

1671b) are being provided to manufacturers, producers, or exporters in China of tow-behind lawn groomers, and that such products are being sold in the United States at less than fair value within the meaning of section 733 of the Act (19 U.S.C. 1673b). The investigations were requested in a petition filed on June 24, 2008, by Agri-Fab, Inc., Sullivan, IL.

**Participation in the investigations and public service list.**—Persons, including industrial users of the subject merchandise and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the final phase of these investigations as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11 of the Commission's rules, no later than 21 days prior to the hearing date specified in this notice. A party that filed a notice of appearance during the preliminary phase of the investigations need not file an additional notice of appearance during this final phase. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations.

**Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and BPI service list.**—Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in the final phase of these investigations available to authorized applicants under the APO issued in the investigations, provided that the application is made no later than 21 days prior to the hearing date specified in this notice. Authorized applicants must represent interested parties, as defined by 19 U.S.C. 1677(9), who are parties to the investigations. A party granted access to BPI in the preliminary phase of the investigations need not reapply for such access. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

**Staff report.**—The prehearing staff report in the final phase of these investigations will be placed in the nonpublic record on May 21, 2009, and a public version will be issued thereafter, pursuant to section 207.22 of the Commission's rules.

**Hearing.**—The Commission will hold a hearing in connection with the final phase of these investigations beginning at 9:30 a.m. on June 16, 2009, at the U.S. International Trade Commission Building. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or

before June 10, 2009. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and make oral presentations should attend a prehearing conference to be held at 9:30 a.m. on June 12, 2009, at the U.S. International Trade Commission Building. Oral testimony and written materials to be submitted at the public hearing are governed by sections 201.6(b)(2), 201.13(f), and 207.24 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony *in camera* no later than 7 business days prior to the date of the hearing.

**Written submissions.**—Each party who is an interested party shall submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of section 207.23 of the Commission's rules; the deadline for filing is June 9, 2009. Parties may also file written testimony in connection with their presentation at the hearing, as provided in section 207.24 of the Commission's rules, and posthearing briefs, which must conform with the provisions of section 207.25 of the Commission's rules. The deadline for filing posthearing briefs is June 23, 2009; witness testimony must be filed no later than three days before the hearing. In addition, any person who has not entered an appearance as a party to the investigations may submit a written statement of information pertinent to the subject of the investigations, including statements of support or opposition to the petition, on or before June 23, 2009. On July 8, 2009, the Commission will make available to parties all information on which they have not had an opportunity to comment. Parties may submit final comments on this information on or before July 10, 2009, but such final comments must not contain new factual information and must otherwise comply with section 207.30 of the Commission's rules. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means, except to the extent permitted by section 201.8 of the Commission's rules, as amended, 67 FR 68036 (November 8, 2002). Even where electronic filing of a document is

permitted, certain documents must also be filed in paper form, as specified in II(C) of the Commission's Handbook on Electronic Filing Procedures, 67 FR 68168, 68173 (November 8, 2002).

Additional written submissions to the Commission, including requests pursuant to section 201.12 of the Commission's rules, shall not be accepted unless good cause is shown for accepting such submissions, or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigations must be served on all other parties to the investigations (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

**Authority:** These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.21 of the Commission's rules.

By order of the Commission.

Issued: March 9, 2009.

**Marilyn R. Abbott,**

*Secretary to the Commission,*

[FR Doc. E9-5427 Filed 3-12-09; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

### Temporary Change to Filing Procedures

**AGENCY:** United States International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** The United States International Trade Commission (Commission) hereby notifies all users of its Electronic Document Information System (EDIS) that the system will not be available for use from 6 p.m. on Thursday, March 26, 2009, until 6 a.m. on Monday, March 30, 2009. Alternative filing procedures will apply, as outlined below.

**DATES:** March 26–March 30, 2009.

**FOR FURTHER INFORMATION CONTACT:** Telephone inquiries should be directed to EDIS Help (202-205-3347) or Docket Services (202-205-1802). E-mail inquiries should be directed to ([Edishelp@usitc.gov](mailto:Edishelp@usitc.gov)). Written inquiries should be directed to Marilyn R. Abbott, Secretary, United States International Trade Commission, 500 E Street, SW., Room 112, Washington, DC 20436. At

times other than the period specified herein, EDIS may be viewed at <http://edis.usitc.gov>. General information concerning the Commission may also be obtained by accessing its World Wide Web site (<http://www.usitc.gov>).

