

*Description of Respondents:*

Applicants for coal mining permits.

*Total Annual Responses:* One new permit and 75 revisions annually.

*Total Annual Burden Hours:* 500 hours for new permits annually. 900 hours for permit revisions annually.

*Total Annual Non-wage Costs:* \$15,000 for filings fees annually for new permits.

*Title:* Rights of Entry—30 CFR Part 877.

*OMB Control Number:* 1029-0055.

*Summary:* This regulation establishes procedures for non-consensual entry upon private lands for the purpose of abandoned mine land reclamation activities or exploratory studies when the landowner refuses consent or is not available.

*Bureau Form Number:* None.

*Frequency of Collection:* Once.

*Description of Respondents:* State abandoned mine land reclamation agencies.

*Total Annual Responses:* 103.

*Total Annual Burden Hours:* 103.

*Total Annual Non-wage Costs:* \$4,120 for publication costs.

Send comments on the need for the collections of information for the performance of the functions of the agency; the accuracy of the agency's burden estimates; ways to enhance the quality, utility and clarity of the information collections; and ways to minimize the information collection burdens on respondents, such as use of automated means of collections of the information, to the following addresses. Please refer to the appropriate OMB control numbers in all correspondence.

Dated: April 8, 2005.

**John R. Craynon,**

*Chief, Division of Regulatory Support.*

[FR Doc. 05-7499 Filed 4-13-05; 8:45 am]

**BILLING CODE 4310-05-M**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-516]

### In the Matter of Certain Disc Drives, Components Thereof, and Products Containing Same; Notice of a Commission Determination Not To Review an Initial Determination Granting a Motion To Amend the Notice of Investigation

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to

review the presiding administrative law judge's ("ALJ's") initial determination ("ID") granting complainants' motion to amend the notice of investigation to add claims 2-4 and 23-26 and to remove claims 5-7 and 28-31 from one of the asserted patents at issue in the investigation, U.S. Patent No. 5,600,506.

#### FOR FURTHER INFORMATION CONTACT:

Timothy P. Monaghan, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone 202-205-3152. Copies of the ID and all nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone 202-205-2000. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on August 5, 2004, based on a complaint filed on behalf of Seagate Technology, LLC ("Seagate"). 69 FR 47460 (Aug. 5, 2004). The complaint, as supplemented, alleged violations of section 337 in the importation into the United States, sale for importation, and sale within the United States after importation of certain disc drives, components thereof, and products containing same by reason of infringement of certain claims of seven U.S. patents, including U.S. Patent Nos. 6,744,606 ("the '606 patent'"); 5,596,461 ("the '461 patent'"); and 5,600,506 ("the '506 patent'"). The notice of investigation named Cornice, Inc. ("Cornice") of Longmont, Colorado as the sole respondent.

On December 28, 2004, the ALJ issued Order No. 6, an ID granting in part a motion for summary determination of invalidity of the asserted claims of the '606 patent. On January 28, 2005, the Commission determined to review and reverse Order No. 6.

On March 7, 2005, the ALJ issued Order No. 8 granting Cornice's motion for summary determination of noninfringement of the '461 patent, and denying Seagate's cross-motion for summary determination of infringement of the '461 patent. No petitions for

review of Order No. 8 were filed, and on March 29, 2005, the Commission determined not to review the ID.

On February 24, 2005, complainant Seagate moved to amend the notice of investigation. Seagate requested that the notice of investigation be amended to add claims 2-4 and 23-26 of the '506 patent, and to remove claims 5-7 and 28-31 of the '506 patent.

On March 21, 2005, the ALJ issued the subject ID, Order No. 10, granting complainants' motion to amend the notice of the investigation. No party filed a petition to review the subject ID.

This action is taken under the authority of section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, and section 210.42 of Rules of Practice and Procedure, 19 CFR 210.42.

By order of the Commission.

