

public version of the complaint can be accessed on the Commission's Electronic Document Information System (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email [EDIS3Help@usitc.gov](mailto:EDIS3Help@usitc.gov).

General information concerning the Commission may also be obtained by accessing its internet server at United States International Trade Commission (USITC) at <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's Electronic Document Information System (EDIS) at <https://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission has received a complaint and a submission pursuant to § 210.8(b) of the Commission's Rules of Practice and Procedure filed on behalf of Toppan Interamerica, Inc. on December 7, 2023. The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain furniture products finished with decorative wood grain paper and components thereof. The complaint names as a respondent: Whalen LLC d/b/a Whalen Furniture Manufacturing of San Diego, CA. The complainant requests that the Commission issue a limited exclusion order, a cease and desist order, and impose a bond upon respondents' alleged infringing articles during the 60-day Presidential review period pursuant to 19 U.S.C. 1337(j).

Proposed respondents, other interested parties, and members of the public are invited to file comments on any public interest issues raised by the complaint or § 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) explain how the articles potentially subject to the requested remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the requested exclusion order and/or a cease and desist order within a commercially reasonable time; and

(v) explain how the requested remedial orders would impact United States consumers.

Written submissions on the public interest must be filed no later than by close of business, eight calendar days after the date of publication of this notice in the **Federal Register**. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation. Any written submissions on other issues must also be filed by no later than the close of business, eight calendar days after publication of this notice in the **Federal Register**. Complainant may file replies to any written submissions no later than three calendar days after the date on which any initial submissions were due, notwithstanding § 201.14(a) of the Commission's Rules of Practice and Procedure. No other submissions will be accepted, unless requested by the Commission. Any submissions and replies filed in response to this Notice are limited to five (5) pages in length, inclusive of attachments.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above. Submissions should refer to the docket number ("Docket No. 3711") in a prominent place on the cover page and/or the first page. (See Handbook for Electronic Filing Procedures, Electronic Filing Procedures<sup>1</sup>). Please note the Secretary's Office will accept only electronic filings during this time. Filings must be made through the Commission's Electronic Document Information System (EDIS, <https://edis.usitc.gov>.) No in-person paper-based filings or paper copies of any electronic filings will be accepted until further notice. Persons with questions regarding filing should contact the Secretary at [EDIS3Help@usitc.gov](mailto:EDIS3Help@usitc.gov).

Any person desiring to submit a document to the Commission in

confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this Investigation may be disclosed to and used: (i) by the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel,<sup>2</sup> solely for cybersecurity purposes. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.<sup>3</sup>

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of §§ 201.10 and 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

By order of the Commission.

Issued: December 7, 2023.

**Lisa Barton,**

*Secretary to the Commission.*

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Consent Decree Under the Resource Conservation and Recovery Act

On December 7, 2023, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Northern District of Illinois in the lawsuit entitled *United States, Louisiana Department of Environmental Quality, and the State of Indiana v. Heritage-Crystal Clean, LLC*, Civil Action No. 1:22-cv-00303.

The complaint filed in this action seeks civil penalties and injunctive relief for alleged violations of the Resource Conservation and Recovery

<sup>2</sup> All contract personnel will sign appropriate nondisclosure agreements.

<sup>3</sup> Electronic Document Information System (EDIS): <https://edis.usitc.gov>.

<sup>1</sup> Handbook for Electronic Filing Procedures: [https://www.usitc.gov/documents/handbook\\_on\\_filing\\_procedures.pdf](https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf).

Act, its implementing regulations, and related state law provisions, at five Heritage-Crystal Clean (HCC) facilities located in Shreveport, Indianapolis, Atlanta, and Denver as well as at a former facility in Fairless Hills, Pennsylvania. The complaint alleged that in the course of providing solvent-based parts washing services to numerous customers throughout the United States, HCC violated various hazardous waste management requirements by (1) transporting hazardous waste without required hazardous waste manifests, (2) storing hazardous waste at HCC facilities that do not have hazardous waste permits, (3) failing to make adequate hazardous waste determinations after mixing used solvents that HCC accepted from numerous different customers, (4) failing to comply with certain requirements for reducing air emissions from hazardous waste tanks and equipment, and (5) failing to maintain adequate secondary containment for certain hazardous waste tanks. The complaint also alleged that HCC violated certain requirements applicable to storage of used oil at HCC's Shreveport facility, and certain requirements governing management of solid wastes at HCC's Indianapolis facility (the "10th Street Facility").

