

Corporation, No. 1:05-cv-00503 (LMB), was lodged with the United States District Court for the District of Idaho.

This Consent Decree resolves claims of the United States against Holly Corporation ("Holly") under Section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9607(a), as amended, for recovery of response costs incurred in connection with removal actions at the Cinnabar Mine Site ("Site"), located near Yellow Pine, Idaho, in the Payette National Forest. The Consent Decree requires Holly to pay the United States a total of \$450,000 in past response costs.

The Department of Justice will receive written comments on the proposed Consent Decree for a period of thirty (30) days from the date of publication of this notice. 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. Holly Corporation*, D.J. Ref. #90-11-3-07536.

The Consent Decree may be examined at the Office of the United States Attorney for District of Idaho, at 800 Park Blvd., Suite 600, Boise, ID 83712-9903, and at the offices of U.S. E.P.A. Region 10, 1200 Sixth Avenue, Seattle, WA 98101. 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, please enclose a check to cover the twenty-five cents per page reproduction costs payable to the "U.S. Treasury" in the amount of \$3.75, and please reference *United States v. Holly Corporation*, D.J. Ref. #90-11-3-07536.

**Robert E. Maher, Jr.,**

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

[FR Doc. 05-24326 Filed 12-21-05; 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. Jimenez Landscaping, et al.*, Case No. 04 C 2806, was lodged with the United States District Court for the Northern District of Illinois on December 14, 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: (1) Pay a civil penalty, (2) permit the U.S. Army Corps of Engineers to conduct a wetland delineation of the subject site; and (3) hire a professional surveyor to survey the wetland boundary on their property within 14 days of completion of the wetland delineation and serve a copy of the survey on the United States Attorney's Office for the Northern District of Illinois and the Corps of Engineers. Restoration of the impacted wetlands has been completed. 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 Daniel M. Tardiff, Assistant United States Attorney, United States Attorney's Office, 5th Floor, 219 S. Dearborn Street, Chicago, Illinois 60604 and refer to *United States v. Jimenez Landscaping, et al.*, case No. 04 C 2806, including the USAO #2004V00779.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the Northern District of Illinois, 219 S. Dearborn Street, Chicago, Illinois. In addition, the proposed Consent Decree may be viewed on the World Wide Web at <http://www.usdoj.gov/enrd.open.html>.

**Daniel M. Tardiff,**

Assistant United States Attorney.

[FR Doc. 05-24325 Filed 12-21-05; 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—Industrial Truck Standards Development Foundation, Inc.

Notice is hereby given that, on November 23, 2005, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Industrial Truck Standards Development Foundation, Inc. ("ITSDF"), has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the name and principal place of business of the standards development organization and (2) the nature and scope of its standards development activities. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances.

Pursuant to section 6(b) of the Act, the name and principal place of business of the standards development organization is: Industrial Truck Standards Development Foundation, Inc., Washington, DC. The nature and scope of ITSDF's standards development activities are: To develop, adopt, amend, publish and distribute voluntary national consensus standards for industrial trucks, including forklift trucks, and related components, attachments and equipment.

**Dorothy B. Fountain,**

Deputy Director of Operations, Antitrust Division.

[FR Doc. 05-24332 Filed 12-21-05; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Antitrust Division

#### Notice Pursuant to the National Cooperative Research and Production Act of 1993—Mobile Enterprise Alliance, Inc.

Notice is hereby given that, on December 5, 2005, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Mobile Enterprise Alliance, Inc. has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were

filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, Intellisync Corporation, San Jose, CA has withdrawn as a party to this venture.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and Mobile Enterprise Alliance, Inc. intends to file additional written notification disclosing all changes in membership.

On June 24, 2004, Mobile Enterprise Alliance, Inc. filed its original notification pursuant to section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to section 6(b) of the Act on July 23, 2004 (69 FR 44062).

The last notification was filed with the Department on September 9, 2005. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on October 6, 2005 (70 FR 58472).

**Dorothy B. Fountain,**

*Deputy Director of Operations, Antitrust Division.*

[FR Doc. 05-24331 Filed 12-22-05; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Antitrust Division

#### Notice Pursuant to the National Cooperative Research and Production Act of 1993—SWRI Biodiesel Fuel/Water Separation Cooperative R&D Program

Notice is hereby given that, on December 6, 2005, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), SwRI Biodiesel Fuel/Water Separation Cooperative R&D Program ("SwRI") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties to the venture and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances.

