

products containing same that infringe certain claims of United States Patent No. 7,049,433. The notice of investigation named six firms as respondents.

On May 27, 2009, Cargill and ENI filed a motion to terminate the investigation based upon a settlement agreement and license agreement. The ALJ denied this motion. Order No. 23 (June 29, 2009).

On June 1, 2009, the Commission issued notice of its determination not to review an ID terminating the investigation with respect to respondents Hygieia Health Co., Ltd. and TSI Health Sciences, Inc. based on a settlement agreement. On July 28, 2009, the Commission issued notice of its determination not to review an ID terminating the investigation with respect to Nantong Foreign Medicines & Health Products Co., Ltd. and Tiancheng International, Inc. on the basis of withdrawal of the complaint as to these two respondents. On July 30, 2009, the Commission issued notice of its determination not to review an ID terminating the investigation with respect to DNP International, Inc. on the basis of a consent order.

On July 13, 2009, Cargill and respondent ENI filed a second joint motion pursuant to Commission Rule 210.21(b) to terminate the investigation based upon a settlement agreement and license agreement. On July 23, 2009, the Commission investigative attorney filed a response in support of the motion. On July 24, 2009, the ALJ issued Order No. 26, granting the motion. No petitions for review were filed.

On August 24, 2009, the Commission issued notice of its determination to review the subject ID, and requested briefing. On September 8, 2009, Cargill filed a submission. On September 9, 2009, Cargill filed a corrected submission, and the Commission investigative attorney filed a submission with a motion for leave to file out of time. The Commission has determined to grant the motion for leave to file out of time. Having reviewed the record and the submissions on review, the Commission has determined to affirm the subject ID.

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 sections 210.45, 210.50 of the Commission's Rules of Practice and Procedure (19 CFR 210.45, 210.50).

Issued: April 5, 2010.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 2010-8206 Filed 4-9-10; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on April 2, 2010, a proposed Consent Decree ("Consent Decree") in *United States v. Union Pacific Railroad Company*, Civil Action No. 5:10cv251-FB was lodged with the United States District Court for the Western District of Texas.

In this action, the United States sought recovery, under 42 U.S.C. 9707(a)(4)(A), of past response costs incurred by the United States Environmental Protection Agency associated with a train derailment that occurred on June 28, 2004, near Macdona, Texas. A chlorine gas tanker ruptured, resulting in the release of chlorine gas into the environment. The Consent Decree resolves the claim between the United States and the Union Pacific Railroad Company for the amount of \$480,000.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Consent Decree. 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. Union Pacific Railroad Company*, D.J. Ref. 90-11-3-09267.

The Consent Decree may be examined at the Office of the United States Attorney, Western District of Texas, 601 NW Loop 410, Suite 600, San Antonio, Texas 78216, (210) 384-7300, and at U.S. EPA Region 6, 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202, (800) 887-6063. 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 \$3.25 (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.

**Maureen Katz,**

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

[FR Doc. 2010-8242 Filed 4-9-10; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on March 31, 2010, a proposed Consent Decree ("Decree") in *United States v. Honeywell International Inc.*, Civil Action No. 1:10CV203, was lodged with the United States District Court for the Southern District of Ohio.

In this action the United States, on behalf of the U.S. Environmental Protection Agency ("U.S. EPA"), sought cost recovery and injunctive relief against Honeywell International Inc. relating to the third operable unit ("OU3") of the Allied Chemical and Ironton Coke Superfund Site ("Site") in Ironton, Ohio, under the Comprehensive Environmental Response, Compensation and Liability Act of 1980. Under the Decree, which resolves these claims, Defendant Honeywell will pay all interim and future response costs not inconsistent with the National Contingency Plan relating to OU3 and will perform the remedy for OU3 at the Site. The remedy for OU3, which is the final remedy for the Site, pertains to the former Tar Plant area of the Site, and calls for covering contaminated soil at OU3 with a cap that complies with Ohio solid waste regulations; controls to ensure the cap remains intact and thereby protects people from remaining contaminated soil and soil vapor; and a combination of dredging, off-site disposal and/or capping of contaminated sediment in the Ohio River adjacent to the Tar Plant's loading dock.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural

Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, 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. Honeywell International Inc.*, D.J. Ref. 90-11-3-07044/1. The Decree may be examined at U.S. EPA, Region 5, 77 West Jackson Blvd., Chicago, IL 60604. During the public comment period, the 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 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 \$72.25 (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.

