

TEXAS**Presidio County**

Central Marfa Historic District, Roughly bounded by Washington, Dallas, Dean, Russell, Austin and Abbott Sts., Marfa, SG100007597

VIRGINIA**Fairfax County**

Mount Vernon Enterprise Lodge #3488-Pride of Fairfax County Lodge #298, 7809 Fordson Rd., Alexandria vicinity, SG100007613

Manassas Independent City

Annaburg, 9201 Maple St., Manassas, SG100007614

WEST VIRGINIA**Hampshire County**

West Virginia Schools for the Deaf and the Blind Dairy Barn, 199 Depot St., Romney, SG100007605

Monongalia County

Richwood Avenue Wall, (New Deal Stone Resources in Morgantown, Monongalia County, WV, 1932–1943 MPS), Richwood Ave. along Whitmore Park, Morgantown, MP100007608

Deckers Creek Wall, (New Deal Stone Resources in Morgantown, Monongalia County, WV, 1932–1943 MPS), Deckers Creek, Morgantown, MP100007609

Eighth Street Stone Retaining Walls, (New Deal Stone Resources in Morgantown, Monongalia County, WV, 1932–1943 MPS), 305 and 321 8th St., Morgantown, MP100007610

Ohio County

Wheeling Warehouse Historic District (Boundary Increase), Roughly bounded by Main, 20th, and east side of Market Sts., and Wheeling Cr., Wheeling, BC100007606

Preston County

Terra Alta First United Methodist Church, 301 West State Ave., Terra Alta, SG100007611

Tucker County

Buxton and Landstreet Company Store, 571 Douglas Rd., Thomas, SG100007612
Additional documentation has been received for the following resource:

WISCONSIN**Kewaunee County**

Marquette Historic District (Additional Documentation), Roughly bounded by Lake Michigan and Center, Juneau and Lincoln Sts., Kewaunee, AD93001167

Nomination submitted by Federal Preservation Officer:

The State Historic Preservation Officer reviewed the following nomination and responded to the Federal Preservation Officer within 45 days of receipt of the nomination and supports listing the property in the National Register of Historic Places.

MAINE**Hancock County**

Mount Desert Island Hiking Trail System, (Acadia National Park MPS), Acadia NP, P.O. Box 177, Bar Harbor, Bar Harbor vicinity, MP100007602

Mount Desert Island Hiking Trail System, (Acadia National Park MPS), Acadia NP, P.O. Box 177, Bar Harbor, Tremont vicinity, MP100007602

Mount Desert Island Hiking Trail System, (Acadia National Park MPS), Acadia NP, P.O. Box 177, Bar Harbor, Mount Desert, vicinity, MP100007602

Mount Desert Island Hiking Trail System, (Acadia National Park MPS), Acadia NP, P.O. Box 177, Bar Harbor, Southwest Harbor vicinity, MP100007602

Authority: Section 60.13 of 36 CFR part 60.

Dated: March 8, 2022.

Sherry A. Frear,

*Chief, National Register of Historic Places/
National Historic Landmarks Program.*

[FR Doc. 2022–05697 Filed 3–17–22; 8:45 am]

BILLING CODE 4312–52–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1217]

Certain Blowers and Components Thereof; Notice of a Commission Determination Finding No Violation of the Consent Order; Terminating the Enforcement Proceeding; and Remanding Order No. 36

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to bifurcate its review of Order No. 36 from its review of the EID in the enforcement proceeding. The Commission has determined to affirm the enforcement initial determination (“EID”) issued on December 14, 2021, finding no violation of the consent order issued in the above-referenced section 337 enforcement investigation with the modifications set forth in the accompanying Commission opinion. The enforcement proceeding is terminated. The Commission has determined to remand Order No. 36 to the Administrative Law Judge (“ALJ”) for issuance of a revised order regarding sanctions as set forth in the Commission remand order. The Commission will consider Order No. 36 in the separate sanctions proceeding.

FOR FURTHER INFORMATION CONTACT: Panyin A. Hughes, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW,

Washington, DC 20436, telephone (202) 205–3042. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.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: On September 8, 2020, the Commission instituted the original, underlying investigation based on a complaint filed by Regal Beloit America, Inc. of Beloit, Wisconsin (“Regal” or “Complainant”). 85 FR 55491–92 (Sept. 8, 2020). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain blowers and components thereof by reason of infringement of one or more of claims 1, 2, 7–10, and 15 of U.S. Patent No. 8,079,834 (“the ‘834 patent”). *Id.* at 55492. The Commission’s notice of investigation named as respondents East West Manufacturing, LLC of Atlanta, Georgia, and East West Industries of Binh Duong, Vietnam (collectively, “East West” or “Respondents”). *Id.* at 55492. The Office of Unfair Import Investigations (“OUII”) did not participate as a party in the original investigation. *Id.*

On November 12, 2020, the Commission terminated the original investigation with respect to Respondents based upon a consent order stipulation and entry of a consent order. 85 FR 73511 (Nov. 18, 2020). The Consent Order directs East West to “not sell for importation, import or sell after importation the Subject Articles . . . except under consent or license from Complainant.” Consent Order at ¶ 5. The Consent Order defines “Subject Articles” as “certain blowers and components thereof that infringe claims 1, 2, 7–10, and 15 of the ‘834 Patent.” *Id.* at ¶ 3.

On January 15, 2021, Regal filed an enforcement complaint at the Commission alleging that East West’s redesigned blower infringes claims 1, 2, 7–10, and 15 of the ‘834 patent in violation of the Consent Order. On February 19, 2021, the Commission instituted a formal enforcement proceeding, pursuant to Commission

Rule 210.75(a), to determine whether a violation of the consent order issued in the original investigation has occurred and to determine what, if any, enforcement measures are appropriate. 86 FR 10335 (Feb. 19, 2021). The respondents named in the enforcement proceeding are the same as the respondents named in the original investigation, *i.e.*, East West Manufacturing, LLC of Atlanta, Georgia, and East West Industries of Binh Duong, Vietnam. *Id.* OUII was named as a party in the enforcement proceeding. *Id.*

On March 1, 2021, East West filed a motion for monetary and other sanctions alleging that Regal and its attorneys tampered with and misrepresented the accused redesigned blower in the enforcement complaint. Regal and OUII filed responses thereto on March 11, 2021, and March 18, 2021, respectively. Regal opposed the motion and asked for monetary sanctions in its response. The presiding Administrative Law Judge (“ALJ”) further permitted the private parties to file replies and surreplies to the sanctions briefing. EID at 16.

On June 29, 2021, the ALJ issued a *Markman* Order (Order No. 22), styled “*Markman* Claim Constructions With Abbreviated Rationales” (*Markman* Order I). On July 13, 2021, the ALJ issued Order No. 23, clarifying Order No. 22.

The ALJ held an evidentiary hearing from July 20–23, 2021 and received post-hearing briefs thereafter. On September 22, 2021, the ALJ held a supplemental hearing on the sanctions motion. EID at 18.

On October 29, 2021, the ALJ issued Order No. 32 (*Markman* Order II), providing extensive explanations as to the adopted constructions in Order No. 22.

On December 14, 2021, the ALJ issued the subject EID finding no violation of the Consent Order. The EID found that the parties do not contest personal jurisdiction, and that the Commission has *in rem* jurisdiction over the accused products. EID at 19–20. The EID noted that the private parties filed a “Joint Stipulation on Importation and Sales,” describing “the number of units of the Accused or Redesigned Blower that East West imported and sold.” *Id.* at 20. The EID found that Regal failed to show that East West’s redesigned blower infringes asserted claims 1, 2, 7–10, and 15 of the ’834 patent, and thus failed to show a violation of the consent order. *See id.* at 9–10. The EID stated that “in the event the Commission were to find to the contrary, an imposed civil penalty should be *de minimis* and not the maximum civil penalty that Regal has

proposed.” *Id.* at 10. Specifically, the EID recommended that “East West disgorge its profits plus an additional one-half of its profits from any sales that violated the Consent Order.” *Id.* at 10–11.

On December 14, 2021, the ALJ also issued Order No. 36 denying East West’s motion for monetary sanctions. The ALJ issued a public warning to Regal, citing the Commission’s sanctions authority under Commission Rule 210.4(c) and (d), 19 CFR 210.4(c), (d), and ordered Regal to correct potentially misleading portions of the enforcement complaint.

On January 4, 2022, Regal filed a petition for review of the EID, and Respondents filed a contingent petition for review of the EID and a petition for review of Order No. 36. On January 10, 2022, the parties replied to the petitions for review.

On February 11, 2022, the Commission determined to review the EID and Order No. 36. 87 FR 9085–86 (Feb. 17, 2022).

Pursuant to 19 CFR 210.25, the Commission has determined to bifurcate its review of Order No. 36 from its review of the EID. Upon review of the parties’ submissions, the EID, and the evidence of record, the Commission has determined to affirm the EID’s finding that Regal failed to show that East West violated the Consent Order with the modifications set forth in the accompanying Commission opinion. The enforcement proceeding is terminated. The Commission has determined to remand Order No. 36 to the ALJ for a revised order regarding sanctions as set forth in the Commission remand order. The Commission will consider Order No. 36 in the separate sanctions proceeding.

The Commission’s vote on this determination took place on March 14, 2022.

The authority for the Commission’s determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in part 210 of the Commission’s Rules of Practice and Procedure (19 CFR 210).

By order of the Commission.

Issued: March 14, 2022.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2022–05713 Filed 3–17–22; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Clean Air Act

On March 15, 2022, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Western District of Louisiana in the lawsuit entitled *United States of America v. Power Performance Enterprises Inc. and Kory Blaine Willis*, Civil Action No. 22–cv–00693.

In this action, the United States, on behalf of the U.S. Environmental Protection Agency, filed a Complaint alleging that between August 15, 2013 and June 4, 2018, Defendants PPEI and its owner, Mr. Willis, manufactured, sold, or offered to sell aftermarket automotive products that have a principal effect of bypassing, defeating, or rendering inoperative the emission controls on diesel cars and trucks in violation of Section 203(a)(3)(B) of the CAA, 42 U.S.C. 7522(a)(3)(B). The Complaint further alleges that, absent an injunction, Defendants may resume the manufacture or sales of such products. The proposed Complaint seeks appropriate civil penalties and injunctive relief to prohibit Defendants from continuing to manufacture and sell these unlawful products.

Under the proposed settlement, the Defendants agree to pay a civil penalty (based on a finding of limited ability to pay) of \$1,550,000 in three installment payments over 2 years. In addition, the settlement imposes various restrictions designed to ensure that Defendants operate in compliance with the law.

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 of America v. Power Performance Enterprises Inc. and Kory Blaine Willis*, D.J. Ref. No. 90–5–2–1–11865. 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	<i>pubcomment-ees.enrd@usdoj.gov.</i>
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