Pursuant to section 6(b) of the Act, the identities of the parties to the venture are: Champion Laboratories, Albion, IL; Donaldson Company, Inc., Minneapolis, MN; Fleetguard, Inc., Cookeville, TN; Lydall Filtration/Separation Inc., Rochester, NH; and RACOR, Modesto,

CA. In addition, SwRI wishes to disclose that the Department of Energy is providing financial assistance to the research project through its award of Contract No. SP0600-05-D-5502; Delivery Order No. 0003.

The general area of SwRI's planned activity will be to evaluate the filtration performance of fuel filters composed of water repellent cellulose media, water repellent synthetic media, and water coalescer. The biodiesel diesel fuels used for this study will be produced from methyl soyate, yellow grease, and repeseed. Each test filter will be evaluated using the SAE J1488 emulsified test method at 0, 5, 12.5, and 20% biodiesel fuel concentrations in ultra low sulfur diesel fuel. A Design of Experiment will be generated to ensure randomized testing.

Membership in this group research project remains open, and the participants intend to file additional written notification disclosing all changes in membership or planned activities.

**Dorothy B. Fountain,**

*Deputy Director of Operations, Antitrust Division.*

[FR Doc. 05-24330 Filed 12-21-05; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-334, 50-412, 50-346 and 50-440; License Nos. DPR-66 and NPF-73, NPF-3 and NPF-58]

#### Pennsylvania Power Company, Ohio Edison Company, OES Nuclear, Inc., The Cleveland Electric, Illuminating Company, The Toledo Edison Company, Firstenergy Nuclear Operating Company, (Beaver Valley Power Station, Units 1 and 2), (Davis-Besse Nuclear Power Station, Unit 1), (Perry Nuclear Power Plant, Unit 1); Order Superceding Order of November 15, 2005 Approving Transfer of Licenses and Conforming Amendments

FirstEnergy Nuclear Operating Company (FENOC) and Pennsylvania Power Company (Penn Power), Ohio Edison Company (Ohio Edison), OES Nuclear, Inc. (OES Nuclear), the Cleveland Electric Illuminating Company (Cleveland Electric), and the Toledo Edison Company (Toledo Edison), are holders of Facility Operating Licenses Nos. DPR-66, NPF-73, NPF-3 and NPF-58, which authorize the possession, use, and operation of Beaver Valley Power Station, Units 1 (BVPS 1) and 2 (BVPS

2; together with BVPS 1, BVPS), Davis-Besse Nuclear Power Station, Unit 1 (Davis-Besse), and Perry Nuclear Power Plant, Unit 1 (Perry), respectively. FENOC is licensed by the U.S. Nuclear Regulatory Commission (NRC, the Commission) to operate BVPS, Davis-Besse, and Perry (the facilities). The facilities are located at the licensees' sites in Beaver County, Pennsylvania, Ottawa County, Ohio, and Lake County, Ohio, respectively.

By letter dated May 18, 2005, FENOC submitted an application requesting approval of direct license transfers that would be necessary in connection with the following proposed transfers to FirstEnergy Nuclear Generation Corporation (FENGenCo), a new nuclear generation subsidiary of FirstEnergy: Penn Power's 65-percent undivided ownership interest in BVPS 1, 13.74-percent undivided ownership interest in BVPS 2, and 5.24-percent undivided ownership interest in Perry.

By letter dated June 1, 2005, FENOC submitted a second application requesting approval of direct license transfers that would be necessary in connection with the following proposed transfers to FENGenCo: Ohio Edison's 35-percent undivided ownership interest in BVPS 1 and 20.22-percent undivided ownership interest in BVPS 2; OES Nuclear's 17.42-percent undivided ownership interest in Perry; Cleveland Electric's 24.47-percent undivided ownership interest in BVPS 2, 44.85-percent undivided ownership interest in Perry, and 51.38-percent undivided ownership interest in Davis-Besse; and, Toledo Edison's 1.65-percent undivided ownership interest in BVPS 2, 19.91-percent undivided ownership interest in Perry, and 48.62-percent undivided ownership interest in Davis-Besse.

Supplemental information was provided by letters dated July 15 and October 31, 2005, (hereinafter, the May 18 and June 1, 2005, applications and supplemental information will be referred to collectively as the "applications"). FENOC also requested approval of conforming license amendments that would reflect the proposed transfer of ownership of Penn Power's interests in BVPS and Perry to FENGenCo; delete the references to Penn Power in the licenses; authorize FENGenCo to possess the respective ownership interests in BVPS and Perry; reflect the proposed transfer of ownership interests in BVPS, Davis-Besse, and Perry from Ohio Edison, OES Nuclear, Cleveland Electric, and Toledo Edison (Ohio Companies) to FENGenCo; delete the Ohio Companies from the licenses except those continuing to hold