Issued: April 11, 2005.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 05-7500 Filed 4-13-05; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

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

Consistent with Section 122(i) of CERCLA, 42 U.S.C. 9622(i), and 28 CFR 50.7, a Partial Consent Decree with Lucent Technologies, Inc., was lodged with the United States District Court for the Middle District of Georgia on March 23, 2005, in the matter of *United States v. American Cyanamid, et al.*, No. 1:02-CV-109-1 (M.D. Ga.) (Docket No. 141). In that action, the United States seeks to recover from various Defendants, pursuant to Sections 107 and 113(b)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, ("CERCLA"), 42 U.S.C. 9607 and 9613(g)(2), the costs incurred and to be incurred by the United States in responding to the release and/or threatened release of hazardous substances at and from the Stoller Chemical Company/Pelham Site ("Site") in Pelham, Mitchell County, Georgia. Under the proposed Partial Consent Decree, Defendant Lucent Technologies, Inc., will pay \$70,000 to the Hazardous Substances Superfund in reimbursement of the costs incurred by the United States at 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, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. American Cyanamid, et al.*, (M.D. Ga.) (Partial Consent Decree with Lucent Technologies, Inc., DOJ Ref. No. 90-11-3-07602). The Consent Decree may be examined at the Office of the United States Attorney, Middle District of Georgia, Cherry St. Galleria, 4th Floor, 433 Cherry St., Macon, GA 31201 ((478) 752-3511), and at EPA Region 4, Atlanta Federal Center, 61 Forsyth Street, SW, Atlanta, Georgia 30303 (contact Bonnie Sawyer, Esq. (404) 562-9539). 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 Partial 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 refer to *United States v. American Cyanamid, et al.*, (M.D. Ga.) (Partial Consent Decree with Lucent Technologies, Inc., DOJ Ref. No. 90-11-3-07602), and enclose a check in the amount of \$5.50 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Ellen Mahan,**

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

[FR Doc. 05-7469 Filed 4-13-05; 8:45 am]

**BILLING CODE 4410-15-M**

## 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. Crossing Dev., LLC & Matthew David Congdon*, Case No. 3:05-989-CMC, was lodged with the United States District Court for the District of South Carolina on March 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 resolves these allegations by requiring the Defendants to restore the impacted areas, perform mitigation and to pay a civil penalty. The Department of Justice will accept written comments relating to this proposal 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. Crossing Dev., LLC, & Matthew David Congdon*, Case No. 3:05-989-CMC.

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. 05-7465 Filed 4-13-05; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

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

Pursuant to 28 CFR 50.7, notice is hereby given that on April 1, 2005, a proposed Consent Decree in *United States v. Diamond State Salvage Company, Inc., Estate of Herbert Sherr, Nancy A. Sherr, Executrix of the Estate of Herbert Sherr, Barbara Sherr Kleger, and Delmarva Power & Light Company*, Civil Action No. 05-76, was lodged with the United States District Court for the District of Delaware.

In this civil action under the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), the United States seeks recovery of response costs from Diamond State Salvage Company, Inc., the Estate of Herbert Sherr, Barbara Sherr Kleger, and Delmarva Power & Light Company in connection with the Diamond State Salvage Superfund Site in Wilmington, New Castle County, Delaware ("the Diamond State Salvage Site"). The Consent Decree requires the Estate of Herbert Sherr, Barbara Sherr Kleger, and Delmarva Power & Light

Company to pay a total of \$324,000 in reimbursement of response costs relating to the Diamond State Salvage Site. Diamond State Salvage Company, the current owner of the Diamond State Salvage Site, is not a party to the Consent Decree.

The Department of Justice will receive comments relating to the Consent Decree for a period of thirty (30) days from the date of this publication. Please address comments to the Assistant Attorney General, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and refer to *United States v. Diamond State Salvage Company, Inc., Estate of Herbert Sherr, Nancy A. Sherr, Executrix of the Estate of Herbert Sherr, Barbara Sherr Kleger, and Delmarva Power & Light Company*, D.J. Ref. 90-11-2-1275.

The Consent Decree may be examined at the Office of the United States Attorney for the District of Delaware, 1201 Market Street, Suite 1100, Wilmington, DE 19899-2046 and at U.S. EPA Region III, 1650 Arch Street, Philadelphia, PA 19103. 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. When requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$7.75 for the Consent Decree only or \$15.50 for the Consent Decree and attachments thereto (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Robert Brook,**

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

[FR Doc. 05-7467 Filed 4-13-05; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Antitrust Division

#### Notice Pursuant to the National Cooperative Research and Production Act of 1993—National Fenestration Rating Council, Inc.

Notice is hereby given that, on September 20, 2004, pursuant to section