**SUPPLEMENTARY INFORMATION:** In 1996, the Commission established EDIS to store and provide access to docket records in agency proceedings. In 2003, the Commission implemented a document management system (EDIS-II, <http://edis.usitc.gov>) with the capability to accept documents electronically. The Commission's Rules of Practice and Procedure currently provide for the filing of certain documents in electronic form.

Since 2003, EDIS technologies have become outdated and the hardware is beyond its useful life. The Commission has developed and is ready to implement a new EDIS system in order to improve its technical performance. The newly re-engineered system, known as EDIS3, will become operational on March 30, 2009.

In order to switch from the existing EDIS to EDIS3, the Commission must turn the system off for approximately 84 hours to accommodate data migration, system testing, and related tasks. As a result, EDIS will not be available from 6 p.m. Thursday, March 26, 2009, until 6 a.m. Monday, March 30, 2009.

Section 335 of the Tariff Act of 1930 (19 U.S.C. 1335) authorizes the Commission to adopt such reasonable procedures, rules, and regulations as it deems necessary to carry out its functions and duties. The Commission is temporarily suspending its filing procedures for the period of system unavailability, specifically prohibiting electronic filing and access to electronic viewing of documents during the period when EDIS is not available. All paper filings will be accepted in accordance with applicable rules. However, no EDIS Cover Sheets will be available because they cannot be generated by EDIS. A temporary Docket Cover Sheet is available on the Commission Web site as a fillable .pdf form at the following location: [http://www.usitc.gov/docketservices/temporary\\_edis\\_cover.pdf](http://www.usitc.gov/docketservices/temporary_edis_cover.pdf). In order to comply with the requirements of Commission rule 201.8 (19 CFR 201.8), a person filing a document with the Commission while EDIS is shut down, must submit with the filing a valid Docket Cover Sheet prepared using this temporary form.

By order of the Commission.

Issued: March 10, 2009.

**Marilyn R. Abbott,**  
Secretary.

[FR Doc. E9-5468 Filed 3-12-09; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on March 9, 2009, a proposed "First Amendment to 2006 Consent Decree," pertaining to *United States and State of Indiana v. City of Indianapolis*, Civ. No. 1:06-cv-1456, was lodged with the United States District Court for the Southern District of Indiana.

In the original action, the United States sought civil penalties and injunctive relief for alleged violations of Sections 301 and 402 of the Clean Water Act, 33 U.S.C. 1319 and 1342, in connection with the City's operation of its municipal wastewater and sewer system. In December 2006, the Court entered a Consent Decree which requires the City, among other things, to implement a Long Term Control Plan ("LTCP") to reduce Combined Sewer Overflows ("CSO"). CSO Control Measure 16, as set forth in the Table 7-5 of Section 7 of the 2006 Consent Decree, requires the City to construct a shallow interceptor sewer having a total capacity of 24 million gallons. However, all of the Parties to the 2006 Consent Decree, have agreed that CSO Control Measure 16 should be modified to require the City to undertake construction of a conveyance and storage tunnel that would be constructed approximately 200 feet below ground. The modified project would provide for the construction of a storage and transport facility of approximately 18 feet in diameter, having a minimum storage volume of 54 million gallons, along a new alignment which would minimize environmental, right-of-way, and other issues that were discovered during the design of the original project. The modified project will provide for capture of additional overflow volumes from CSO 008 approximately three and one-half years earlier than currently outlined in the 2006 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 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 P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States and State of Indiana v. City of Indianapolis*, D.J. Ref. 90-5-1-1-07292. The proposed "First Amendment to 2006 Consent Decree" may be examined at the Office of the United States Attorney for the Southern District of Indiana, 10 West Market St., Suite 2100, Indianapolis, IN 46204 (contact Asst. U.S. Attorney Thomas Kieper (317-226-6333)), and at U.S. EPA Region 5, 7th Floor Records Center, 77 West Jackson Blvd., Chicago, Illinois 60604 (contact Assoc. Regional Counsel Gary Prichard (312-886-0570)). 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/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.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 \$4.50 (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.

**William Brighton,**

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

[FR Doc. E9-5434 Filed 3-12-09; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

### Antitrust Division

#### Notice Pursuant to The National Cooperative Research and Production Act of 1993—ASTM International

Notice is hereby given that, on February 17, 2009, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), ASTM International ("ASTM") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing additions or changes to its standards development activities. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust