

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination ("ID") (Order No. 26) of the presiding administrative law judge ("ALJ") in the above-captioned investigation terminating the investigation on the basis of settlement agreements.

**FOR FURTHER INFORMATION CONTACT:** Michael K. Haldenstein, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-3041. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://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 instituted this investigation on December 26, 2007, based on a complaint filed by Bose Corporation of Framingham, Massachusetts ("Bose"). 73 FR 882 (January 4, 2008). The complaint, as supplemented, alleged 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 noise-cancelling headphones by reason of infringement of certain claims of United States Patent Nos. 5,181,252 and 6,597,792. The complaint named as respondents Phitek Systems Limited of New Zealand ("Phitek New Zealand"); Phitek Systems Limited of San Jose, California; GN Netcom, Inc. of Nashua, New Hampshire; Audio-Technica U.S., Inc. of Stow, Ohio ("Audio-Technica"); Creative Labs, Inc. of Milpitas, California ("Creative"); Logitech Inc. of Fremont, California; and Panasonic Corporation of North America of Secaucus, New Jersey ("Panasonic").

On November 18, 2008, complainant and four remaining respondents, Phitek New Zealand, Audio-Technica, Creative, and Panasonic, filed a joint motion pursuant to Commission rule 210.21 for termination of the investigation based upon two settlement

agreements. One settlement agreement is between Bose and Panasonic, and the other settlement agreement is between Bose and Phitek New Zealand, Audio-Technica, and Creative. The Commission investigative attorney filed a response in support of the motion.

On December 4, 2008, the ALJ issued the subject ID, granting the joint motion and terminating the investigation with respect to all remaining respondents on the basis of the settlement agreements. No petitions for review were filed and the Commission has determined not to review the subject ID. The investigation is terminated.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and Commission rules 210.21, 210.42, 19 CFR 210.21, 210.42.

By order of the Commission.

Issued: January 2, 2009.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E9-80 Filed 1-7-09; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Investigations No. 731-TA-1140 (Final)]

### Uncovered Innerspring Units From China

**AGENCY:** United States International Trade Commission.

**ACTION:** Additional scheduling date for the subject investigations.

**DATES:** *Effective Date:* January 5, 2009.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Merrill (202-205-3188), Office of Investigations, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for these investigations may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

**SUPPLEMENTARY INFORMATION:** Effective July 30, 2008, the Commission established a schedule for the conduct of the final phase of the subject investigations (73 FR 49219, August 20, 2008). Subsequently, the Department of

Commerce extended the date for its final determination in the investigation on China to December 19, 2008 (73 FR 50932, August 29, 2008).<sup>1</sup> Accordingly, the Commission is, hereby, issuing its additional scheduling date with respect to the antidumping duty investigation concerning China as follows: A supplemental brief addressing only Commerce's final antidumping duty determination is due on January 8, 2009. The brief may not exceed five (5) pages in length.

For further information concerning these investigations see the Commission's notice cited above and the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

**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: January 5, 2009.

**William R. Bishop,**

*Hearings and Meetings Coordinator.*

[FR Doc. E9-117 Filed 1-7-09; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree in United States v. Lorain County Metropolitan Park District, et al. Under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)

Notice is hereby given that on December 30, 2008, a proposed Consent Decree was lodged with the *United States District Court for the Northern District of Ohio in United States v. Lorain County Metropolitan Park District, et al.*, Case No. 1:08-cv-03026-AA. The Consent Decree between the United States, on behalf of the U.S. Environmental Protection Agency ("U.S. EPA"), and the Settling Defendants relates to certain liabilities under the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9601 *et seq.*, in connection with the Ford Road Industrial Landfill Superfund Site in Elyria, Ohio (the "Site").

Under the proposed settlement, Settling Defendants will perform the \$3.4 million remedy at the Site, which includes cover enhancement, hot spot removal, and groundwater monitoring,

<sup>1</sup> Effective October 21, 2008, Commerce issued its final antidumping duty determinations for South Africa (73 FR 62481) and Vietnam (73 FR 62479).

and will reimburse future response costs incurred by U.S. EPA in overseeing the response work.

The Department of Justice will receive comments relating to the Consent Decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment 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. Lorain County Metropolitan Park District, et al.*, DJ Ref. No. 90-11-3-09102.

The 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, by request to Assistant U.S. Attorney Steven J. Paffilas, and at the U.S. EPA Region V, 77 West Jackson Blvd., Chicago, IL 60604. During the public comment period, the Consent 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 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 \$13.50 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**William D. Brighton,**

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

[FR Doc. E9-87 Filed 1-7-09; 8:45 am]

BILLING CODE 4410-15-P

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Judgment Pursuant to Resource Recovery and Conservation Act

Notice is hereby given that on December 23, 2008, a proposed Consent Judgment in *United States v. Citygas Gasoline Corporation, et al.*, Civil Action No. CV-03-6374, was lodged with the United States District Court for the Eastern District of New York.

The proposed Consent Judgment will resolve the United States' claims under Section 9006 of the Resource Recovery and Conservation Act, as amended, 42

U.S.C. 6991e, on behalf of the U.S. Environmental Protection Agency against defendants Sidney Esikoff Family Trust ("Seft"), 141-50 Union Turnpike LLC, 83-10 Astoria Boulevard LLC, and 2800 Bruckner Boulevard LLC (collectively "SEFT Defendants"). The United States alleges that the SEFT Defendants violated the regulations governing underground storage tanks ("USTs"), set forth at 40 CFR Part 280, at the following facilities, which were automobile fueling stations with USTs that defendants have owned and/or operated: (1) 83-10 Astoria Boulevard, Jackson Heights, New York; (2) 141-50 Union Turnpike, Flushing, New York; and (3) 2800 Bruckner Boulevard, Bronx, New York. The Consent Judgment requires the SEFT Defendants to pay a civil penalty of \$325,000. The Consent Judgment also provides for injunctive relief to be implemented over the next five years at 141-50 Union Turnpike, Flushing, New York, consisting of maintenance of ongoing compliance with the UST regulations, and submission of reports demonstrating such compliance.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the Consent Judgment. Comments should be addressed to the Assistant Attorney General, Environment 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. Citygas Gasoline Corporation, et al.*, Civil Action No. CV-03-6374, D.J. Ref. No. 90-7-1-07464.

The proposed Consent Judgment may be examined at the Office of the United States Attorney, Eastern District of New York, 271 Cadman Plaza East, 7th Fl., Brooklyn, New York 11201, and at the United States Environmental Protection Agency, Region II, 290 Broadway, New York, New York 10007-1866. During the public comment period, the proposed Consent Judgment 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 proposed Consent Judgment may 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

\$14.25 (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.

**Henry Friedman,**

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

[FR Doc. E9-67 Filed 1-7-09; 8:45 am]

BILLING CODE 4410-15-P

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Judgment Pursuant to Comprehensive Environmental Response, Compensation and Liability Act

Notice is hereby given that on December 19, 2008, a proposed Supplemental Consent Judgment in *United States v. Estate of Joseph Vazzana, Sr., et al.*, Civil Action No. CV-04-0620, was lodged with the United States District Court for the Eastern District of New York.

An earlier Consent Judgment, entered by the Court on May 21, 2007, resolved cost recovery claims of the United States, on behalf of the U.S. Environmental Protection Agency ("EPA"), under Section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9607(a), in connection with the Spectrum Finishing Corp. Superfund Site in West Babylon, Suffolk County, New York (the "Site"), against defendants Estate of Joseph Vazzana, Sr., Joseph Vazzana, Jr. (hereinafter collectively referred to as "Settling Defendants"), and the approximately one acre of land located contiguously at 51 Cabot and 50 Dale Streets in West Babylon that comprises the Site ("Property"). The original Consent Judgment provided, among other things, that the Defendants would sell the Property and reimburse EPA for its response costs from the proceeds. This Supplemental Consent Judgment provides for the specific terms of sale and distribution of proceeds from the sale of the Property in accordance with a formula set forth in the Supplemental Consent Judgment. This Supplemental Consent Judgment addresses the claims to the Property made in this action by the County of Suffolk, the State of New York, and the Suffolk County District Attorney's Office.

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 Judgment. Comments should be