

2008, but such final comments must not contain new factual information and must otherwise comply with section 207.30 of the Commission's rules. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means, except to the extent permitted by section 201.8 of the Commission's rules, as amended, 67 FR 68036 (November 8, 2002). Even where electronic filing of a document is permitted, certain documents must also be filed in paper form, as specified in II (C) of the Commission's Handbook on Electronic Filing Procedures, 67 FR 68168, 68173 (November 8, 2002).

Additional written submissions to the Commission, including requests pursuant to section 201.12 of the Commission's rules, shall not be accepted unless good cause is shown for accepting such submissions, or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigations must be served on all other parties to the investigations (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

**Authority:** These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.21 of the Commission's rules.

By order of the Commission.

Issued: August 15, 2008.

**William R. Bishop,**

*Acting Secretary to the Commission.*

[FR Doc. E8-19227 Filed 8-19-08; 8:45 am]

**BILLING CODE 7020-02-P**

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## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on August 15, 2008, two proposed Consent Decrees in *United States of America v. Camille J. Amato, et al.*, Civil Action No. 08-CV-6366 were lodged with the United

States District Court for the Western District of New York.

In this action the United States sought to recover from the defendants response costs incurred by the United States Environmental Protection Agency ("EPA") in responding to releases or threatened releases of hazardous substances at or from the Penn Yan Superfund Site, located at 15 Waddell Avenue in the Village of Penn Yan, Yates County, New York (the "Site"). The two Consent Decrees memorialize two separate settlements and require the settling parties to reimburse EPA's past response costs related to the Site.

The first Consent Decree, between the United States and the County of Yates ("Yates County") in the State of New York, requires that Yates County pay to the EPA Hazardous Substance Superfund the principal sum of \$275,000, plus interest, in two installments of \$137,500. The first payment is due within 60 days of entry of the Consent Decree, and the second payment is due by the first anniversary of that date.

The second Consent Decree, between the United States and Camille J. Amato, Thomas Amato, Penn Yan Boat Company LLC, Penn Yan Marine Manufacturing Corp., and Camille Properties, Inc., requires the settling parties to pay to the EPA Hazardous Substance Superfund the principal sum of \$140,000, plus interest, in three installments. The first payment of \$50,000 is due within 30 days of entry of the Consent Decree, with the second and third payments of \$45,000 plus interest due on the first and second anniversary of that date, respectively.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Decree. Comments should be addressed to the Assistant Attorney General, Environmental and Natural Resources Division, and either e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto: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. Camille J. Amato, et al.*, Civil Action No. 08-CV-6366 (W.D.NY), D.J. Ref. 90-11-3-09115.

The Decree may be examined at the Office of the United States Attorney, Western District of New York, 100 State Street, Rochester, NY 14614, and at U.S. EPA Region II, 290 Broadway, New York, New York 10007. During the public comment period, the Decree, may also be examined on the following Department of Justice Web site, [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy of the 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 \$23.25 (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.

**Ronald G. Gluck,**

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

[FR Doc. E8-19290 Filed 8-19-08; 8:45 am]

**BILLING CODE 4410-15-P**

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## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

#### Advisory Council on Employee Welfare and Pension Benefit Plans; 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 143rd open meeting of the full Advisory Council on Employee Welfare and Pension Benefit Plans will be held on September 10, 2008. In addition, the Working Groups assigned by the Advisory Council to study the issues of (1) Phased retirement, (2) spend-down of retirement assets, and (3) hard to value assets/target date funds, will hold public meetings on September 9, 10, and 11. All of the meetings will take place in Room S3215 A-B, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210.

The purpose of the open meeting of the full Council, which will run from 8:30 a.m. to approximately 9 a.m., is for members to be updated on activities of the Employee Benefits Security Administration and for chairs of this year's Working Groups to provide progress reports on their individual study topics.

The purpose of the open Working Group meetings, which each day will run from 9 a.m. to approximately 5 p.m., with a one hour break for lunch, is for Working Group members to hear testimony from invited witnesses and for discussions of possible recommendations based on the testimony. The focus of the Working Group meeting on September 9 will be on phased retirement, including issues

facing employers who wish to create phased retirement plans, as well as the issues facing employees who wish to take part in phased retirement programs, and whether there are any legal impediments that discourage American workers from continuing to work in their retirement years. The focus of the Working Group meeting on September 10 will be on spending down retirement assets, including the issues and barriers facing plan fiduciaries, plan sponsors, and plan participants as they attempt to evaluate approaches that guarantee periodic income levels at retirement. The focus of the Working Group meeting on September 11 will be on hard to value assets and target date funds, including potential risks and the roles of fiduciaries, trustees, investment managers, accountants/auditors and participants when employee benefit plans invest in hard to value assets, a review of regulatory policy involving assets for which there is not a generally recognized market, and challenges and risks associated with plans' use of target date funds.

