

**ACTION:** Commission determination not to close any part of the hearing to the public.

**SUMMARY:** The Commission has determined to deny the request of Karl Schmidt Unisia, Inc. ("Karl Schmidt") to conduct a portion of its hearing in the above-captioned investigations scheduled for September 17, 2009 *in camera*. See Commission rules 207.24(d), 201.13(m) and 201.36(b)(4) (19 CFR 207.24(d), 201.13(m) and 201.36(b)(4)).

**FOR FURTHER INFORMATION CONTACT:** Marc A. Bernstein, Office of General Counsel, U.S. International Trade Commission, telephone 202-205-3087. Hearing-impaired individuals are advised that information on this matter may be obtained by contacting the Commission's TDD terminal on 202-205-1810.

**SUPPLEMENTARY INFORMATION:** Karl Schmidt's request to conduct a portion of the hearing *in camera* did not satisfy the requirements of Commission rule 207.24(d) because Karl Schmidt did not identify specific issues it intended to discuss in a closed hearing, nor did it indicate why it could not present its arguments and testimony in a public session. Karl Schmidt's request also incorrectly assumed that it could present *in camera* testimony from corporate witnesses who had not entered the administrative protective order (APO) and that it could make its entire presentation *in camera*. Moreover, the Commission took into account that Karl Schmidt asked that the hearing be held *in camera*, "with only counsel granted APO permission present throughout." This would exclude Petitioner's counsel, who is not subject to the APO, from hearing Respondent's arguments. Consequently, in light of the circumstances of these investigations, the Commission has concluded that it will be able to assess adequately all arguments raised by Karl Schmidt without resorting to the extraordinary measure of an *in camera* hearing. Accordingly, the Commission has determined that the public interest would be best served by a hearing that is entirely open to the public. See 19 CFR 201.36(c)(1).

**Authority:** This notice is provided pursuant to Commission Rule 201.35(b) (19 CFR 201.35(b)).

Issued: September 16, 2009.

By order of the Commission.

**Marilyn R. Abbott,**  
*Secretary to the Commission.*

**William R. Bishop,**  
*Acting Secretary to the Commission.*

[FR Doc. E9-22582 Filed 9-18-09; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of a Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act

Notice is hereby given that on September 14, 2009, a proposed consent decree in *United States v. Pharmacia Corp., et al.*, Civil No. 99-63-GPM, was lodged with the United States District Court for the Southern District of Illinois.

In this action brought pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9607, the United States sought recovery of unreimbursed past response costs and prejudgment interest incurred by the United States Environmental Protection Agency for response actions at the Sauguet Area 1 Sites in Sauguet, St. Clair County, Illinois. In addition, defendant Solutia Inc. filed a counterclaim against the United States and cross-claims against other defendants for contribution. Under the proposed consent decree, defendants Solutia, Pharmacia Corporation, Cerro Flow Products, Inc. and ExxonMobil Oil Corporation will pay a total of \$4,350,000 to the Hazardous Substance Superfund. Defendant Village of Sauguet will pay a total of \$500,000, stipulate to judgment of \$6,500,000, and remit 95% of its insurance recovery to the United States. Finally, under the proposed consent decree, the United States will pay a total of \$1,125,000.

The Department of Justice will accept comments relating to the three proposed consent decrees for a period of thirty (30) days from the date of publication of this notice. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and mailed either electronically to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or in hard copy to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611. Comments should refer to *United States v. Pharmacia Corp., et al.*, Civil No. 99-63-GPM (S.D. Ill.) and D.J. Reference No. 90-11-2-06089.

The proposed consent decree may be examined at: (1) The Office of the United States Attorney for the Southern

District of Illinois, Nine Executive Drive, Fairview Heights, Illinois 62208, (618) 628-3700; and (2) the United States Environmental Protection Agency (Region 5), 77 West Jackson Boulevard, Chicago, Illinois 60604-3590 (contact Thomas J. Martin (312-886-4273)). During the comment period, the proposed consent decrees may also be examined on the following Department of Justice Web site: <http://www.usdoj.gov/enrd/ConsentDecrees.html>. Copies of the proposed consent decrees may also be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, 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 refer to the referenced case and D.J. Reference No. 90-11-2-06089, and enclose a check in the amount of \$10.00 for the three consent decrees (40 pages at 25 cents per page reproduction costs), made payable to the U.S. Treasury.

**Maureen Katz,**

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

[FR Doc. E9-22540 Filed 9-18-09; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on September 10, 2009, the United States filed a Complaint and lodged a proposed Consent Decree in *United States v. StarLink Logistics, Inc. (SLLI)*, Case No. CV-09-4185-BZ (N.D. Cal.). The Complaint asserts claims against SLLI under CERCLA Sections 107(a)(2) and 113(g)(2), 42 U.S.C. 9607(a)(2) and 9613(g)(2), to recover past response costs and to obtain a declaratory judgment for future costs incurred by the United States Environmental Protection Agency ("EPA") at the Rhone-Poulenc/Zoecon Corp. Superfund Site located at 1990 Bay Road, East Palo Alto, San Mateo County, California ("Site").

