

the public for review and comment following the announcement in the **Federal Register** on June 26, 2008 (73 FR 36350–36352). The draft Plan and EA identified and evaluated three alternatives for managing the Refuges for the next 15 years. Alternative C was selected as the preferred alternative and will serve as the Final Plan.

The final CCP identifies goals, objectives, and strategies that describe the future management of Sullys Hill National Game Preserve. This Plan gives priority to enhancing and restoring native prairie and promoting forest regeneration. Ungulate populations will be maintained at lower levels (≤ 20 bison, ≤ 18 elk, and ≤ 18 white-tailed deer) to control the overgrazing and overbrowsing that has impacted Refuge habitats. Management tools, including exclusion fences and other appropriate methods such as chemical, biological, and mechanical techniques (including prescribed fire) will be used to restore and enhance habitat for the benefit of forest interior breeding and grassland nesting birds. Selected hay land acres would be restored to native prairie. Fuels treatment (including prescribed fire or other mechanical means) will be used to reduce hazardous fuels, minimizing the threat to life and property. Invasive species will be treated and areas restored. The ungulate herd health program will take a more active disease surveillance and treatment approach, including timely introduction of ungulates to maintain genetic health, particularly for the Refuges plains bison.

There would be an increase in delivery of both on-site and off-site programming of youth environmental education programs. In cooperation with local teachers, a formal wetland and grassland conservation curriculum will be designed for targeted grade levels and meet local and State standards. Emphasis will be placed on developing education partnerships with Spirit Lake Nation schools and agencies. The Refuges limited fishery will be used for educational programs only. Visitor, facility, and wildlife safety will be improved through regular routine patrols during peak and off-peak public use. A comprehensive cultural resource survey of the Refuge will be completed in partnership with other agencies and organizations. Four full-time staff will be recruited to expand, develop, and conduct biological, visitor services, law enforcement, and maintenance programs.

The Service is furnishing this Notice to advise other agencies and the public of the availability of the Final Plan, to provide information on the desired

conditions for the Refuges, and to detail how the Service will implement management strategies. Based on the review and evaluation of the information contained in the EA, the Regional Director has determined that implementation of the Final Plan does not constitute a major Federal action that would significantly affect the quality of the human environment within the meaning of Section 102(2)(c) of the National Environmental Policy Act. Therefore, an Environmental Impact Statement will not be prepared.

Dated: December 23, 2008.

Noreen E. Walsh,

Deputy Regional Director.

Editorial Note: This document was received in the Office of the Federal Register on April 8, 2009.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLUT–92000–09–L13200000–EL0000–24–1A00, UTU–84102]

Notice of the Availability of the Greens Hollow, Federal Coal Lease Application Environmental Assessment and Notice of Public Hearing

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: The Bureau of Land Management (BLM) will hold a public meeting on the proposed sale, adequacy of the Environmental Impact Statement (EIS), Fair Market Value determination and Maximum Economic Recovery consideration for coal lease application UTU–84102. The BLM is in the process of completing the EIS that will address the environmental impacts of mining this tract. The lands included in the delineated Federal coal lease tract (“Greens Hollow”) are located in Sanpete and Sevier counties. The public is invited to the meeting to make public and/or written comments on the environmental implications of leasing the proposed tract, and also to submit comments on the Fair Market Value and the Maximum Economic Recovery of the tract.

DATES: The meeting will be held May 6, 2009 at 7 p.m. in the auditorium of North Sevier High School, 350 West 400 North, Salina, Utah.

FOR FURTHER INFORMATION CONTACT: Written comments on the Fair Market Value and Maximum Economic Recovery must be received by May 5,

2009 and should be addressed to Stan Perkes, 801–539–4036, Bureau of Land Management, Utah State Office, Division of Lands and Minerals, P.O. Box 45155, Salt Lake City, Utah 84145 or e-mail to Stan_Perkes@blm.gov. Information on the Decision Notice/ Finding of No Significant Impact can be obtained by contacting Mr. Steve Rigby, 435–636–3604. Written comments concerning the environmental impact statement must be submitted by close of business on May 18, 2009 to the Price Field Office, 125 South 600 West, Price, Utah 84501.

SUPPLEMENTARY INFORMATION: The lands included in the delineated Federal coal lease tract (“Greens Hollow”) are located in Sanpete and Sevier Counties, Utah approximately ten and one-half air miles west of Emery Utah on Manti-LaSal and Fishlake National Forest-administered surface with federally-administered minerals and are described as follows:

T. 20 S., R. 4 E., SLM, Sevier County, Utah
Sec. 36, lot 4, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
T. 21 S., R. 4 E., SLM, Sevier County, Utah
Sec. 1, all;
Sec. 2, SE $\frac{1}{4}$;
Sec. 11, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 12, NE $\frac{1}{4}$, W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 13, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$;
Sec. 14, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$;
T. 20 S., R. 5 E., SLM, Sanpete and Sevier Counties, Utah
Sec. 19, lots 5–8, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 20, S $\frac{1}{2}$;
Sec. 21, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 28, W $\frac{1}{2}$;
Sec. 29, all;
Sec. 30, all;
Sec. 31, all;
Sec. 32, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 33, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
T. 21 S., R. 5 E., SLM, Sevier County, Utah
Sec. 6, all.

