

review. Individual respondents may request that we withhold their names and/or home addresses, etc., but if you wish us to consider withholding this information you must state this prominently at the beginning of your comments. In addition, you must present a rationale for withholding this information. This rationale must demonstrate that disclosure would constitute a clearly unwarranted invasion of privacy. Unsupported assertions will not meet this burden. In the absence of exceptional, documentable circumstances, this information will be released. We will always make submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

J. William McDonald,

Regional Director, Pacific Northwest Region.

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INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701-TA-457 and 731-TA-1153 (Preliminary)]

Certain Tow-Behind Lawn Groomers and Parts Thereof From China Determinations

On the basis of the record¹ developed in the subject investigations, the United States International Trade Commission (Commission) determines, pursuant to sections 705(b) and 735(b) of the Tariff Act of 1930 (19 U.S.C. 1671d(a) and 1673d(a)) (the Act), that there is a reasonable indication that an industry in the United States is materially injured by reason of imports from China of certain tow-behind lawn groomers and parts thereof ("TBLG"), provided for in statistical reporting numbers 8432.40.0000, 8432.80.0000, 8432.90.0030, 8432.90.0080, 8479.89.9897, 8479.90.9496, and 9603.50.0000 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value (LTFV) and alleged to be subsidized by the Government of China.

Commencement of Final Phase Investigations

Pursuant to section 207.18 of the Commission's rules, the Commission

also gives notice of the commencement of the final phase of its investigations. The Commission will issue a final phase notice of scheduling, which will be published in the **Federal Register** as provided in section 207.21 of the Commission's rules, upon notice from the Department of Commerce (Commerce) of affirmative preliminary determinations in the investigations under sections 703(b) and 733(b) of the Act, or, if the preliminary determinations are negative, upon notice of affirmative final determinations in those investigations under section 705(a) and 735(a) of the Act. Parties that filed entries of appearance in the preliminary phase of the investigations need not enter a separate appearance for the final phase of the investigations. Industrial users, and, if the merchandise under investigation is sold at the retail level, representative consumer organizations have the right to appear as parties in Commission antidumping and countervailing duty investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations.

Background

On June 24, 2008, a petition was filed with the Commission and Commerce by Agri-Fab, Inc., Sullivan, IL, alleging that an industry in the United States is materially injured by reason of subsidized imports of TBLGs from China and LTFV sales of TBLG imports from China. Accordingly, effective June 24, 2008, the Commission instituted countervailing duty investigation No. 701-TA-457 (Preliminary) and antidumping investigation No. 731-TA-1153 (Preliminary).

Notice of the institution of the Commission's investigations and of a public conference to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of July 1, 2008 (72 FR 37494). The conference was held in Washington, DC, on July 15, 2008, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determinations in these investigations to the Secretary of Commerce on August 8, 2008. The views of the Commission are contained in USITC Publication 4028 (August 2008), entitled *Certain Tow-Behind Lawn Groomers and Parts Thereof from China Investigation Nos.*

701-TA-457 and 731-TA-1153 (Preliminary).

By order of the Commission.

Issued: August 18, 2008.

William R. Bishop,

Acting Secretary to the Commission.

[FR Doc. E8-19400 Filed 8-20-08; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Air Act

Notice is hereby given that on August 13, 2008, a proposed Consent Decree (the "Decree") in *United States v. Allied Waste Services of Massachusetts, LLC*, Civil Action No. 08-11382, was lodged with the United States District Court for the District of New Jersey.

In a complaint, filed simultaneously with the Decree, the United States alleges that Allied Waste Services of Massachusetts, LLC ("Allied Waste") violated the Clean Air Act, 42 U.S.C. 7401 *et seq.*, at four of its waste-hauling depots in western Massachusetts by allowing some of its diesel waste-hauling trucks to idle in excess of five minutes, as prescribed by 30 CMR 7.11(b), a regulation included in the Massachusetts State Implementation Plan.

Pursuant to the Decree, Allied will implement a number of compliance measures, including: Requiring a supervisor to walk-through the four depots where violations were found ("subject facilities") twice a day to identify and rectify illegal idling; the implementation of a driver training program that highlights Allied Waste's anti-idling policy; the inclusion of the anti-idling policy as part of the subject facilities' daily debriefing checklist to be reviewed with each driver of a waste-hauling truck at the end of their route; the posting of "No Idling" signs at the subject facilities; and the certification by Allied Waste that all trucks equipped with automatic engine shut-offs are working and set to turnoff the engine at the expiration of five minutes of idling. If Allied Waste fails to conduct the aforementioned compliance measures, or is in future violation of 30 CMR 7.11(b), it will be subject to stipulated penalties under the terms of the Decree.

Allied Waste will pay a \$195,000 civil monetary penalty to the United States pursuant to the Decree.

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

¹ The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).