**Maureen Katz,**

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

[FR Doc. 2010-8243 Filed 4-9-10; 8:45 am]

**BILLING CODE 4410-15-P**

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## NATIONAL SCIENCE FOUNDATION

### Information Collection Activities: Proposed Collection; Comment Request

**AGENCY:** National Science Foundation.  
**ACTION:** Notice.

**SUMMARY:** Under the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3501 *et seq.*), and as part of its continuing effort to reduce paperwork and respondent burden, the National Science Foundation (NSF) is inviting the general public and other Federal agencies to comment on this proposed information collection.

**DATES:** Written comments on this notice must be received by June 11, 2010 to be assured of consideration. Comments received after that date will be considered to the extent practicable.

**ADDRESSES:** Written comments regarding the information collection and requests for copies of the proposed information collection request should be

addressed to Suzanne Plimpton, Reports Clearance Officer, National Science Foundation, 4201 Wilson Boulevard, Room 295, Arlington, VA 22230, or by e-mail to [splimpton@nsf.gov](mailto:splimpton@nsf.gov).

**FOR FURTHER INFORMATION CONTACT:** Suzanne Plimpton on (703) 292-7556 or send e-mail to [splimpton@nsf.gov](mailto:splimpton@nsf.gov). Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

**SUPPLEMENTARY INFORMATION:**

*Title of Collection:* Antarctic emergency response plan and environmental protection information.

*OMB Approval Number:* 3145-0180.

*Expiration Date of Approval:* August 31, 2010.

*Abstract:* The NSF, pursuant to the Antarctic Conservation Act of 1978 (16 U.S.C. 2401 *et seq.*) ("ACA") regulates certain non-governmental activities in Antarctica. The ACA was amended in 1996 by the Antarctic Science, Tourism, and Conservation Act. On September 7, 2001, NSF published a final rule in the **Federal Register** (66 FR 46739) implementing certain of these statutory amendments. The rule requires non-governmental Antarctic expeditions using non-U.S. flagged vessels to ensure that the vessel owner has an emergency response plan. The rule also requires persons organizing a non-governmental expedition to provide expedition members with information on their environmental protection obligations under the Antarctic Conservation Act.

*Expected Respondents.* Respondents may include non-profit organizations and small and large businesses. The majority of respondents are anticipated to be U.S. tour operators, currently estimated to number twelve.

*Burden on the Public.* The Foundation estimates that a one-time paperwork and recordkeeping burden of 40 hours or less, at a cost of \$500 to \$1,400 per respondent, will result from the emergency response plan requirement contained in the rule. Presently, all respondents have been providing expedition members with a copy of the Guidance for Visitors to the Antarctic (prepared and adopted at the Eighteenth Antarctic Treaty Consultative Meeting as Recommendation XVIII-1). Because this Antarctic Treaty System document satisfies the environmental protection information requirements of the rule, no additional burden shall result from the environmental information requirements in the proposed rule.

Dated: April 7, 2010.

**Suzanne H. Plimpton,**

*Reports Clearance Officer, National Science Foundation.*

[FR Doc. 2010-8299 Filed 4-9-10; 8:45 am]

**BILLING CODE 7555-01-P**

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## NATIONAL SCIENCE FOUNDATION

### Advisory Committee for Polar Programs; Notice of Meeting

In accordance with Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation announces the following meeting:

*Name:* Advisory Committee for Polar Programs (1130).

*Date/Time:* May 20, 2010, 8 a.m. to 5 p.m. May 21, 2010, 8 a.m. to 3 p.m.

*Place:* National Science Foundation, 4201 Wilson Boulevard, Room II-555.

*Type of Meeting:* Open.

*Contact Person:* Sue LaFratta, Office of Polar Programs (OPP), National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. (703) 292-8030.

*Minutes:* May be obtained from the contact person listed above.

*Purpose of Meeting:* To advise NSF on the impact of its policies, programs, and activities on the polar research community, to provide advice to the Director of OPP on issues related to long-range planning.

*Agenda:* Staff presentations and discussion on opportunities and challenges for polar research, education and infrastructure; discussion of Committee of Visitors meetings; transformative research; and strategic planning.

Dated: April 7, 2010.

**Susanne Bolton,**

*Committee Management Officer.*

[FR Doc. 2010-8241 Filed 4-9-10; 8:45 am]

**BILLING CODE 7555-01-P**

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## NUCLEAR REGULATORY COMMISSION

[NRC-2010-0149]

### Establishment of the U.S. Department of Energy as the Long-Term Custodian of the Maybell West Uranium Mill Tailings Site in Moffatt County, CO. and Notice of Termination of the Umetco Minerals Corporation Colorado Radioactive Materials License Number 660-01 for the Maybell West Site

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of establishment of the U.S. Department of Energy as the long-term custodian of the Maybell West uranium mill tailings site in Moffatt County, Colorado, under the general license provisions of 10 CFR 40.28, and