Approximately 6,175.39 acres.

Ark Land Company submitted the application for the coal lease. The company plans to mine the coal as an extension from their existing SUFCO Mine, if the lease is obtained. The Greens Hollow coal tract has two minable coal beds; the Upper Hiawatha and the Lower Hiawatha seam beds. The minable portions of the coal beds in this area are around eleven feet in thickness. The tract contains approximately 109,700,000 tons of coal reserve base of high-volatile C bituminous coal. The coal quality in the Upper Hiawatha coal bed on an “as received basis” is as follows: 11,565 Btu/lb., 7.46 percent moisture, 9.81 percent ash, 36.55 percent volatile matter, 46.1 percent fixed carbon and 0.55 percent sulfur. The coal quality in the Lower Hiawatha coal bed on an “as received basis” is as follows: 11,538 Btu/lb., 7.21 percent

moisture, 9.69 percent ash, 38.88 percent volatile matter, 43.85 percent fixed carbon and 1.26 percent sulfur.

In accordance with Federal coal management regulations 43 CFR 3422 and 3425, the public meeting is being held on the proposed sale to allow public comment on and discussion of the potential effects of mining and proposed lease. The meeting is being advertised in the Richfield Reaper located in Richfield, Utah and the Emery County Progress located in Castle Dale, Utah. 43 CFR 3422 states that, no less than 30 days prior to the publication of the notice of the sale, the Secretary shall submit public comments on the Fair Market Value appraisal and the Maximum Economic Recovery and on factors that may affect these two determinations.

Proprietary data marked as confidential may be submitted to the BLM in response to this solicitation of public comments. Data so marked shall be treated in accordance with the laws and regulations governing confidentiality of such information. A copy of the comments submitted by the public on fair market value and maximum economic recovery, except those portions identified as proprietary by the author and meeting exemptions stated in the Freedom of Information Act, will be available for public inspection at the Bureau of Land Management, Utah State Office during regular business hours (8 a.m.–4 p.m.) Monday through Friday. Comments on the Fair Market Value and Maximum Economic Recovery should be sent to the Bureau of Land Management and should address, but not necessarily be limited to the following information:

1. The quality of the coal resource;
2. The mining methods or methods which would achieve maximum economic recovery of the coal, including specifications of seams to be mined and the most desirable timing and rate of production;
3. Whether this tract is likely to be mined as part of an existing mine and therefore should be evaluated on a realistic incremental basis, in relation to the existing mine to which it has the greatest value;
4. Whether the tract should be evaluated as part of a potential larger mining unit and revaluated as a portion of a new potential mine (*i.e.*, a tract which does not in itself form a logical mining unit);
5. Restrictions to mining that may affect coal recovery;
6. The price that the mined coal would bring when sold;

7. Costs, including mining and reclamation, of producing the coal and the time of production;

8. The percentage rate at which anticipated income streams should be discounted, either with inflation or in the absence of inflation, in which case the anticipated rate of inflation should be given;

9. Depreciation, depletion, amortization and other tax accounting factors;

10. The value of any surface estate where held privately;

11. Documented information on the terms and conditions of recent and similar coal land transactions in the lease sale area;

12. Any comparable sales data of similar coal lands; and coal quantities and the Fair Market Value of the coal developed by BLM may or may not change as a result of comments received from the public and changes in the market conditions between now and when final economic evaluations are completed.

Dated: April 6, 2009.

Selma Sierra,

State Director.

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–625]

In the Matter of Certain Self-Cleaning Litter Boxes and Components Thereof; Notice of Commission Final Determination of Violation of Section 337; Issuance of Limited Exclusion Order and Cease and Desist Orders; Termination of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined that there is a violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337) by respondents Lucky Litter, LLC of Chicago, Illinois and OurPet's Company of Fairport Harbor, Ohio in the above-captioned investigation. The Commission has issued a limited exclusion order, issued cease and desist orders against the two respondents, and terminated the investigation.

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

205–3116. 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 December 28, 2007, based on the complaint of Applica Consumer Products, Inc. of Miramar, Florida (“Applica”) and Waters Research Company of West Dundee, Illinois (“Waters”). 72 FR 73884 (Dec. 28, 2007); 73 FR 13566 (Mar. 13, 2008). The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain self-cleaning litter boxes and components thereof by reason of infringement of U.S. Patent No. RE36,847 (“the ‘847 patent’”). The respondents are Lucky Litter, LLC of Chicago, Illinois (“Lucky Litter”) and OurPet's Company of Fairport Harbor, Ohio (“OurPet's”).

On December 1, 2008, the presiding administrative law judge (“ALJ”) issued his final initial determination (“ID”), finding that a violation of section 337 has occurred in the importation, sale for importation, or sale after importation of certain self-cleaning litter boxes and components thereof by reason of infringement of claim 33 of the ‘847 patent. His final ID also included his recommendation on remedy and bonding. Respondents Lucky Litter and OurPet's, complainants Applica and Waters, and the Commission investigative attorney (“IA”) filed petitions (or contingent petitions) for review on December 16, 2008. All parties filed responses to the petitions on December 24, 2008. Complainants also filed a motion to strike on December 23, 2008, to which Lucky Litter and the IA filed oppositions on January 5, 2009.

The Commission determined to review certain issues of claim construction, as well as invalidity due