

*Bureau Form Number:* None.

*Frequency of Collection:* Once.

*Description of Respondents:* Surface coal mining and reclamation applicants and State regulatory authorities.

*Total Annual Responses:* 21,947.

*Total Annual Burden Hours:* 231,246 hours.

*Total Annual Cost Burden:* \$3,715,260.

Send comments on the need for the collections of information for the performance of the functions of the agency; the accuracy of the agency's burden estimates; ways to enhance the quality, utility and clarity of the information collections; and ways to minimize the information collection burdens on respondents, such as use of automated means of collections of the information, to the following addresses. Please refer to the appropriate OMB control numbers in all correspondence.

Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: December 18, 2008.

**John A. Trelease,**

*Acting Chief, Division of Regulatory Support.*

[FR Doc. E8-30650 Filed 12-23-08; 8:45 am]

**BILLING CODE 4310-05-M**

## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-665]

### In the Matter of Certain Semiconductor Integrated Circuits and Products Containing Same; Notice of Investigation

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

**ACTION:** Institution of investigation pursuant to 19 U.S.C. 1337.

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on November 20, 2008, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Qimonda AG of Munich, Germany. A supplement to the complaint was filed on December 11, 2008. The complaint, as supplemented, alleges violations of section 337 based upon the importation into the United States, the sale for

importation, and the sale within the United States after importation of certain semiconductor integrated circuits and products containing same that infringe certain claims of U.S. Patent Nos. 5,213,670; 5,646,434; 5,851,899; 6,103,456; 6,495,918; 6,593,240; and 6,714,055. The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainant requests that the Commission institute an investigation and, after the investigation, issue an exclusion order and cease and desist orders.

**ADDRESSES:** The complaint and supplement, except for any confidential information contained therein, are 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 <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>.

#### FOR FURTHER INFORMATION CONTACT:

Thomas S. Fusco, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2571.

**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 (2008).

**Scope of Investigation:** Having considered the complaint, the U.S. International Trade Commission, on December 17, 2008, 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 semiconductor integrated circuits or products

containing same that infringe one or more of claims 1-15 and 22-27 of U.S. Patent No. 5,213,670; claims 1-8 and 11 of U.S. Patent No. 5,646,434; claims 1-23 of U.S. Patent No. 5,851,899; claims 1-11 and 14-16 of U.S. Patent No. 6,103,456; claims 1-8 and 11 of U.S. Patent No. 6,495,918; claims 1-18 of U.S. Patent No. 6,593,240; and claims 1-3, 5, and 7-9 of U.S. Patent No. 6,714,055, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) 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 complainant is—

Qimonda AG, Gustav-Heinemann-Ring 212, 81739 Munich, Germany.

(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:

LSI Corporation, 1621 Barber Lane, Milpitas, CA 95035.

Seagate Technology, Ugland House, South Church Street, George Town, Grand Cayman KY1-1104, Cayman Islands.

Seagate Technology (US) Holdings Inc., 920 Disc Drive, Scotts Valley, CA 95066.

Seagate Technology LLC, 920 Disc Drive, Scotts Valley, CA 95066.

Seagate Memory Products (US) Corporation, 920 Disc Drive, Scotts Valley, CA 95066.

Seagate Technologies International (Singapore), 7000 Ang Mo Kio Avenue 5, Seagate Technologies International, 569877 Singapore.

Seagate (US) LLC, 920 Disc Drive, Scotts Valley, CA 95066.

(c) The Commission investigative attorney, party to this investigation, is Thomas S. Fusco, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Suite 401, Washington, DC 20436; and

(3) For the investigation so instituted, Paul J. Luckern, 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(d) 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: December 18, 2008.

**Marilyn R. Abbott,**

Secretary to the Commission.

