule 1142 and to pay a civil penalty of \$225,000.

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. ARCO Terminal Services Corp.*, D.J. Ref. #90-5-2-1-06988.

The proposed Consent Decree may be examined during the public comment period on the following United States 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, U.S. Department of Justice, P.O. Box 7611, Ben Franklin Station, 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. When requesting a copy from the Consent Decree Library, please enclose a check, payable to the U.S. Treasury, in

the amount of \$12.25 (\$.25 per page reproduction cost).

Ellen M. Mahan,

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

[FR Doc. 05-21363 Filed 10-25-05; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Lodging of Partial Consent Decree Under the Clean Water Act

Notice is hereby given that on October 6, 2005, a proposed Consent Decree in *United States and Department of Health, State of Hawaii v. Hawaii Department of Transportation*, Civil Action No. 05-00636 was lodged with the United States District Court for the District of Hawaii.

The United States and the Department of Health, State of Hawaii ("DOH"), brings this action against the State of Hawaii Department of Transportation ("HDOT"), pursuant to Sections 309(b) and (d), of the Clean Water Act ("CWA" or "the Act"), 33 U.S.C. 1319(b) and (d) and Sections 342D-50(a) of the Hawaii Revised Statutes (2004). The Consent Decree provides for extensive injunctive relief, civil penalties, and two supplemental environmental projects ("SEP's"). Pursuant to the terms of the first project, HDOT will create an Environmental Management System ("EMS") for the operations at HDOT's airports, harbors, and highways that incorporate Best Management Practices and Pollution Prevention at each of its facilities.

Under the terms of the second project, HDOT will develop and conduct "Compliance Assistance Workshops" for construction contractors and will sponsor them at six locations on four of the islands, Hawaii, Kauai, Maui and Oahu.

Pursuant to 28 C.F.R. 50.7, the United States 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 U.S. Department of Justice, Assistance Attorney General, Environmental and Natural Resources Division, P.O. Box 7611, Ben Franklin Station, Washington, DC 20044-7611, and should refer to *United States and Department of Health, State of Hawaii v. Hawaii Department of Transportation*, Civil Action No. 05-00636, D.J. Ref. No. 90-5-1-1-07488.

The Consent Decree may be examined during the public comment period 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, U.S. Department of Justice, P.O. Box 7611, Ben Franklin Station, 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. When requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$25.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

Ellen M. Mahan,

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

[FR Doc. 05-21362 Filed 10-25-05; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Between the United States of America and Fremont Lumber Company, Kerr-McGee Company and Western Nuclear, Inc., Under the Comprehensive Environmental Response, Compensation, and Liability Act

Under 28 CFR 50.7, notice is hereby given that on October 14, 2005, a proposed Consent Decree ("Consent Decree"), in the case of *United States v. Kerr-McGee Corp., et al.*, Civil Action No. 04-CV-00032 (D. OR.), has been lodged with the United States District Court for the District of Oregon.

The Complaint sought performance of work and the recovery of costs incurred in connection with the response action taken at the White King/Lucky Lass Superfund Site ("Site") in Lakeview County, Oregon. Under the terms of this Consent Decree Defendants agree to: (1) Implement the remaining remedial action at the Site; (2) pay approximately \$3 million in past costs incurred by EPA and the United States Department of Agriculture, Forest Service; (3) pay a civil penalty of \$ 50,000; (4) perform a Supplemental Environmental Project for their failure to timely comply with an existing Unilateral Administrative Order ("UAO"); (5) grant a covenant not to sue for all claims against the United States; and (6) dismiss a citizen suite under CERCLA Section 310. In addition, as part of this settlement the United States agrees to pay Defendants \$2,000,000 to resolve the contribution claims that have been asserted against U.S. Forest Service and other federal agencies. In exchange, the United States will provide

a covenant not to sue and contribution protection to all of the Defendants.

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. Kerr-McGee Corp., et al.*, Civil Action No. 04-CV-00032 (D. OR.), D.J. Ref. 90-11-2-923; 90-11-2-923/1; 90-11-6-06011; 90-11-6-06011/1.

The Consent Decree may be examined at the Office of the United States Attorney, District of Oregon, 1000 SW Third Avenue, Suite 600 Portland, Ore. and at U.S. EPA Region 10, 1200 6th Ave, Seattle, WA. During the public comment period, the Consent Decree may 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 \$13.50 (25 cents per page reproduction cost, without attachments) payable to the United States Treasury for payment.

Robert E. Maher, Jr.,
Assistant Section Chief, Environmental
Enforcement Section, Environment and
Natural Resources Division.

[FR Doc. 05-21361 Filed 10-25-05; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF LABOR

Office of the Secretary

Submission for OMB Review: Comment Request

October 20, 2005.

The Department of Labor (DOL) has submitted the following public information collection requests (ICRs) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35). A copy of each ICR, with applicable supporting documentation, may be obtained by contacting Darrin King on 202-693-4129 (this is not a toll-free number) or e-mail: king.darrin@dol.gov.

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Bureau of Labor Statistics (BLS), Office of Management and Budget, Room 10235, Washington, DC 20503, 202-395-7316 (this is not a toll-free number), within 30 days from the date of this publication in the **Federal Register**.

The OMB 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 whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Agency: Bureau of Labor Statistics.

Type of Review: Revision of a currently approved collection.

Title: Point of Purchase Survey.

OMB Number: 1220-0044.

Type of Response: Reporting.

Frequency: Quarterly.

Affected Public: Individuals or households.

Estimated Number of Respondents: 22,627.

Annual Responses: 59,964.

Total Annual Burden Hours: 11,993.

Total Annualized capital/startup costs: \$0.

Total Annual Costs (operating/maintaining systems or purchasing services): \$0.

Description: The purpose of this collection is to develop and maintain a timely list of retail, wholesale, and service establishments at which people shop for specific consumer items. The information collected is used to select establishments for pricing market based items as needed for the Consumer Price Index.

Agency: Bureau of Labor Statistics.

Type of Review: Extension of a currently approved collection.

Title: Mass Layoff Statistics Program.

OMB Number: 1220-0090.

Type of Response: Reporting.

Frequency: Quarterly and Monthly.

Affected Public: Business or other for-profit and Not-for-profit institutions.

Estimated Number of Respondents: 17,052.

Annual Responses: 17,832.

Total Annual Burden Hours: 72,587.

Total Annualized capital/startup costs: \$0.

Total Annual Costs (operating/maintaining systems or purchasing services): \$0.

Description: Clause (iii) of section 309(2)(15)(a)(1)(A) of the Workforce Investment Act states that the Secretary of Labor shall oversee the development, maintenance, and continuous improvement of the incidence of, industrial and geographical location of, and number of workers displaced by, permanent layoffs and plant closings.

Ira L. Mills,

Departmental Clearance Officer.

[FR Doc. 05-21359 Filed 10-25-05; 8:45 am]

BILLING CODE 4510-24-P

DEPARTMENT OF LABOR

Office of the Secretary

Submission for OMB Review: Comment Request

October 20, 2005.

The Department of Labor (DOL) has submitted the following public information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35). A copy of this ICR, with applicable supporting documentation, may be obtained by calling the Department of Labor. To obtain documentation contact Ira Mills on 202-693-4122 (this is not a toll-free number) or E-Mail: Mills.Ira@dol.gov.

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for ETA, Office of Management and Budget, Room 10235, Washington, DC 20503, 202-395-7316 (this is not a toll free number), within 30 days from the date of this publication in the **Federal Register**.

The OMB 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 whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;