

*Estimated Total Annual Cost:* \$150,000, includes \$0 annualized capital or O&M costs.

*Changes in the Estimates:* There is no change in the total estimated burden hours currently identified in the OMB Inventory of Approved ICR Burdens.

Dated: June 20, 2005.

**Oscar Morales,**

*Director, Collection Strategies Division.*

[FR Doc. 05-12656 Filed 6-24-05; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7929-1]

### Proposed CERCLA Administrative Past Cost Recovery Settlement: 47th and Dan Ryan Superfund Site Gustavo and Guadalupe Martinez d/b/a Menchaca Transport Express, and Biddle Sawyer Corporation

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice; request for public comment.

**SUMMARY:** In accordance with Section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9622(i), notice is hereby given of a proposed administrative Agreement for Recovery of Past Response Costs ("Agreement"), issued pursuant to Section 122(h)(1) of CERCLA, concerning the 47th and Dan Ryan Superfund Site in Chicago, Cook County, Illinois, between the United States Environmental Protection Agency ("U.S. EPA" or "the Agency") and the following Settling Parties:

Gustavo and Guadalupe Martinez individually, d/b/a Menchaca Transport Express; and Biddle Sawyer Corporation

The proposed Agreement contains a settlement between U.S. EPA and Gustavo and Guadalupe Martinez individually and d/b/a Menchaca Transport Express; and Biddle Sawyer Corporation for the payment of a portion of EPA's unreimbursed costs incurred at the 47th and Dan Ryan Superfund Site. The Agreement requires the Settling Parties to pay a total of \$90,000 to the EPA Hazardous Substance Superfund. The Agreement also includes a covenant not to sue the Settling Parties pursuant to Section 107(a) of CERCLA, 42 U.S.C. 9607(a).

For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating

to the Agreement. The Agency will consider all comments received and may modify or withdraw its consent to the Agreement if comments received disclose facts or considerations which indicate that the Agreement is inappropriate, improper, or inadequate. The Agency's response to any comments received will be available for public inspection at the following location: Records Center, U.S. EPA, Region 5, 7th Floor, 77 W. Jackson Blvd., Chicago, IL 60604.

**DATES:** Comments must be submitted on or before June 27, 2005.

*Background:* On August 8, 2001, a semi-truck and trailer owned by Gustavo and Guadalupe Martinez, individually and d/b/a Menchaca Transport Express, headed east-bound on the Dan Ryan Expressway, overturned on the highway at the 47th Street overpass in Chicago, Cook County, Illinois and spilled its contents of dry azodicarbonamide. The City of Chicago, Illinois Department of Transportation, and U.S. EPA incurred response costs in containing and addressing the impact of the spill. U.S. EPA's emergency response contractors decontaminated the impacted portion of the highway with pressure washers, and sent the rinse water into a bulk liquids trailer for offsite disposal. Impacted soil from along the berm west of the highway, burned debris and other solid waste associated with the incident was drummed up and removed. U.S. EPA response personnel also performed air monitoring and conducted other sampling activities; U.S. EPA also incurred response costs relating to its responsible party search, negotiations and other enforcement costs.

As of March 31, 2005, U.S. EPA's response and enforcement costs for the Site were \$190,422.03. The Settling Parties Gustavo and Guadalupe Martinez individually, and d/b/a Menchaca Transport Express (now a defunct entity); and Biddle Sawyer Corporation, the shipper and owner of the hazardous substances at the time of the incident, are jointly and severally liable for the proposed payment under the terms of the Agreement. Miken Cartage, Inc. a transporter which had contracted with Biddle Sawyer Corporation and the driver of the truck owned by Menchaca, is recalcitrant and is not participating in the Agreement. Subject to U.S. EPA's reservations of rights, any response costs which would not be recovered under the terms of the Agreement would be forgiven as against the Settling Parties.

**ADDRESSES:** The proposed settlement is available for public inspection at the

following location: Records Center, U.S. EPA, Region 5, 7th Floor, 77 W. Jackson Blvd., Chicago, IL.

Comments should reference the 47th and Dan Ryan Superfund Site; Gustavo and Guadalupe Martinez d/b/a Menchaca Transport Express; and Biddle Sawyer Corporation; City of Chicago, Cook County, Illinois and U.S. EPA Docket No. V-W-'05-C-818, and should be addressed to Sherry L. Estes, Associate Regional Counsel, 77 West Jackson Blvd., Mail Code C-14J, Chicago, Illinois 60604. Copies of the proposed Agreement may be obtained from Deloris Johnson, Paralegal, Office of Regional Counsel, 77 West Jackson Blvd., Mail Code C-14J, Chicago, Illinois 60604, (312) 886-6806.

**FOR FURTHER INFORMATION CONTACT:** Sherry L. Estes, Associate Regional Counsel, 77 West Jackson Blvd., Mail Code C-14J, Chicago, Illinois 60604, (312) 886-7164.

Dated: June 9, 2005.

**Richard C. Karl,**

*Director, Superfund Division.*

[FR Doc. 05-12653 Filed 6-24-05; 8:45 am]

**BILLING CODE 6560-50-P**

## FARM CREDIT SYSTEM INSURANCE CORPORATION

### Farm Credit System Insurance Corporation Board; Notice of Meeting

**AGENCY:** Farm Credit System Insurance Corporation Board; regular meeting.

**SUMMARY:** Notice is hereby given of the regular meeting of the Farm Credit System Insurance Corporation Board (Board).

**DATE AND TIME:** The meeting of the Board will be held at the offices of the Farm Credit Administration in McLean, Virginia, on June 23, 2005, from 9 a.m. until such time as the Board concludes its business.

