

upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain magnetic tape cartridges and components thereof by reason of infringement of certain claims of U.S. Patent No. 6,345,779 ("the '779 patent"); U.S. Patent No. 6,896,959 ("the '959 patent"); U.S. Patent No. 7,016,137 ("the '137 patent"); and U.S. Patent No. 7,115,331 ("the '331 patent"). The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

**ADDRESSES:** The complaint, except for any confidential information contained therein, is 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., Room 112, Washington, DC 20436, telephone (202) 205-2000. Hearing impaired individuals are advised that information on this matter can be obtained 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 at <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>.

**FOR FURTHER INFORMATION CONTACT:** The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

**Authority:** The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2016).

**Scope of Investigation:** Having considered the complaint, the U.S. International Trade Commission, on January 17, 2017, Ordered that—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain magnetic tape

cartridges and components thereof by reason of infringement of one or more of claims 1–6 of the '779 patent; claims 1, 2, 4–9, 13, 16, and 17 of the '959 patent; claims 1–5 of the '137 patent; and claims 1–3, 7, 9–11, 13, 14, 16, and 17 of the '331 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) Pursuant to Commission Rule 210.50(b)(1), 19 CFR 210.50(b)(1), the presiding administrative law judge shall take evidence or other information and hear arguments from the parties and other interested persons with respect to the public interest in this investigation, as appropriate, and provide the Commission with findings of fact and a recommended determination on this issue, which shall be limited to the statutory public interest factors set forth in 19 U.S.C. 1337(d)(1), (f)(1), (g)(1).

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainants are:  
Sony Corporation, 1-7-1 Konan,  
Minato-ku, Tokyo 108-0075, Japan  
Sony Storage Media and Devices  
Corporation, 3-4-1 Sakuragi, Tagajo,  
Miyagi 985-0842, Japan  
Sony DADC US Inc., 1800 North  
Fruitridge Avenue, Terre Haute, IN  
47804  
Sony Latin America Inc., 5201 Blue  
Lagoon Drive, Suite 400, Miami, FL  
33126

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Fujifilm Holdings Corporation, 7-3  
Akasaka 9-chome, Minato-ku, Tokyo  
107-0052, Japan  
Fujifilm Corporation, 7-3 Akasaka 9-  
chome, Minato-ku, Tokyo 107-0052,  
Japan  
Fujifilm Holdings America Corporation,  
200 Summit Lake Drive, Valhalla, NY  
10595  
Fujifilm Recording Media U.S.A., Inc.,  
45 Crosby Drive, Bedford, MA 01730-  
1401

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street SW., Suite 401, Washington, DC 20436; and

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in

accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: January 18, 2017.

**Lisa R. Barton,**

*Secretary to the Commission.*

[FR Doc. 2017-01531 Filed 1-23-17; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1027]

### Certain Food Supplements and Vitamins, Including Ocular Antioxidants and Components Thereof and Products Containing the Same; Commission Determination Not To Review an Initial Determination Terminating the Investigation Based on Settlement; Termination of the Investigation

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's ("ALJ") initial determination ("ID") (Order No. 8) terminating the investigation based on settlement.

**FOR FURTHER INFORMATION CONTACT:** Amanda P. Fisherow, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202)

205–2737. 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 November 8, 2016, based on a complaint filed by Kemin Industries, Inc. and Kemin Foods, L.C. both of Des Moines, Iowa (collectively, “complainants”). 81 FR 78634–35 (Nov. 8, 2016). The complaint alleges violations of Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, by reason of infringement of certain claims of U.S. Patent Nos. 8,815,955 and 9,226,940. The complaint further alleges the existence of a domestic industry. The notice of investigation named as respondents OmniActive Health Technologies of Mumbai, India and OmniActive Health Technologies, Inc. of Morristown, New Jersey (collectively, “respondents”). *Id.* at 78635. The Office of Unfair Import Investigations was not named as a party.

On December 13, 2016, complainants and respondents filed a joint motion to terminate the investigation based on settlement. The parties represent that the settlement agreement reflects the entire and only agreement between the parties regarding the subject matter of the investigation and that there are no other agreement, written or oral, express or implied between the parties concerning the subject matter of the investigation.

On December 28, 2016, the ALJ granted the joint motion to terminate the investigation based on settlement. The ALJ found that the parties' submissions, including a modified public version of the settlement agreement submitted on December 22, 2016, satisfy the Commission's rules. The ALJ found that the termination of this investigation based on settlement does not pose any public interest concerns. The ALJ also found that it is in the interest of the public and administrative economy to grant the motion.

No petitions for review of the subject ID were filed, and the Commission has determined not to review the ID. The investigation is terminated.

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 part 210).

By order of the Commission.

Issued: January 17, 2017.

**Lisa R. Barton,**

*Secretary to the Commission.*

[FR Doc. 2017–01481 Filed 1–23–17; 8:45 am]

**BILLING CODE 7020–02–P**

## DEPARTMENT OF JUSTICE

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

On January 17, 2017, the Department of Justice lodged a proposed Consent Decree (“Decree”) with the United States District Court for the District of Arizona in the lawsuit entitled *United States v. Cyprus Amax Minerals Company and Western Nuclear, Inc., Civil Action No. 2:17–cv–00140*.

In this action, the United States and the Navajo Nation filed complaints against Cyprus Amax Minerals Company and Western Nuclear, Inc. (“Defendants”) seeking past and future response costs and injunctive relief under Sections 106 and 107 of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9606 and 9607. The United States and the Navajo Nation concurrently lodged a Consent Decree resolving the claims alleged in the complaint. The Defendants, through either their corporate predecessors or past activities, operated mine sites on the Navajo Nation. There are Navajo Nation communities located close to the mine sites, on and near the Navajo Nation Reservation, and downstream and down-wind from the waste piles on the mine sites. There have been or may be releases and/or threatened releases of hazardous substances from the mine sites formerly operated by the Defendants into the environment at each of the mine sites. More specifically, there have been or may be releases and/or threatened releases of uranium and radium-226, each of which constitutes a hazardous substance. The Decree requires the Settling Defendants to pay past and future response costs to EPA

and implement injunctive relief to abate releases or threatened releases from the mine sites.

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, and should refer to *United States v. Cyprus Amax Minerals Company and Western Nuclear, Inc., D.J. Ref. No. 90–11–2–10823/1*. 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 Consent Decree may be examined and downloaded at this Justice Department Web site: <https://www.justice.gov/enrd/consent-decrees>.

We will provide a paper copy of the 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 \$15.25 (25 cents per page reproduction cost) payable to the United States Treasury.

Commenters should be aware that comments received are submitted to the Court as a public filing, and may be submitted to counsel and other parties associated with the litigation.

**Henry Friedman,**

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

[FR Doc. 2017–01565 Filed 1–23–17; 8:45 am]

**BILLING CODE 4410–15–P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Third Partial Consent Decree Under the Clean Air Act

On January 11, 2017, the Department of Justice lodged a proposed Third Partial Consent Decree with the United States District Court for the Northern District of California in the lawsuit entitled *In re: Volkswagen “Clean Diesel” Marketing, Sales Practices, and*