

Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Cosmed Group, Inc.*, D.J. Ref. 90-5-2-1-08115.

The Consent Decree may be examined at the Office of the United States Attorney, District of Rhode Island, 50 Kennedy Plaza, 8th Floor, Providence, Rhode Island 02903, and at the United States Environmental Protection Agency, Region 1 (New England Region), One Congress Street, 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 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 \$23.75 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Ronald Gluck,**

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

[FR Doc. 05-16853 Filed 8-24-05; 8:45 am]

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## DEPARTMENT OF JUSTICE

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

Under 28 CFR 50.7, notice is hereby given that on August 8, 2005, a proposed Consent Decree in *United States v. Standard Detroit Paint Co., et al.*, Civil Action No. 04-71442 was lodged with the United States District Court for the Eastern District of Michigan.

In this action the United States sought reimbursement of response costs incurred for response actions taken at or in connection with the release or threatened release of hazardous substances at the Standard Detroit Paint Co. Site in Detroit, Michigan ("the Site"). The Consent Decree resolves the United States' claims against the defendants on an inability to pay basis. The defendants will pay the following amounts: (1) Bruce Goel—\$10,000; (2) SDPC, Inc.—\$40,000; (3) Standard Detroit Realty Co.—50% of proceeds from transfer of all real property

(estimated value to U.S.—\$225,000); and (4) Riverside Organics—\$14,000. Additionally, Riverside Products, the newly formed successor to Riverside Organics, shall submit a hazardous substance management plan to U.S. EPA for approval and shall comply with such management plan so long as it continues operations 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, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and shall refer to *United States v. Standard Detroit Paint Co., et al.*, D.J. Ref. 90-11-3-08271.

The Consent Decree may be examined at the Office of the United States Attorney, 211 W. Fort Street, Suite 2001, Detroit, MI and at U.S. EPA Region 5, 77 West Jackson Blvd., Chicago, IL. 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 \$5.25 (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.*

[FR Doc. 05-16850 Filed 8-24-05; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980

Notice is hereby given that on August 2, 2005 a proposed Consent Decree in *United States v. Union Pacific Railroad Company*, an action under Sections 107 and 113 of the comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA"), as amended, 42 U.S.C. 9607 and 9613, was lodged with the

United States District Court for the District of Utah, Case No. 2:05CV00650 BD (D. Utah).

In this action, the United States sought the recovery of costs incurred and to be incurred by the United States in response to releases or threatened releases of hazardous substances at and from the Eureka Mills NPL Site located in Eureka, Utah (the "Site"). The United States alleged that the Union Pacific Railroad Company was liable under CERCLA Sections 106 and 107(a)(1) and (2), 42 U.S.C. 906 and 9607(a)(1) and (2), as a past owner of a portion of the Site at the time of disposal and as a present owner of a portion of the Site upon which hazardous substances have been released, for those response costs set forth in CERCLA Section 107(a)(4)(A)-(D), 42 U.S.C. 9607(a)(4)(A)-(D).

The settlement between the United States and the Union Pacific Railroad Company provides that the Union Pacific Railroad Company will implement the remedy for the Upper Eureka Gulch portion of the Site selected by the Environmental Protection Agency ("EPA") for which the United States has alleged that the Union Pacific Railroad Company was responsible under CERCLA. The Union Pacific Railroad Company will also undertake certain quarry operations on-Site to produce rock and other borrow material needed by EPA for the 2005 and 2006 construction season. EPA estimates that the value of the work to be done by Union Pacific Railroad Company to be excess of \$4.3 million. In addition, the Union Pacific Railroad Company will pay \$270,690.00 into a special account to compensate EPA for anticipated future response costs.

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. Union Pacific Railroad Company*, DJ#90-11-3-07993/4.

The Consent Decree may be examined at U.S. EPA Region 8, 999 18th Street, Suite 500, Denver, Colorado, 80202. 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 \$18.75 for the Decree (excluding appendices), \$33.75 for the Decree with attachments payable to the United States Treasury.

