

concerned: (1) The Commission's construction and application of the causation standard articulated in *Bratsk* and *Caribbean Ispat* with respect to its analysis of material injury by reason of subject imports; (2) the Commission's analysis of whether wire rod was a "commodity product" for purposes of performing the type of "replacement/benefit" analysis that the Federal Circuit endorsed in *Bratsk*; and (3) the Commission's construction and application of the causation standard with respect to its analysis of threat of material injury by reason of subject imports. The matter was consequently remanded to the Court of International Trade. On March 29, 2010, the Court of International Trade remanded the matter to the Commission, directing the Commission "to attempt to comply with the [Federal Circuit's] reasoning, as set forth in its foregoing, more recent opinion, and to report to this court any results of this mandated remand."

**Participation in the proceeding.**— Only those persons who were interested parties to the original investigation (*i.e.*, persons listed on the Commission Secretary's service list) and were parties to the underlying *Mittal* litigation may participate in the remand proceeding. Such persons need not re-file their appearance notices or protective order applications to participate in the remand proceeding. Business proprietary information ("BPI") referred to during the remand proceeding will be governed, as appropriate, by the administrative protective order issued in the original investigation.

**Written submissions.**—The Commission is not reopening the record in this remand proceeding. The Commission will permit the parties to file written comments. Comments should be limited to no more than twenty-five (25) double-spaced and single-sided pages of textual material, may not contain new factual information, and may address only the following issues within the scope of the remand: (1) whether the information in the record would support a determination of material injury or threat of material injury by reason of subject imports under the causation standard the Federal Circuit articulated in sections II.B. and C. of the *Mittal* opinion; and (2) whether wire rod is a "commodity product" pursuant to the standards the Federal Circuit has authorized the Commission to apply pursuant to section II.A. of the *Mittal* opinion. Any such comments must be filed with the Commission no later than May 7, 2010.

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 (Nov. 8, 2002).

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigation must be served on all other parties to the investigation (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.

Parties are also advised to consult with the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subpart A (19 CFR part 207) for provisions of general applicability concerning written submissions to the Commission.

By order of the Commission.

Issued: April 20, 2010.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

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## INTERNATIONAL TRADE COMMISSION

[USITC SE-10-012]

### Sunshine Act Meeting Notice

**AGENCY HOLDING THE MEETING:** United States International Trade Commission.

**TIME AND DATE:** April 29, 2010 at 9:30 a.m.

**PLACE:** Room 101, 500 E Street SW., Washington, DC 20436. *Telephone:* (202) 205-2000.

**STATUS:** Open to the public.

### Matters to be considered:

1. *Agenda for future meetings:* None.
  2. Minutes.
  3. Ratification List.
  4. Inv. Nos. 701-TA-437 and 731-TA-1060-1061 (Review) (Carbazole Violet Pigment 23 from China and India)—briefing and vote. (The Commission is currently scheduled to transmit its determination and Commissioners' opinions to the Secretary of Commerce on or before May 10, 2010.)
  5. *Outstanding action jackets:* None.
- In accordance with Commission policy, subject matter listed above, not

disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting.

Issued: April 22, 2010.

By order of the Commission.

**William R. Bishop,**

*Hearings and Meetings Coordinator.*

[FR Doc. 2010-9770 Filed 4-22-10; 4:15 pm]

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## INTERNATIONAL BOUNDARY AND WATER COMMISSION UNITED STATES AND MEXICO; UNITED STATES SECTION

### Notice of Availability of a Draft Environmental Assessment and Finding of No Significant Impact for Arroyo Colorado South Levee Rehabilitation Project in Cameron and Hidalgo Counties, TX

**AGENCY:** United States Section, International Boundary and Water Commission, United States and Mexico (USIBWC).

**ACTION:** Notice of Availability of Draft Environmental Assessment (EA) and Draft Finding of No Significant Impact (FONSI).

**SUMMARY:** Pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, the Council on Environmental Quality Final Regulations (40 CFR Parts 1500 through 1508), and the United States Section's Operational Procedures for Implementing Section 102 of NEPA, published in the **Federal Register** September 2, 1981, (46 FR 44083); the USIBWC hereby gives notice of availability of the Draft Environmental Assessment and FONSI for Arroyo Colorado South Levee Rehabilitation Project located in Cameron and Hidalgo Counties, Texas are available. An environmental impact statement will not be prepared unless additional information which may affect this decision is brought to our attention within 30 days from the date of this Notice.

**FOR FURTHER INFORMATION CONTACT:** Lisa Santana, Environmental Protection Specialist, Environmental Management Division, United States Section, International Boundary and Water Commission; 4171 N. Mesa, C-100; El Paso, Texas 79902. Telephone: (915) 832-4707; e-mail: [lisa.santana@ibwc.gov](mailto:lisa.santana@ibwc.gov).

**DATES:** Comments on the Draft EA and Draft FONSI will be accepted through May 26, 2010.

**Availability:** Single hard copies of the Draft Environmental Assessment and