[FR Doc. E8-30620 Filed 12-23-08; 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 November 25, 2008, an electronic version of a proposed consent decree was lodged in the United States District Court for the Western District of North Carolina in *State of North Carolina et al. v. El Paso Natural Gas Company, et al.*, No. 5:04 CV 38 (Consolidated Cases). The consent decree settles claims by the State of North Carolina and the United States against El Paso Natural Gas Company under Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA"), as amended, 42 U.S.C. 9607, in connection with the FCX Site, a facility approximately 1.5 miles west of downtown Statesville, Iredell County, North Carolina (the "Site").

Under the terms of the proposed consent decree, El Paso will pay the United States \$1.5 million and will pay the State of North Carolina \$110,000 to resolve liability for two operable units at the Site. El Paso will also dismiss with prejudice all counterclaims filed against the United States.

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 emailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to United States Department of Justice, P.O. Box 7611, Washington, DC 20044-7611. Comments should refer to *State of North Carolina et al. v. El Paso Natural Gas Company, et al.*, No. 5:04 CV 38 (Consolidated Cases) and DOJ # 90-11-3-08264.

During the public comment period, the proposed consent decree may also be examined on the following U.S. Department of Justice Web site, [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). The consent decree may be examined at the Office of the United States Attorney for the Western District of North Carolina The Carillon Bldg., 227 West Trade St., Suite 1700, Charlotte, North Carolina.

A copy of the proposed Consent Decree may also be obtained by mail from the Consent Decree Library, U.S. Department of Justice, P.O. Box 7611, 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 no. (202) 514-1547. In requesting a copy from the Consent Decree Library, please refer to the referenced case and DOJ Reference Number. During the public comment period, and please enclose a check in the amount of \$6.75 (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 Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. E8-30619 Filed 12-23-08; 8:45 am]

BILLING CODE 4410-15-P

## DEPARTMENT OF JUSTICE

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

In accordance with Section 122 of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9622, the Department of Justice gives notice that a proposed Consent Decree in *United States v. Regal-Beloit Corporation*, Civil No. 07-50002 (N.D. Ill.), was lodged with the United States District Court for the Northern District of Illinois on December 18, 2008, pertaining to the Evergreen Manor Groundwater

Contamination Superfund Site (the "Site"), located in Roscoe Township, Winnebago County, Illinois. In this action, the United States brought civil claims under Sections 107 and 113(g)(2) of CERCLA, 42 U.S.C. 9607 and 9613(g)(2), against Regal-Beloit Corporation ("Regal-Beloit") for recovery of response costs incurred and to be incurred by the United States at the Site.

Under the proposed Consent Decree, Regal-Beloit would pay \$425,000 of the United States' past response costs, and \$25,000 toward the United States future response costs, at the Site to resolve the United States cost recovery claims. This is the second settlement at this Site. In the first, lodged on May 29, 2008, and pending with the Court (*United States v. Waste Management of Illinois, Inc. et al.*, Civil No. 08-50094 (N.D. Ill.)) ("Waste Management Consent Decree"), three settling parties would implement the remedy selected by the U.S. Environmental Protection Agency ("EPA") in the Record of Decision ("ROD") for the Site, and to pay \$550,000 in partial recovery of the United States' past response costs incurred at the Site as well as EPA's future costs of overseeing the implementation of the remedial action. The instant Consent Decree would not require Regal-Beloit to perform response action at the Site, however, its terms parallel, *inter alia*, the covenant for future liability and reopener provisions of the Waste Management Consent Decree.

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 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 United States Department of Justice, P.O. Box 7611, Washington, DC 20044-7611, and should refer to *United States v. Regal-Beloit Corporation*, Civil No. 07-50002 (N.D. Ill.), and DOJ Reference No. 90-11-3-08952.

*The proposed Consent Decree may be examined at:* (1) the Office of the United States Attorney for the Northern District of Illinois, Rockford Division, 308 West State Street, Suite 300, Rockford, Illinois 61101 ((815) 987-4444); and (2) the United States Environmental Protection Agency (Region 5), 77 West Jackson Blvd., Chicago, IL 60604-3507 (contact: John C. Matson (312) 886-2243).

During the public comment period, the proposed Consent Decree may also be examined on the following U.S. Department of Justice Web site, [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html).