

733(b) of the Act (19 U.S.C. 1673d(b)). Notice of the scheduling of the final phase of the Commission's 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 June 26, 2008 (73 FR 36353). The hearing was held in Washington, DC, on September 18, 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 October 31, 2008. The views of the Commission are contained in USITC Publication 4040 (October 2008), entitled *Polyethylene Terephthalate Film, Sheet, and Strip from Brazil, China, Thailand, and the United Arab Emirates: Investigation Nos. 731-TA-1131-1134 (Final)*.

By order of the Commission.

Issued: November 3, 2008.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E8-26516 Filed 11-5-08; 8:45 am]

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## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on October 29, 2008, a proposed Consent Decree in *United States v. Agere Systems, Inc., et al.*, Civil Action No. 08-CV-5123 was lodged with the United States District Court for the Eastern District of Pennsylvania.

In this action the United States sought reimbursement of response costs incurred in connection with property known as the Berks Landfill Superfund Site (the "Site"), located in Spring Township, Pennsylvania. The Consent Decree obligates the Settling Defendants to reimburse \$190,000 of the United States' past response costs paid in connection with the Site from June 1, 2002 through April 28, 2006, and all response costs paid or to be paid after that date.

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 P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Agere Systems, Inc., et al.*, Civil Action No. 08-CV-5123, D.J. Ref. 90-11-2-1347/2.

The Consent Decree may be examined at the Office of the United States Attorney, Eastern District of Pennsylvania, 615 Chestnut Street, Suite 1250, Philadelphia, PA 19106, and at U.S. EPA Region 3. 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/ConsentDecrees.html>. A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. 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](mailto: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 enclose a check in the amount of \$13.75 (@ 25 cents per page reproduction cost) payable to the U.S. Treasury or, if by email or fax, forward a check in that amount to the Consent Decree Library at the stated address.

**Robert Brook,**

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

[FR Doc. E8-26460 Filed 11-5-08; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under Comprehensive Environmental Response, Compensation and Liability Act

Under 28 CFR 50.7, notice is hereby given that on October 30, 2008, three proposed and related Consent Decrees in *United States v. American Hoechst Corp., et al.*, No. 3:08cv1509, *United States v. A. R. Sandri, Inc., et al.*, No. 3:08cv1508, and *United States v. M. Swift & Sons, Inc., et al.*, No. 3:08cv1507, were lodged with the United States District Court for the District of Connecticut.

The proposed Consent Decrees resolve claims of the United States, on behalf of the Environmental Protection Agency ("EPA"), under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9601 *et seq.*, in connection with the Solvents

Recovery Service of New England, Inc. Superfund Site in Southington, Connecticut ("Site"), against 272 defendants.

The proposed Consent Decree in *U.S. v. American Hoechst Corp., et al.* requires 58 defendants to perform the Remedial Design/Remedial Action ("RD/RA") set forth in the Record of Decision ("ROD") for the Site. The remedy includes heating, capturing and treating waste oils and solvents in the subsurface soils; excavating, consolidating and capping contaminated soil and wetland soil onsite; continuing to pump and treat contaminated groundwater; implementation of restrictions on uses of the site property and groundwater; and long term monitoring of the cap and groundwater to ensure that the cleanup remains protective of human health and the environment. EPA estimates the cost of the remedy at \$29.9 million. This Consent Decree also requires the defendants: (1) To pay \$2.2 million to EPA for its past response costs; (2) to pay \$3.7 million to EPA from a trust account containing funds which have been set aside for those parties that would later agree to implement the ROD, in further reimbursement of EPA's past costs; (3) to pay EPA for its future costs; (4) to pay the U.S. Department of the Interior \$200,000 for federal natural resource damages, including the costs of assessing those damages; and (5) to pay the State of Connecticut \$2,625,000 for damages to natural resources under the State's trusteeship, including the costs of assessing those damages.

The proposed Consent Decree in *U.S. v. A.R. Sandri, Inc., et al.* requires 213 *de minimis* defendants to pay \$23.3 million. These funds will be deposited into a trust and will be used to partially fund the performance of the remedy and the payments required under the settlement in *U.S. v. American Hoechst Corp., et al.*

The proposed Consent Decree in *U.S. v. M. Swift and Sons, Inc.* requires the sole settlor: (1) To pay \$903,861 to EPA in reimbursement of its past response costs; (2) to pay \$2,775 to DOI for federal natural resource damages including the costs of assessing those damages; and (3) to pay \$43,364 to the State for damages to natural resources under the State's trusteeship, including the costs of assessing those damages.

All three proposed Consent Decrees provide that the settlors are entitled to contribution protection as provided by section 113(f)(2) of CERCLA, 42 U.S.C. 9613(f)(2) for matters addressed by the settlements.

The Department of Justice will receive for a period of 30 days from the date of