

INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 731-TA-1054 and 1055 (Final)]

Light-Walled Rectangular Pipe and Tube From Mexico and Turkey

Determinations

On the basis of the record¹ developed in the subject investigations, the United States International Trade Commission (Commission) determines, pursuant to section 735(b) of the Tariff Act of 1930 (19 U.S.C. 1673(b)) (the Act), that an industry in the United States is not materially injured or threatened with material injury, and the establishment of an industry in the United States is not materially retarded, by reason of imports from Mexico and Turkey of light-walled rectangular ("LWR") pipe and tube, provided for in subheading 7306.60.50 of the Harmonized Tariff Schedule of the United States, that have been found by the Department of Commerce (Commerce) to be sold in the United States at less than fair value (LTFV).

Background

The Commission instituted these investigations effective September 9, 2003, following receipt of a petition filed with the Commission and Commerce by California Steel and Tube, City of Industry, CA; Hannibal Industries, Los Angeles, CA; Leavitt Tube Co., Chicago, IL; Maruichi American Corp., Santa Fe Springs, CA; Northwest Pipe Co., Portland, OR; Searing Industries, Inc., Rancho Cucamonga, CA; Vest, Inc., Los Angeles, CA; and Western Tube and Conduit Corp., Long Beach, CA. The final phase of the investigations was scheduled by the Commission following notification of preliminary determinations by Commerce that imports of LWR pipe and tube from Mexico and Turkey were being sold at LTFV within the meaning of section 733(b) of the Act (19 U.S.C. 1673b(b)). Notice of the scheduling of the final phase of the Commissions investigations and of a public hearing 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 April 23, 2004 (69 FR 22093). The hearing was held in Washington, DC, on August 31, 2004, 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 October 12, 2004. The views of the Commission are contained in USITC Publication 3728 (October 2004), entitled Light-Walled Rectangular Pipe and Tube From Mexico and Turkey: Investigations Nos. 731-TA-1054 and 1055 (Final).

By order of the Commission.

Issued: October 22, 2004.

Marilyn R. Abbott,

Secretary.

[FR Doc. 04-24074 Filed 10-27-04; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Air Act

In accordance with 28 U.S.C. 50.7, notice is hereby given that on October 6, 2004, a proposed Consent Decree in *United States of America, et al. v. CITGO Petroleum Corporation, et al.*, Civil Action No. H-04-3883, was lodged with the United States District Court for the Southern District of Texas.

In this action, the United States sought injunctive relief and penalties against CITGO Petroleum Corporation, CITGO Refining and Chemicals Company, L.P., PDV Midwest Refining, L.L.C., and CITGO Asphalt Refining Company (collectively "CITGO"), pursuant to section 113(b) of the Clean Air Act ("CAA"), 42 U.S.C. 7413(b), for alleged environmental violations at CITGO's petroleum refineries located in Savannah, Georgia, Lemont, Illinois, Lake Charles, Louisiana, Paulsboro, New Jersey, and Corpus Christi, Texas. The States of Georgia, Illinois, Louisiana, and New Jersey have joined in this settlement as signatories in the Consent Decree.

The proposed Consent Decree requires CITGO to implement innovative pollution control technologies to greatly reduce emissions of nitrogen oxides ("NO_x") and sulfur dioxide ("SO₂") from refinery process units, to reduce the number and impact of flaring events, and to adopt facility-wide enhanced monitoring and fugitive emission control programs. In addition, CITGO will pay a civil penalty of \$3.6 million and perform a supplemental environmental project with a value of at least \$5.0 million.

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, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States, et al. v. CITGO Petroleum Corporation, et al.*, D.J. Ref. 90-5-2-1-07277.

The Consent Decree may be examined at the Office of the United States Attorney for the Southern District of Texas, 910 Travis Street, #1500, Houston, Texas. During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. The Consent Decree may also be examined on the following EPA Web site, <http://www.epa.gov/Compliance/resources/cases/civil/caa/citgo.html>. A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood (tonia.fleetwood@usdoj.gov), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please specify whether you would like a copy of the Consent Decree either with or without its appendices. For a copy of the Consent Decree with appendices enclose a check in the amount of \$58.00 (25 cents per page reproduction costs) payable to the U.S. Treasury. For a copy of the Consent Decree without appendices enclose a check in the amount of \$44.50 (25 cents per page reproduction costs) payable to the U.S. Treasury.

Robert D. Brook,

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

[FR Doc. 04-24072 Filed 10-27-04; 8:45 am]

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FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

Sunshine Act Meeting

October 20, 2004.

TIME AND DATE: 10 a.m., Tuesday, November 9, 2004.

PLACE: The Richard V. Backley Hearing Room, 9th Floor, 601 New Jersey Avenue, NW., Washington, DC.

STATUS: Open.

MATTERS TO BE CONSIDERED: The Commission will hear oral argument on an appeal of Eastern Associated Coal Corporation from the decision of an administrative law judge in *Secretary of Labor v. Eastern Associated Coal*

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