The proposed settlement prohibits HCC from treating, storing, or disposing of hazardous waste at any HCC facility that does not have a hazardous waste management permit. The proposed settlement also includes extensive measures to assure that HCC facilities do not manage used parts washing solvent that is subject to regulation as hazardous waste. These measures include: (1) screening new customers; (2) screening used parts washing solvents before HCC accepts such solvents for transport and management; (3) providing educational materials to certain parts washing customers; (4) testing of used parts washing solvent accepted by HCC to determine whether any used solvents accepted and managed by HCC are hazardous waste; (5) prompt removal from HCC facilities of any used parts washing solvents shown to be hazardous waste; (6) a prohibition on processing of certain used solvents, including by gravity separation, for the purpose of making the used solvent suitable for resale and re-use. The proposed settlement also provides for HCC to apply for a permit to store and treat hazardous waste at its 10th Street Facility. Pending issuance of a hazardous waste permit for the 10th Street Facility and construction of any waste management units authorized by

such a permit, the proposed Consent Decree requires HCC to implement various interim measures at the 10th Street Facility, including various inspection requirements, and requirements to close open vents on certain tanks used to store used solvent at the 10th Street Facility. In addition, the proposed Consent Decree includes provisions for a third-party audit of HCC's implementation of Consent Decree requirements. Finally, the proposed Consent Decree provides for HCC to pay civil penalties totaling \$1,162,500, with specified portions of the penalty amount allocated to the United States, the Louisiana Department of Environmental Quality, and the State of Indiana.

The publication of this notice opens a period for public comment on the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States, Louisiana Department of Environmental Quality, and the State of Indiana v. Heritage-Crystal Clean, LLC* D.J. Ref. No. 90–7–1–11889. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By email .....	<a href="mailto:pubcomment-ees.enrd@usdoj.gov">pubcomment-ees.enrd@usdoj.gov</a> .
By mail .....	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the proposed Consent Decree may be examined and downloaded at this Justice Department website: <http://www.justice.gov/enrd/consent-decrees>. We will provide a paper copy of the proposed Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for \$33.50 (25 cents per page reproduction cost) payable to the United States Treasury.

**Thomas Carroll,**

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

[FR Doc. 2023–27319 Filed 12–12–23; 8:45 am]

**BILLING CODE 4410–15–P**

## DEPARTMENT OF JUSTICE

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

On December 6, 2023, the Department of Justice lodged a proposed consent decree with the United States District Court for the District of New Jersey in *United States v. Wyeth Holdings LLC*, 2:23–cv–22922 (D.N.J.).

The United States filed a complaint under the Comprehensive Environmental Response, Compensation, and Liability Act against Wyeth Holdings LLC, for recovery of damages for injury to, loss of, or destruction of natural resources resulting from the release of hazardous substances at or from the American Cyanamid Superfund Site (the "Site") in Bridgewater Township, Somerset County, New Jersey. Specifically, the United States alleges releases of hazardous substances caused injury to floodplains, riparian areas, and wetlands adjacent to the Site and the biota supported by these habitats, including macroinvertebrates, amphibians, reptiles, birds, and mammals. These natural resources are under the trusteeship of the United States Department of the Interior (DOI), through the United States Fish and Wildlife Service (FWS), the National Oceanic and Atmospheric Administration (NOAA), and New Jersey Department of Environmental Protection (NJDEP).

The proposed Consent Decree is among the United States, NJDEP, and Wyeth Holdings LLC. Under the proposed Consent Decree, Wyeth Holdings LLC, will undertake and fund the "Duke Farms Forested Floodplain Restoration Project," which will restore 112 areas of former farmland located upstream of the Site on the Raritan River to a natural habitat. Wyeth will also pay the DOI, NOAA, and NJDEP's assessment and oversight costs.

The publication of this notice opens a period for public comment on the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, United States Department of Justice, and should refer to *United States and New Jersey Department of Environmental Protection v. Wyeth Holdings LLC*, D.J. Ref. No. 90–11–3–07250/4. All comments must be submitted no later than sixty (60) days after the publication date of this notice. Comments may be submitted either by email or by mail: