

**FOR FURTHER INFORMATION CONTACT:**

Arch Wells; Deputy Director, Office of Trust Services, Bureau of Indian Affairs; 1849 C St. NW.; Washington, DC 20240; Telephone (202) 208-7513.

**ADDRESSES:** Copies of the Record of Decision are available from Arch Wells; Office of Trust Services; Bureau of Indian Affairs; 1849 C St. NW.; Washington, DC 20240.

**SUPPLEMENTARY INFORMATION:** The Skull Valley Bank of Goshute Indians is a federal recognized Tribe with 125 enrolled members. The Band's reservation consists of 18,540 acres in Tooele County, Utah, about 70 miles West of Salt Lake City. Approximately 30 Band members live on the reservation.

The proposed lease would have allowed for the operation of an Independent Spent Fuel Storage Installation (ISFSI) on tribal lands. Spent nuclear fuel (SNF) consists mainly of intact fuel rods removed from a nuclear reactor. The rods contain pellets of uranium, each about the size of a pencil eraser, that are the source of heat inside a reactor vessel. When removed from reactors, the uranium pellets stay in the fuel rods, which remain highly radioactive and must be stored in specially constructed pools of water ("wet storage") or in specially designed containers cooled by natural airflow ("dry storage") until the radioactivity decreases to safer levels, a process that can take thousands of years.

The proposed ISFSI at the Goshute Reservation would have been the first large, away from point-of-generation repository of its type to be licensed by the Nuclear Regulatory Commission (NRC). The ISFSI would have been operated by PFS, a private, non-governmental entity composed of eight NRC-licensed nuclear power generators.

BIA was required to by law to consider environmental issues concerning the proposed lease. The decision to disapprove the proposed lease is the result of concern over environmental impacts associated with the proposal. The Record of Decision contains the details of BIA's decision and the reasons for it. To obtain a copy of the Record of Decision, send a request to the address given in the **ADDRESSES** section of this notice.

Dated: September 7, 2006.

**James E. Cason,**

*Associate Deputy Secretary.*

[FR Doc. 06-8484 Filed 10-3-06; 8:45 am]

**BILLING CODE 4310-W7-M**

**DEPARTMENT OF THE INTERIOR****Bureau of Land Management**

[CA-310-1820-XX]

**Emergency Closure of Red Mountain Road on BLM-managed public lands near Piercy, CA**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of emergency closure of Red Mountain Road due to danger from wildfire.

**SUMMARY:** Notice is hereby given that Red Mountain Road, located on public land managed by the Bureau of Land Management approximately eight miles east of Piercy, California, is closed to public access due to dangers posed by the Nobles Fire. Exempted from this closure are vehicles and personnel involved with fighting the Nobles Fire, federal, state and local officers involved in the enforcement of their duties, and Red Mountain Road area residents who show valid identification. This closure is necessary to protect public health and safety.

**SUPPLEMENTARY INFORMATION:** The closure begins at the junction of Red Mountain Road and U. S. Highway 101 at T24N, R17E, NE corner of Section 7, and continues through the fire area. This closure is made under the authority of 43 CFR 8364. Any person who fails to comply with the provisions of this closure order may be subject to the penalties provided in 43 CFR 8360.0-7.

**EFFECTIVE DATE:** The closure is in effect with posting of this notice and remains in effect until the authorized officer determines that the fire no longer poses a public safety risk.

**FOR FURTHER INFORMATION CONTACT:**

BLM Arcata Field Manager Lynda J. Roush, 707-825-2300 or by e-mail at [lynda\\_roush@ca.blm.gov](mailto:lynda_roush@ca.blm.gov); or Tim Jones, fire management officer, 707-825-2300, or by e-mail at [timothy\\_jones@ca.blm.gov](mailto:timothy_jones@ca.blm.gov).

Dated: September 21, 2006.

**Joseph J. Fontana,**

*Public Affairs Officer, BLM Northern California.*

[FR Doc. E6-16336 Filed 10-3-06; 8:45 am]

**BILLING CODE 4310-40-P**

**INTERNATIONAL TRADE COMMISSION**

[Investigation No. 731-TA-702 (Second Review)]

**Ferrovanadium and Nitrided Vanadium From Russia****Determination**

On the basis of the record<sup>1</sup> developed in the subject five-year review, the United States International Trade Commission (Commission) determines, pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)) (the Act), that revocation of the antidumping duty order on ferrovanadium and nitrided vanadium from Russia would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

**Background**

The Commission instituted this review on May 1, 2006 (71 FR 25609) and determined on August 4, 2006 that it would conduct an expedited review (71 FR 47523, August 17, 2006).

The Commission transmitted its determination in this review to the Secretary of Commerce on September 28, 2006. The views of the Commission are contained in USITC Publication 3887 (September 2006), entitled *Ferrovanadium and Nitrided Vanadium from Russia: Investigation No. 731-TA-702 (Second Review)*.

By order of the Commission.

Issued: September 28, 2006.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E6-16384 Filed 10-3-06; 8:45 am]

**BILLING CODE 7020-02-P**

**INTERNATIONAL TRADE COMMISSION**

[Investigation No. 731-TA-683 (Second Review)]

**Fresh Garlic From China****Determination**

On the basis of the record<sup>1</sup> developed in the subject five-year review, the United States International Trade Commission (Commission) determines, pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)) (the Act), that revocation of the antidumping

<sup>1</sup> The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

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duty order on fresh garlic from China would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

### Background

The Commission instituted this review on February 1, 2006 (71 FR 5374) and determined on May 8, 2006 that it would conduct an expedited review (71 FR 29352, May 22, 2006). Notice of the scheduling of the Commission's review was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** on May 22, 2006 (71 FR 29352).