**Robert Brook,**

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

[FR Doc. 05-16852 Filed 8-24-05; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Settlement Pursuant to Section 122(h) of the Comprehensive Environmental Response, Compensation and Liability Act

Notice is hereby given that an agreement between the Department of the Interior, National Park Service and the Washington Gas Light Company has been approved, subject to public comment, by the Department of Justice pursuant to Section 122(h) of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601 *et seq.* The settlement provides for recovery of \$285,000 in costs incurred by the Park Service in response to contamination on a portion of the National Capitol Parks-East, located beside the Anacostia River in Washington, DC.

For a period of thirty (30) days from the date of this publication, comments relating to the proposed settlement will be received. Such comments should be addressed to Shawn P. Mulligan, National Park Service, 1050 Walnut Street, Suite 220, Boulder, Colorado 80302, (303) 415-9014, or via e-mail at [Shawn\\_Mulligan@nps.gov](mailto:Shawn_Mulligan@nps.gov) and should refer to the NPS Washington Gas Light Site.

A copy of the proposed settlement agreement may be obtained from, or reviewed at: National Capital Parks-East Headquarters, 1900 Anacostia Drive, SE., Washington, DC 20020, (202) 690-5185. In requesting a copy, please enclose a check in the amount of \$2.75 (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. 05-16851 Filed 8-24-05; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Agency Information Collection Activities: Submission for the Office of Management and Budget (OMB) Review; Comment Request

**AGENCY:** U.S. Nuclear Regulatory Commission (NRC).

**ACTION:** Notice of the OMB review of information collection and solicitation of public comment.

**SUMMARY:** The NRC has recently submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a current valid OMB control number.

1. *Type of submission, new, revision, or extension:* Extension.
2. *The title of the information collection:* 10 CFR Part 33—Specific Domestic Licenses of Broad Scope for Byproduct Material.
3. *The form number if applicable:* Not applicable.
4. *How often the collection is required:* There is a one-time submittal of information to receive a license. Once a specific license has been issued, there is a 10-year resubmittal of the information for renewal of the license.
5. *Who will be required or asked to report:* All applicants requesting a license of broad scope for byproduct material and all current licensees requesting renewal of a broad scope license.
6. *An estimate of the number of responses:* All of the information collections in Part 33 are captured under OMB clearance number 3150-0120 for NRC Form 313.
7. *The estimated number of annual respondents:* See item 6, above.
8. *An estimate of the number of hours needed annually to complete the requirement or request:* See item 6 above.
9. *An indication of whether Section 3507(d), Public Law 104-13 applies:* Not applicable.
10. *Abstract:* 10 CFR Part 33 contains mandatory requirements for the issuance of a broad scope license authorizing the use of byproduct material. The subparts cover specific requirements for obtaining a license of broad scope. These requirements include equipment, facilities, personnel, and procedures adequate to protect

health and minimize danger to life or property.

A copy of the final supporting statement may be viewed free of charge at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O-1 F23, Rockville, MD 20852. OMB clearance requests are available at the NRC worldwide web site: <http://www.nrc.gov/public-involve/doc-comment/omb/index.html>. The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions should be directed to the OMB reviewer listed below by September 26, 2005. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given to comments received after this date.

John Asalone, Office of Information and Regulatory Affairs (3150-0016), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be e-mailed to [John\\_A.Asalone@omb.eop.gov](mailto:John_A.Asalone@omb.eop.gov) or submitted by telephone at (202) 395-4650.

The NRC Clearance Officer is Brenda Jo Shelton, 301-415-7233.

Dated at Rockville, Maryland, this 18th day of August, 2005.

For the Nuclear Regulatory Commission.

**Brenda Jo Shelton,**

*NRC Clearance Officer, Office of Information Services.*

[FR Doc. E5-4648 Filed 8-24-05; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-346]

### Firstenergy Nuclear Operating Company, Davis-Besse Nuclear Power 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 FirstEnergy Nuclear Operating Company (the licensee) to withdraw its August 25, 2003, application for proposed amendment to Facility Operating License No. NPF-3; for the Davis-Besse Nuclear Power Station, Unit No. 1, located in Ottawa County, Ohio.

The proposed amendment would have revised the Technical Specifications (TSs) pertaining to the Steam and Feedwater Rupture Control System (SFRCS) instrumentation setpoints and surveillance intervals.