

**SUMMARY:** The Bureau of Land Management (BLM) will file the plat of survey of the lands described below in the BLM Montana State Office, Billings, Montana, thirty (30) days from the date of publication in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Steve Toth, Cadastral Surveyor, Branch of Cadastral Survey, Bureau of Land Management, 5001 Southgate Drive, Billings, Montana 59101-4669, telephone (406) 896-5121 or (406) 896-5009.

**SUPPLEMENTARY INFORMATION:** This survey was executed at the request of the Superintendent, Fort Peck Agency, through the Rocky Mountain Regional Director, Bureau of Indian Affairs, and was necessary to determine boundaries of trust or tribal interest lands.

The lands we surveyed are:

**Principal Meridian, Montana**

T. 27 N., R. 51 E.

The plat, in 11 sheets, representing the dependent resurvey of a portion of the east boundary, a portion of the subdivisional lines, a portion of the subdivision of sections 10, 14, 16, 21, 23, 26, and 27, the adjusted original meanders of the former left bank of the Missouri River, downstream, through sections 10, 11, 14, 15, 16, 21, 22, 24, 25, 26, and 27, and the subdivision of sections 10, 14, 16, 23, and 26, and the survey of the present meanders and the informative traverse of the present left bank of the Missouri River, downstream, through sections 21, 22, 23, 24, 25, 26, and 27, the limits of erosion in section 16, the left bank and informative traverse of the left bank of an abandoned channel of the Missouri River, downstream, through sections 10, 11, 14, 15, 16, 21, and 22, the informative traverse of the right bank of an abandoned channel of the Missouri River, downstream, through sections 15 and 22, the informative traverse of the 1911 left bank of the Missouri River subsequent to avulsion, the medial line of an abandoned channel of the Missouri River, downstream, through sections 10, 11, 14, 15, 16, 21, and 22, certain division of accretion lines, the left bank and medial line of a relicted channel of the Missouri River, in front of section 21, the left bank of a relicted channel of the Missouri River, in front of sections 22, 23, and 26, certain partition lines, and certain tracts, Township 27 North, Range 51 East, Principal Meridian, Montana, was accepted January 25, 2010. We will place a copy of the plat, in 11 sheets, and related field notes we described in the open files. They will be available to the public as a matter of information. If

BLM receives a protest against this survey, as shown on this plat, in 11 sheets, prior to the date of the official filing, we will stay the filing pending our consideration of the protest. We will not officially file this plat, in 11 sheets, until the day after we have accepted or dismissed all protests and they have become final, including decisions or appeals.

**Authority:** 43 U.S.C. chap. 3

Dated: January 27, 2010.

**Michael T. Birtles,**

*Chief Cadastral Surveyor, Division of Resources.*

[FR Doc. 2010-2188 Filed 2-1-10; 8:45 am]

**BILLING CODE 4310-DN-P**

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## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-684]

### In the Matter of Certain Articulated Coordinate Measuring Arms and Components Thereof; Notice of a Commission Determination Not To Review an Initial Determination Terminating the Investigation Based on a Settlement Agreement

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination ("ID") (Order No. 10) of the presiding administrative law judge ("ALJ") terminating the above-captioned investigation based on a settlement agreement.

**FOR FURTHER INFORMATION CONTACT:** Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-3115. 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 August 28, 2009, based on a complaint filed by Hexagon Metrology AB of Stockholm, Sweden, and Hexagon Metrology, Inc. of North Kingstown, Rhode Island alleging a violation of section 337 in the importation, sale for importation, and sale within the United States after importation of certain articulated coordinate measuring arms or components thereof by reason of infringement of certain claims of U.S. Patent No. 5,829,148. 74 FR 44384-85 (August 28, 2009). The complainant named Metris N.V. of Leuven, Belgium and Metris U.S.A., Inc. of Brighton, Michigan, and Mitutoyo Corporation of Kanagawa, Japan and Mitutoyo America Corporation of Aurora, Illinois as respondents.

On December 15, 2009, all the private parties to the investigation jointly moved to terminate the investigation without prejudice based on a settlement agreement. The Commission investigative attorney supported the motion provided the private parties submit appropriately redacted public versions of the agreements. The private parties filed public versions of their agreements on December 28, 2009.

On January 5, 2010, the ALJ issued an ID (Order No. 10) granting the motion. No party petitioned for review of the ID, and the Commission has determined not to review it.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in sections 210.21 and 210.42(h) of the Commission's Rules of Practice and Procedure, 19 CFR 210.21, 210.42(h).

Issued: January 27, 2010.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 2010-2073 Filed 2-1-10; 8:45 am]

**BILLING CODE P**

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under Sections 106, 107 and 113 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9606, 9607 and 9613, as Amended

Notice is hereby given that on January 20, 2010 a Consent Decree in *United States of America v. U.S. Borax Inc.*, Civil Action No. 4:10-cv-00057 was lodged with the United States District

Court for the Western District of Missouri.

In this action the United States sought, pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9601 *et seq.*, as amended (“CERCLA”), declaratory relief, injunctive relief, and recovery of response costs incurred and to be incurred by the United States in connection with the release or threatened release of hazardous substances at or from the Armour Road Superfund Site, located at and adjacent to 2251 Armour Road in North Kansas City, Clay County, Missouri (“Site”). The Consent Decree requires the settling defendant to perform a remedial investigation and feasibility study (“RI/FS”) for the Site and to pay the costs incurred and to be incurred by the United States in connection with the RI/FS. The work to be performed by the settling defendant is expected to cost about \$600,000.

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. In either case, the comments should refer to *United States of America v. U.S. Borax Inc.*, Civil Action 4:10-cv-00057 (W.D. Missouri), D.J. Ref. No. 90-11-3-08035/3.

During the comment period, the Consent Decrees may 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 examined at the Office of the United States Attorney, Western District of Missouri, Charles Evans Whittaker Courthouse, 400 East 9th Street, Room 5510, Kansas City, MO 64106 (Contact: Charles Thomas, Assistant United States Attorney), and at U.S. EPA Region VII, 901 N. 5th Street, Kansas City, Kansas 66101. Copies 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 \$17.00 (25 cents per page reproduction cost) payable to the United States

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 Section Chief, Environmental Enforcement Section.*

[FR Doc. 2010-2070 Filed 2-1-10; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on January 27, 2010, a proposed Consent Decree in *United States v. Newell Holdings Delaware, Inc. and Rock Springs Enterprises, Inc.*, Civil Action No. 5:07-cv-164, was lodged with the United States District Court for the Northern District of West Virginia. In a civil action filed on December 18, 2007, under Section 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act (“CERCLA”), 42 U.S.C. 9607(a), the United States sought recovery of response costs from Newell Holdings Delaware, Inc. (“Newell Holdings”) and Rock Springs Enterprises, Inc. (“Rock Springs”) in connection with the Eighth and Plutus Streets Pottery Site in Chester, West Virginia (“the Site”). The proposed Consent Decree, lodged on January 27, 2010, resolves the liability of defendant Rock Springs for response costs incurred and to be incurred by the United States in connection with the Site, and requires Rock Springs to market and sell the Site property Newell Holdings and to pay percent of net sales proceeds in reimbursement of response costs in accordance with the terms of the Decree. A Consent Decree with defendant Newell Holdings was lodged with the Court on December 18, 2009, and notice of that Consent Decree was published in the **Federal Register** on December 24, 2009. Cite.. Newell Holdings is not a party to the Consent Decree being noticed today.

The Department of Justice will receive comments relating to the proposed Consent Decree for a period of thirty (30) days from the date of this publication. Please address comments to the Assistant Attorney General, Environment and Natural Resources Division, by e-mail to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or regular mail to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and refer to *United States v. Newell Holdings Delaware, Inc. and Rock*

*Springs Enterprises, Inc.*, D.J. Ref. 90-11-3-09297.

The Consent Decree may be examined at the Office of the United States Attorney for the Northern District of West Virginia, U.S. Courthouse and Federal Building, 1125 Chapline Street, Wheeling, WV 26003 and at U.S. EPA Region III, 1650 Arch Street, Philadelphia, PA 19103. 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. When requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$10.00 for the Consent Decree only or \$20.25 for the Consent Decree and attachments (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 address above.

**Maureen Katz,**

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

[FR Doc. 2010-2071 Filed 2-1-10; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response Compensation and Liability Act (“CERCLA”)

Notice is hereby given that on January 21, 2010, a proposed Consent Decree in *United States v. United Fibers, LLC, et al.* (N.D.N.Y.) No. 1:09-cv-00602 (GLS/RFT) was lodged with the United States District Court for the Northern District of New York.

In this action, the United States sought the recovery of response costs pursuant to Section 107(a) of the Comprehensive Environmental Response, Compensation, and Recovery Act, as amended (“CERCLA”), 42 U.S.C. 9607(a), from Defendants for response costs incurred at the Stevens & Thompson Paper Company Superfund Site (the “Site”), located in Washington County, New York. Pursuant to the proposed Consent Decree, the Settling Defendants will pay to the United States