The proposed Consent Decree resolves claims in the Complaint. Under the Decree, SLLI will pay EPA \$784,363.33 in past costs, defined as costs incurred through May 31, 2009, and all future costs incurred thereafter associated with the Wetland Operable

Unit at the Site. In addition, SLLI will pay United States Department of Interior, Fish and Wildlife Service ("DOI") \$12,764.20 in natural resource damage assessment costs incurred at the Site. In return, SLLI and its current or former affiliates Aventis Agriculture, Hoechst GmbH, Rhône-Poulenc Inc., Aventis CropScience USA Inc., and Bayer CropScience Inc., receive a covenant not to sue from the United States with respect to past response costs and future response costs at the Site under Section 107(a) of CERCLA, 42 U.S.C. 9607(a), and with respect to Natural Resource Damages under Section 107 of CERCLA, Section 1002(b)(2)(A) of Oil Pollution Act, 33 U.S.C. 2702(b)(2)(A), or Section 311(f)(4) and (5) of the Clean Water Act, 33 U.S.C. 1321(f)(4) and (5).

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 v. StarLink Logistics, Inc.*, Case No. CV-09-4185-BZ (N.D. Cal.), D.J. Ref. 90-11-3-09436.

The Consent Decree may be examined at the U.S. Environmental Protection Agency, Region 9, Office of Regional Counsel, 75 Hawthorne Street, San Francisco, California 94105. 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 Settlement Agreement 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 number (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 \$8.75 (.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.

**Maureen Katz,**

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

[FR Doc. E9-22510 Filed 9-18-09; 8:45 am]

**BILLING CODE 4410-15-P**

**DEPARTMENT OF LABOR**

**Employment and Training Administration**

**Notice of Publication of Training and Employment Guidance Letter No. 11-07, Change 2**

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Notice of publication.

**SUMMARY:** The Department of Labor's (DOL) Employment and Training Administration (ETA) is publishing Training and Employment Guidance Letter (TEGL) No. 11-07, Change 2, which rescinds TEGL No. 11-07, Change 1. The 2008 Final Rule implementing the H-2A Temporary Agricultural Worker Program, 73 FR 77109, Dec. 18, 2008 mirrors the clarification guidance of TEGL 11-07, Change 1, making the TEGL unnecessary and redundant.

**DATES:** This Notice of Publication is effective September 21, 2009.

**FOR FURTHER INFORMATION CONTACT:** For information on the H-2A labor certification process governed by this publication, contact William L. Carlson, Administrator, Office of Foreign Labor Certification, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Room C-4312, Washington, DC 20210. Telephone: (202) 693-3010 (this is not a toll-free number). Individuals with hearing or speech impairments may access the telephone via TTY by calling the toll-free Federal Information Relay Service at 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:**

**Background**

On November 14, 2007, the Department published TEGL No. 11-07, Change 1 that provided additional guidance to the State Workforce Agencies (SWAs) and ETA National Processing Centers (NPCs) involved in the processing of H-2A labor certification applications for temporary agricultural employment of foreign workers in the United States. Specifically, the clarifications provided direction to employer application filing, recruitment and housing standards.

**Need for Rescission**

On December 18, 2008 the Department published in the **Federal Register** final regulations that re-engineered the H-2A temporary agricultural workers program. These regulations went into effect on January 17, 2009. The regulations fully address employers' obligations with respect to

applications, recruitment, and housing standards making TEGL 11-07, Change 1 redundant and unnecessary. In addition, the re-engineering of the H-2A program revised the role of both the NPC and the SWAs, making portions of the TEGL inaccurate. The Department no longer requires the guidance provided in TEGL No. 11-07, Change 1 and is rescinding TEGL 11-07, Change 1.

Signed in Washington, DC this 26th day of August, 2009.

**Jane Oates,**

*Assistant Secretary, Employment and Training Administration.*

[FR Doc. E9-22508 Filed 9-18-09; 8:45 am]

**BILLING CODE 4510-FF-P**

**OFFICE OF MANAGEMENT AND BUDGET**

**Draft 2009 Report to Congress on the Benefits and Costs of Federal Regulations**

**AGENCY:** Office of Management and Budget, Executive Office of the President.

**ACTION:** Notice of availability and request for comments.

**SUMMARY:** The Office of Management and Budget (OMB) requests comments on its Draft 2009 Report to Congress on the Benefits and Costs of Federal Regulations. The full Draft Report is available at [http://www.whitehouse.gov/omb/inforeg\\_regpol\\_reports\\_congress/](http://www.whitehouse.gov/omb/inforeg_regpol_reports_congress/), and is divided into four chapters. Chapter I examines the benefits and costs of major Federal regulations issued in fiscal year 2008 and summarizes the benefits and costs of major regulations issued between September 1998 and 2008. It also discusses regulatory impacts on State, local, and tribal governments, small business, wages, and economic growth. Chapter II examines trends in regulation since OMB began to compile benefit and cost estimates records in 1981. Chapter III provides an update on implementation of the Information Quality Act. Chapter IV summarizes agency compliance with the Unfunded Mandates Reform Act.

**DATES:** To ensure consideration of comments as OMB prepares this Draft Report for submission to Congress, comments must be in writing and received by 45 days after publication.

**ADDRESSES:** Submit comments by one of the following methods:

- <http://www.regulations.gov>: Direct comments to Docket ID OMB-2009-0017.
- Fax: (202) 395-7285.