

Dated: December 22, 2006.

John K. Rabiej,

Chief, Rules Committee Support Office.

[FR Doc. 07-6 Filed 1-5-07; 8:45 am]

BILLING CODE 2210-55-M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Air Act

Notice is hereby given that on December 21, 2006, a proposed Consent Decree was lodged with the United States District Court for the District of Columbia in the case of *United States v. DaimlerChrysler AG and Mercedes-Benz USA, LLC*, Civil Action No. 1:06CV02172.

In this action, the United States filed a complaint alleging that DaimlerChrysler AG and Mercedes-Benz USA, LLC ("Defendants") failed to timely file emission-defect information reports ("EDIRs") with the U.S. Environmental Protection Agency, as required by 40 CFR 85.1903, with respect to the following emission-related defects in Mercedes-Benz vehicles: (1) Defects in mass the airflow sensor on certain 1998-2000 vehicles, (2) defects in the underfloor catalytic converter on 1998-2003 models with M112 and M113 engines, (3) defects in the fuel filler cap on certain 1998-2003 vehicles, (4) defects in the underhood catalysts on certain 1999-2001 M-class vehicles, (5) defects in the air pump of certain 2002-2006 vehicles, (6) defects in the fuel tank pressure sensor on certain 2001 vehicles, (7) defects in the ignition cable of certain 2001-2002 vehicles, and (8) defects in the ignition module of certain 2001 vehicles. The complaint seeks civil penalties and injunctive relief pursuant to the Clean Air Act, 42 U.S.C. 7401 *et seq.* (the "Act").

The proposed Consent Decree settles the United States' claims for injunctive relief and civil penalties under the Act with respect to the violations alleged in the complaint, as well as with respect to any failure of the Defendants to timely file EDIRs with respect to (1) defects in the underhood and underfloor catalytic converters on 2000 S-Class and C1-Class Mercedes-Benz vehicles and (2) defects in the inner funnel of the catalyst for certain 2004-2005 Mercedes-Benz vehicles. The proposed Consent Decree requires the Defendants to pay \$1.2 million in civil penalties to the United States and to implement a Supplemental Emission-Related Defect

Monitoring, Investigation, and Reporting Protocol.

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. DaimlerChrysler AG*, D.J. Ref. 90-5-2-1-08769. A copy of the comments should also be sent to Donald Frankel, Trial Attorney, Environmental Enforcement Section, Department of Justice, Suite 616, One Gateway Center, Newton, MA 02458.

The Consent Decree may be examined at the Office of the United States Attorney, District of Columbia, Judiciary Center Building, 555 Fourth Street, NW., Washington, DC 20530. 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/Consent_Decrees.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 of the Consent Decree from the Consent Decree Library, please enclose a check in the amount of \$9 (25 cents per page reproduction cost) payable to the U.S. Treasury (if the request is by fax or e-mail, forward a check to the consent Decree library at the address stated above).

Karen Dworkin,

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

[FR Doc. 06-9999 Filed 1-5-07; 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 ("CERCLA")

Consistent with Section 122(d) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9622(d), and 28 CFR 50.7, notice is hereby given that on December

21, 2006, a proposed Partial Consent Decree with Flowserve Corporation in *United States v. Ferguson Harbour Service Inc. et al.*, No. 3:03-CV-1266 (S.D. Miss.), was lodged with the United States District Court for the Southern District of Mississippi.

In this action, the United States seeks to recover from various defendants, pursuant to Section 107 of CERCLA, 42 U.S.C. 9607, 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 Industrial Pollution Control Site in Jackson, Hinds County, Mississippi. Under the proposed Consent Decree, Defendant Flowserve Corporation will pay \$50,000 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 Partial Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to pubcomment-ees.enrd@usdoj.gov or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Ferguson Harbour Service Inc. et al.* (Consent Decree with Flowserve Corporation, DOJ Ref. No. 90-11-3-06625/5).

The Consent Decree may be examined at U.S. EPA Region 4, Atlanta Federal Center, 61 Forsyth Street, SW., Atlanta, Georgia 30303 (contact Matthew Hicks, Esq. (404) 562-9670). 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/Consent_Decrees.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, 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 refer to *United States v. Ferguson Harbour Service Inc. et al.* (Consent Decree with Flowserve Corporation, DOJ Ref. No. 90-11-3-06625/5), and enclose a check in the amount of \$5.25 (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.