**FOR FURTHER INFORMATION CONTACT:** Jeanette C. Brinkley, Secretary to the Farm Credit System Insurance Corporation Board, (703) 883-4009, TTY (703) 883-4056.

**ADDRESSES:** Farm Credit System Insurance Corporation, 1501 Farm Credit Drive, McLean, Virginia 22102.

**SUPPLEMENTARY INFORMATION:** Parts of this meeting of the Board will be open to the public (limited space available), and parts will be closed to the public. In order to increase the accessibility to Board meetings, persons requiring assistance should make arrangements in advance. The matters to be considered at the meeting are:

**Closed Session**

- Report on System Performance (with discussion of 2004 results of Dynamic Capital Adequacy Test)

**Open Session****A. Approval of Minutes**

- March 21, 2005 (Regular Meeting)

**B. Reports**

- Financials
- Report on Insured Obligations
- Quarterly Report on Annual Performance Plan

**C. New Business**

- Mid-Year Review of Insurance Premium Rates

Dated: June 21, 2005.

**Jeanette C. Brinkley,**

*Secretary, Farm Credit System Insurance Corporation Board.*

[FR Doc. 05-12661 Filed 6-24-05; 8:45 am]

**BILLING CODE 6710-01-P**

**FEDERAL MARITIME COMMISSION**

[Docket No. 05-03]

**American Warehousing of New York, Inc. v. the Port Authority of New York and New Jersey; Notice of Filing of Complaint and Assignment**

Notice is given that a complaint has been filed by American Warehousing of New York, Inc. ("Complainant") against the Port Authority of New York and New Jersey ("Respondent"). Complainant contends that Respondent has violated, and continues to violate sections 10(d)(1), 10(d)(3) 10(d)(4), 10(b)(10) and 10(b)(13) of the Act, 46 U.S.C. App. 1709(d)(1), 1709(d)(3), 1709(b)(4), 1709(b)(10) and 1709(b)(13), respectively. Specifically, the Complainant alleges that the Respondent has not provided any material or reasonable justification for its actions (i) in hampering operations at American Warehousing, (ii) delaying and/or denying berths to ships at American Warehousing, (iii) in its campaign to convince American Warehousing clients to take their business elsewhere, and (iv) its attempts to double the rent at Pier 7, and (v) engaging in various discriminatory, retaliatory or irrational behavior. As a direct result of these allegations, Complainant claims that Respondent's actions have given American Warehousing's competitors in other terminals and geographic locations an unfair advantage in that they are able to conduct business in the New York-New Jersey area more efficiently because the Respondent is not harassing them or their clients. Complainant seeks an order directing Respondent to cease all

actions to terminate Complainant's leasehold relationship with Respondent; cease all actions designed to harass, intimidate and delay the operations of the Complainant; establish and put in force such practices as the Commission determines to be lawful and reasonable; provide other relief the Commission may determine to be proper as reward or reparation; and take any other action the Commission determines to be appropriate.

This proceeding has been assigned to the Office of Administrative Law Judges. Hearing in this matter, if any is held, shall commence within the time limitations prescribed in 46 CFR 502.61, and only after consideration has been given by the parties and the presiding officer to the use of alternative forms of dispute resolution. The hearing shall include oral testimony and cross-examination in the discretion of the presiding officer only upon proper showing that there are genuine issues of material fact that cannot be resolved on the basis of sworn statements, affidavits, depositions, or other documents or that the nature of the matter in issue is such that an oral hearing and cross-examination are necessary for the development of an adequate record. Pursuant to the further terms of 46 CFR 502.61, the initial decision of the presiding officer in this proceeding shall be issued by June 21, 2006, and the final decision of the Commission shall be issued by October 19, 2006.

**Bryant L. VanBrakle,**

*Secretary.*

[FR Doc. 05-12640 Filed 6-24-05; 8:45 am]

**BILLING CODE 6730-01-P**

**FEDERAL RESERVE SYSTEM**

**Formations of, Acquisitions by, and Mergers of Bank Holding Companies**

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be

available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center website at [www.ffiec.gov/nic/](http://www.ffiec.gov/nic/).

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than July 18, 2005.

**A. Federal Reserve Bank of Atlanta** (Andre Anderson, Vice President) 1000 Peachtree Street, N.E., Atlanta, Georgia 30303:

1. *First Security Group, Inc.*, Chattanooga, Tennessee; to acquire Jackson Bank and Trust, Gainesboro, Tennessee.

**B. Federal Reserve Bank of Chicago** (Patrick M. Wilder, Assistant Vice President) 230 South LaSalle Street, Chicago, Illinois 60690-1414:

1. *Clarkston Financial Corporation*, Clarkston, Michigan; to acquire not less than 51 percent of the voting shares of Huron Valley State Bank, Milford, Michigan (in organization).

Board of Governors of the Federal Reserve System, June 20, 2005.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. 05-12496 Filed 6-24-05; 8:45 am]

**BILLING CODE 6210-01-S**

**FEDERAL TRADE COMMISSION**

[File No. 042 3160]

**BJ's Wholesale Club, Inc.; Analysis of Proposed Consent Order To Aid Public Comment**

**AGENCY:** Federal Trade Commission.

**ACTION:** Proposed consent agreement.

**SUMMARY:** The consent agreement in this matter settles alleged violations of federal law prohibiting unfair or deceptive acts or practices or unfair methods of competition. The attached Analysis to Aid Public Comment describes both the allegations in the draft complaint and the terms of the consent order—embodied in the consent agreement—that would settle these allegations.