Organizations or members of the public wishing to submit a written statement for any of the meetings may do so by submitting 30 copies on or before September 2, 2008 to Larry Good, Executive Secretary, ERISA Advisory Council, U.S. Department of Labor, Suite N-5623, 200 Constitution Avenue, NW., Washington, DC 20210. Statements also may be submitted electronically to [good.larry@dol.gov](mailto:good.larry@dol.gov). Statements received on or before September 2 will be included in the record of the relevant meeting. Oral presentations will be limited to 10 minutes, time permitting, but an extended statement may be submitted for the record. Individuals with disabilities, who need special accommodations, should contact Larry Good by September 2 at the address indicated. All individuals who plan to attend the meeting should contact Larry Good by September 8 to expedite building access.

Signed at Washington, DC, this 14th day of August, 2008.

**Bradford P. Campbell,**

*Assistant Secretary, Employee Benefits Security Administration.*

[FR Doc. E8-19233 Filed 8-19-08; 8:45 am]

**BILLING CODE 4510-29-P**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-423]

### Dominion Nuclear Connecticut, Inc.; Notice of Issuance of Amendment to Facility Operating License and Final Determination of No Significant Hazards Consideration

The U.S. Nuclear Regulatory Commission (Commission) has issued Amendment No. 242 to Facility Operating License No. NPF-49 issued to Dominion Nuclear Connecticut, Inc. (the licensee), which revised the Technical Specifications and License for operation of the Millstone Power Station, Unit 3 (the facility) located in New London County, Connecticut. The amendment was effective as of the date of its issuance.

The amendment increased the Millstone Power Station, Unit No. 3 (MPS3) maximum steady-state reactor core power level from the previous licensed thermal power level of 3,411 megawatts thermal (MWT) to 3,650 MWT, which is an increase of approximately 7 percent.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

Notice of Consideration of Issuance of Amendment and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing in connection with this action was published in the **Federal Register** on January 15, 2008 (73 FR 2549). A request for a hearing was filed on March 17, 2008, by the Connecticut Coalition Against Millstone (CCAM) and Nancy Burton. The Atomic Safety and Licensing Board (ASLB) issued an Order dated June 4, 2008. The ASLB Order denied CCAM and Nancy Burton's request for an evidentiary hearing. On June 16, 2008, CCAM and Nancy Burton filed an appeal to the Commission regarding the ASLB Order.

Under its regulations, the Commission may issue and make an amendment immediately effective, notwithstanding the pendency before it of a request for a hearing from any person, in advance of the holding and completion of any required hearing, where it has determined that no significant hazards consideration is involved.

The Commission has applied the standards of 10 CFR 50.92 and has made

a final determination that the amendment involves no significant hazards consideration. The basis for this determination is contained in the Safety Evaluation related to this action. Accordingly, as described above, the amendment has been issued and made immediately effective and any hearing will be held after issuance.

The Commission has prepared a Final Environmental Assessment (73 FR 46054), published on August 7, 2008, related to the action and has concluded that an environmental impact statement is not warranted because there will be no environmental impact attributable to the action beyond that which has been predicted and described in the Commission's Final Environmental Statement for the facility dated December 1984.

For further details with respect to this action, see the application for amendment dated July 13, 2007, as supplemented by letters dated July 13, September 12, November 19, December 13, and December 17, 2007; January 10 (4 letters), January 11 (4 letters), January 14, January 18 (5 letters), January 31, February 25 (2 letters), March 5, March 10 (2 letters), March 25, March 27, April 4, April 24, April 29, May 15, May 20, May 21, July 10, and July 16, 2008, which are available for public inspection at the Commission's PDR, located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 12th day of August 2008.

For the Nuclear Regulatory Commission.

**John G. Lamb,**

*Senior Project Manager, Plant Licensing Branch 1-2, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

[FR Doc. E8-19239 Filed 8-19-08; 8:45 am]

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