Henry S. Friedman,

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

[FR Doc. 06-9998 Filed 1-5-07; 8:45 am]

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DEPARTMENT OF LABOR

Office of the Secretary

**Submission for OMB Review:
Comment Request**

January 3, 2007.

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 from RegInfo.gov at <http://www.reginfo.gov/public/do/PRAMain> or by contacting Darrin King on 202-693-4129 (this is not a toll-free number)/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, Telephone: 202-395-7316/Fax: 202-395-6974 (these are not toll-free numbers), 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: The Consumer Expenditure Surveys: The Quarterly Interview and the Diary.

OMB Number: 1220-0050.

Type of Response: Reporting and recordkeeping.

Frequency: Quarterly and weekly.

Affected Public: Individuals or households.

Estimated Number of Respondents: 15,875.

Annual Responses: 75,850.

Total Annual Burden Hours: 72,614.

Average Burden Time per Response: Approximately 1 hour.

Total Annualized Capital/Startup Costs: \$0.

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

Description: The Consumer Expenditure Surveys are used to gather information on expenditures, income, and other related subjects. These data are used to periodically update the national Consumer Price Index. In addition, the data are used by a variety of researchers in academia, government agencies, and the private sector. The data are collected from a national probability sample of households designed to represent the total civilian non-institutional population.

Darrin A. King,

Acting Departmental Clearance Officer.

[FR Doc. E7-21 Filed 1-5-07; 8:45 am]

BILLING CODE 4510-24-P

**NUCLEAR REGULATORY
COMMISSION**

[Docket No. 50-440; License No. NPF-58]

FirstEnergy Nuclear Operating Company, FirstEnergy Nuclear Generation Corp. (Perry Nuclear Power Plant, Unit No. 1); Order Approving Application Regarding Proposed Corporate Restructuring

I

FirstEnergy Nuclear Operating Company (FENOC) and FirstEnergy Nuclear Generation Corp. (FENGenCo), along with the Ohio Edison Company, are the holders of Facility Operating License NPF-58, which authorizes the possession, use, and operation of Perry Nuclear Power Plant, Unit No. 1 (Perry). The facility is located in Lake County, Ohio.

II

By letter dated June 6, 2006, as supplemented by letters dated June 9

and August 15, 2006, FENOC, the licensed operator of Perry, acting on behalf of FENGenCo and FirstEnergy Solutions Corp. (FE Solutions), submitted an application to the U.S. Nuclear Regulatory Commission (NRC or Commission) requesting, pursuant to Section 50.80 of Title 10 of the *Code of Federal Regulations* (10 CFR), approval of the indirect transfer of control of FENGenCo's license to own 87.42 percent of Perry. FE Solutions and FENGenCo are both currently wholly owned direct subsidiaries of FirstEnergy Corp. (FirstEnergy). This action is being sought as a result of a planned corporate restructuring which would make FENGenCo: (1) A wholly owned direct subsidiary of FE Solutions; and (2) a wholly owned second-tier subsidiary of FirstEnergy. The Ohio Edison Company, which holds a leased interest in Perry and is licensed to possess such interest, is not involved in the planned corporate restructuring. The proposed corporate restructuring involves no changes to the facility license. Accordingly, no license amendments are requested in the application.

A "Notice of Consideration of Approval of Application Regarding Proposed Corporate Restructuring, and Opportunity for a Hearing," was published in the **Federal Register** on July 12, 2006 (71 FR 39370-39371). No comments or hearing requests were received.

Under 10 CFR 50.80, no license, or any right thereunder, shall be transferred, directly or indirectly, through transfer of control of the license, unless the Commission shall give its consent in writing. Upon review of the information in the application submitted by FENOC and other information before the Commission, the NRC staff has determined that the subject corporate restructuring will not affect the qualifications of FENGenCo to hold the license to the same extent now held by FENGenCo, and that the indirect transfer of the license as held by FENGenCo effected by the corporate restructuring is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission pursuant thereto, subject to the condition discussed herein.

The findings set forth above are supported by a safety evaluation dated December 28, 2006.

III

Accordingly, pursuant to Sections 161b, 161i, and 184 of the Atomic Energy Act of 1954, as amended (the Act), 42 U.S.C. §§ 2201(b), 2201(i), and 2234; and 10 CFR 50.80, *It is hereby ordered* that the application regarding