

Commission found that Panduit's imported articles were used by customers to directly infringe the asserted claims of the '320, '456, and '153 patents at Panduit's inducement. *Id.* The Commission issued, *inter alia*, a general exclusion order ("GEO") and a cease and desist order ("CDO") against Panduit and determined that a bond as set forth in the Orders was required during the period of Presidential review. 19 U.S.C. 1337(j)(3).

On November 24, 2021, Corning filed a complaint requesting that the Commission institute an enforcement proceeding under Commission Rule 210.75, 19 CFR 210.75, to investigate alleged violations of the GEO and CDO by Panduit.

The Commission instituted an enforcement proceeding on January 3, 2022. 87 FR 112 (Jan. 3, 2022). The original presiding ALJ set a 12-month target date of January 3, 2023, making the enforcement initial determination due on October 3, 2022. On June 21, 2022, the proceeding was reassigned to the Chief ALJ.

On September 30, 2022, Corning and Panduit filed a joint motion to terminate based on a Settlement Agreement and Non-Exclusive Patent License.

On October 17, 2022, the ALJ issued the subject ID (Order No. 46), granting the joint motion pursuant to Commission Rule 210.21(b), 19 CFR 210.21(b). The ALJ found that the motion to terminate complies with the Commission's rules, and there is no evidence that terminating the enforcement proceeding by settlement would be contrary to the public interest. No petitions for review of the ID were filed.

The Commission has determined not to review the subject ID. The enforcement proceeding is terminated based on settlement.

The Commission vote for this determination took place on November 9, 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 part 210.

By order of the Commission.

Issued: November 10, 2022.

**Katherine Hiner,**

*Acting Secretary to the Commission.*

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## DEPARTMENT OF JUSTICE

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

On November 9, 2022, the Department of Justice lodged a proposed consent decree with the United States District Court for the District of Rhode Island in the lawsuit entitled *United States of America and Rhode Island Department of Environmental Management v. Aerosols Danville, Inc., et al.*, Civil Action No. 1:22-cv-405

The United States seeks performance of a remedial design/remedial action and reimbursement of response costs under Sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA") concerning Operable Unit 2 ("OU2") of the Landfill & Resource Recovery, Inc. Superfund Site ("Site"), located in North Smithfield, Rhode Island. The State of Rhode Island Department of Environmental Management is co-plaintiff.

Under the proposed consent decree, 13 Settling Defendants agree to perform the remedial action for OU2 that is identified in the United States Environmental Protection Agency's ("EPA") Record of Decision relating to the Site, dated April 2021. The proposed consent decree also requires the Settling Defendants to fully reimburse the State of Rhode Island for its future response costs and to reimburse the United States for a portion of its future Site-related response costs.

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, Environmental Enforcement Section, and should refer to *United States of America and State of Rhode Island Department of Environmental Management v. Aerosols Danville, Inc., et al.*, Civil Action No. 1:22-cv-405, D.J. Ref. No. 90-11-2-449/6. 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>

<i>To submit comments:</i>	<i>Send them to:</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 website: <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 \$69.50 (25 cents per page reproduction cost) payable to the United States Treasury.

**Henry S. Friedman,**

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

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Consent Decree Under the Clean Water Act

On November 9, 2022, the Department of Justice lodged a consent decree with the United States District Court for the Northern District of Ohio in *United States and the State of Ohio v. The City of Elyria*, Civil Action No. 22-cv-02026 (N.D. Ohio).

The Complaint seeks civil penalties and injunctive relief for alleged violations of a prior Consent Judgment, the Clean Water Act, and Elyria's National Pollutant Discharge Elimination System permit. The violations relate to discharges of pollutants from Elyria's sewer system. Under the proposed Consent Decree, Elyria would implement an Integrated Wet Weather Control Plan to be completed by December 31, 2044 that includes (1) increasing the capacity for treatment at the wastewater treatment plant; (2) enhancing primary treatment and installing high rate disinfection at the wastewater treatment plant; (3) completion of a relief sewer on the eastern side of the city; (4) constructing localized storage and lift stations to reduce overflows; and (5) various projects to reduce infiltration and inflow of storm water and other sources of water into the sanitary sewer system.