The Commission is scheduled to transmit its determination in this review to the Secretary of Commerce on September 28, 2006. The views of the Commission are contained in USITC Publication 3886 (September 2006), entitled *Fresh Garlic From China (Inv. No. 731-TA-683 (Second Review))*.

By order of the Commission.

Issued: September 28, 2006.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E6-16383 Filed 10-3-06; 8:45 am]

BILLING CODE 7020-02-P

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Water Act and the Oil Pollution Act

Notice is hereby given that on September 22, 2006, a proposed consent decree in *United States v. Nacelle Land & Management Corporation, et al.*, Civ. No. 1:04-cv-201 was lodged with the United States District Court for the Northern District of Ohio.

In this action, the United States seeks, pursuant to the Oil Pollution Act, recoupment of the costs incurred by the U.S. Environmental Protection Agency ("U.S. EPA") in conducting oil response actions at Nacelle Land & Management Corporation's oil and brine separation facility located at 675 Lakeshore Blvd., Painesville Township, Lake County, Ohio ("Nacelle Facility"). The complaint also seeks civil penalties for alleged violations of the Clean Water Act and its pertinent regulations at the Nacelle Facility. Specifically, in its Complaint, the United States, on behalf of the Oil Spill Liability Trust Fund ("OSLTF") and its administrator, the U.S. Coast Guard, seeks, pursuant to the Oil Pollution Act (OPA), 33 U.S.C. 2701, *et seq.*, to recover all unreimbursed oil

removal costs, including interest under OPA Section 1005, 33 U.S.C. 2705, prejudgment interest, administrative and adjudicative costs, and attorney's fees, totaling at least \$2,274,337.59, incurred by the United States, and/or expended by the OSLTF, in responding to the discharge and/or substantial threat of discharge of oil at and from Nacelle's the Nacelle Facility. The Complaint also seeks, on behalf of U.S. EPA, civil penalties pursuant to CWA Section 311, 33 U.S.C. 1321(b)(7), from Defendants Nacelle and Lake Underground for discharges of oil and brine into navigable waters of the United States at or adjacent to the Nacelle Facility, and for the failure of Nacelle and Lake Underground to prepare and implement an oil spill prevention control and countermeasures program at the Nacelle Facility.

Under the proposed Consent Decree, the United States would recover a total of \$300,000 (determined by a Department of Justice financial analyst to be the amount that the corporations can pay) as well as a portion of the proceeds of any sale or lease of certain properties owned by the companies. Of the \$300,000 to be recovered, \$200,000 would be paid to the OSLTF in satisfaction of the United States' claim for reimbursement of removal costs, and \$100,000 would be paid to the OSLTF in full settlement of the United States' claim for civil penalties under CWA Section 311, 33 U.S.C. 1321. A percentage of the proceeds from the sale or lease of properties owned by the corporations also would be paid into the OSLTF.

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. Nacelle Land & Management Corp., et al.* D. J. Ref. 90-5-1-1-4365.

The proposed Consent Decree may be examined at the Office of the United States Attorney for the Northern District of Ohio, 801 West Superior Avenue Suite 400, Cleveland, OH 44113 (contact Asst. U.S. Attorney Steven Paffilas (216-622-3698)), and at U.S. EPA Region 5, 7th Floor Records Center, 77 West Jackson Blvd., Chicago, Illinois 60604 (contact Assoc. Regional Counsel Deirdre Tanaka (312-886-6730)). During the public comment period, the proposed consent decree may also be examined on the following Department of Justice Web site, [http://](http://www.usdoj.gov/enrd/open.html)

[www.usdoj.gov/enrd/open.html](http://www.usdoj.gov/enrd/open.html). A copy of the proposed 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 \$7.25 (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.

**William Brighton,**

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

[FR Doc. 06-8483 Filed 10-03-06; 8:45 am]

BILLING CODE 4410-15-M

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## DEPARTMENT OF LABOR

### Employee Benefits Security Administration Advisory Council on Employee Welfare and Pension Benefit Plans Working Group on Plan Asset Rules, Exemptions and Cross Trading, Working Group on a Procedurally Prudent Investment Process, and Working Group on Health Information Technology; Notice of Meeting

Pursuant to the authority contained in Section 512 of the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. 1142, the Working Groups assigned by the Advisory Council on Employee Welfare and Pension Benefit Plans to study the issues of (1) Plan asset rules, exemptions and cross trading, (2) a procedurally prudent investment process, and (3) health information technology, will hold public teleconference meetings on October 20, 2006.

The sessions will take place in Room N4437-A, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210. The purpose of the open meetings is for each Working Group to discuss its report/recommendations for the Secretary of Labor. The meetings will run from 11 a.m. to approximately 5 p.m., starting with the Working Group on Plan Asset Rules, Exemptions and Cross Trading, followed by the Working Group on a Procedurally Prudent Investment Process, followed by the Working Group on Health Information Technology.

Organizations or members of the public wishing to submit a written statement pertaining to the topic may do