

concerned: (1) The Commission's construction and application of the causation standard articulated in *Bratsk* and *Caribbean Ispat* with respect to its analysis of material injury by reason of subject imports; (2) the Commission's analysis of whether wire rod was a "commodity product" for purposes of performing the type of "replacement/benefit" analysis that the Federal Circuit endorsed in *Bratsk*; and (3) the Commission's construction and application of the causation standard with respect to its analysis of threat of material injury by reason of subject imports. The matter was consequently remanded to the Court of International Trade. On March 29, 2010, the Court of International Trade remanded the matter to the Commission, directing the Commission "to attempt to comply with the [Federal Circuit's] reasoning, as set forth in its foregoing, more recent opinion, and to report to this court any results of this mandated remand."

Participation in the proceeding.— Only those persons who were interested parties to the original investigation (*i.e.*, persons listed on the Commission Secretary's service list) and were parties to the underlying *Mittal* litigation may participate in the remand proceeding. Such persons need not re-file their appearance notices or protective order applications to participate in the remand proceeding. Business proprietary information ("BPI") referred to during the remand proceeding will be governed, as appropriate, by the administrative protective order issued in the original investigation.

Written submissions.— The Commission is not reopening the record in this remand proceeding. The Commission will permit the parties to file written comments. Comments should be limited to no more than twenty-five (25) double-spaced and single-sided pages of textual material, may not contain new factual information, and may address only the following issues within the scope of the remand: (1) whether the information in the record would support a determination of material injury or threat of material injury by reason of subject imports under the causation standard the Federal Circuit articulated in sections II.B. and C. of the *Mittal* opinion; and (2) whether wire rod is a "commodity product" pursuant to the standards the Federal Circuit has authorized the Commission to apply pursuant to section II.A. of the *Mittal* opinion. Any such comments must be filed with the Commission no later than May 7, 2010.

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 (Nov. 8, 2002).

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigation must be served on all other parties to the investigation (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.

Parties are also advised to consult with the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subpart A (19 CFR part 207) for provisions of general applicability concerning written submissions to the Commission.

By order of the Commission.

Issued: April 20, 2010.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 2010-9538 Filed 4-23-10; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[USITC SE-10-012]

Sunshine Act Meeting Notice

AGENCY HOLDING THE MEETING: United States International Trade Commission.

TIME AND DATE: April 29, 2010 at 9:30 a.m.

PLACE: Room 101, 500 E Street SW., Washington, DC 20436. *Telephone:* (202) 205-2000.

STATUS: Open to the public.

Matters to be considered:

1. *Agenda for future meetings:* None.
2. Minutes.
3. Ratification List.
4. Inv. Nos. 701-TA-437 and 731-TA-1060-1061 (Review) (Carbazole Violet Pigment 23 from China and India)—briefing and vote. (The Commission is currently scheduled to transmit its determination and Commissioners' opinions to the Secretary of Commerce on or before May 10, 2010.)
5. *Outstanding action jackets:* None.

In accordance with Commission policy, subject matter listed above, not

disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting.

Issued: April 22, 2010.

By order of the Commission.

William R. Bishop,

Hearings and Meetings Coordinator.

[FR Doc. 2010-9770 Filed 4-22-10; 4:15 pm]

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INTERNATIONAL BOUNDARY AND WATER COMMISSION UNITED STATES AND MEXICO; UNITED STATES SECTION

Notice of Availability of a Draft Environmental Assessment and Finding of No Significant Impact for Arroyo Colorado South Levee Rehabilitation Project in Cameron and Hidalgo Counties, TX

AGENCY: United States Section, International Boundary and Water Commission, United States and Mexico (USIBWC).

ACTION: Notice of Availability of Draft Environmental Assessment (EA) and Draft Finding of No Significant Impact (FONSI).

SUMMARY: Pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, the Council on Environmental Quality Final Regulations (40 CFR Parts 1500 through 1508), and the United States Section's Operational Procedures for Implementing Section 102 of NEPA, published in the **Federal Register** September 2, 1981, (46 FR 44083); the USIBWC hereby gives notice of availability of the Draft Environmental Assessment and FONSI for Arroyo Colorado South Levee Rehabilitation Project located in Cameron and Hidalgo Counties, Texas are available. An environmental impact statement will not be prepared unless additional information which may affect this decision is brought to our attention within 30 days from the date of this Notice.

FOR FURTHER INFORMATION CONTACT: Lisa Santana, Environmental Protection Specialist, Environmental Management Division, United States Section, International Boundary and Water Commission; 4171 N. Mesa, C-100; El Paso, Texas 79902. Telephone: (915) 832-4707; e-mail: lisa.santana@ibwc.gov.

DATES: Comments on the Draft EA and Draft FONSI will be accepted through May 26, 2010.

Availability: Single hard copies of the Draft Environmental Assessment and

Finding of No Significant Impact are available by request at the above address. Electronic copies are available from the USIBWC homepage at http://www.ibwc.gov/Organization/Environmental/EIS_EA_Public_Comment.html.

Dated: April 19, 2010.

Pamela L. Barber,
Attorney/Advisor.

[FR Doc. 2010-9426 Filed 4-23-10; 8:45 am]

BILLING CODE 7010-01-P

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Residential Lead-Based Paint Hazard Reduction Act

Notice is hereby given that on April 19, 2010 a proposed Consent Decree in *United States v. Kogan Realty Enterprises, LLC*, Civil Action No. 1:10-cv-249 was lodged with the United States District Court for the Southern District of Ohio.

The consent decree settles claims against the owner of 128 housing units in twenty-two separate properties located in or near Cincinnati, Ohio. The claims were brought on behalf of the Environmental Protection Agency ("U.S. EPA") and the Department of Housing and Urban Development ("HUD") under the Residential Lead-Based Paint Hazard Reduction Act, 42 U.S.C. 4851 *et seq.* ("Lead Hazard Reduction Act"). The United States alleged in the complaint that the Defendant failed to make one or more of the disclosures or to complete one or more of the disclosure activities required by the Lead Hazard Reduction Act.

Under the Consent Decree, the Defendant will certify that it is complying with residential lead paint notification requirements. The Defendant will submit a plan for window replacement work and will replace all windows known to or believed to contain lead-based paint in all residential properties owned by Defendant that are not certified lead-based paint free. In addition, Defendant will abate lead-based paint hazards on friction and impact surfaces, stabilize other lead-based paint hazards, and pay an administrative penalty of \$5,000.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Proposed 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 or

mailed to U.S. Department of Justice, P.O. Box 7611, Washington, DC 20044-7611, and should refer to *United States v. Kogan Realty Enterprises, LLC*, D.J. Ref. #90-5-1-1-09574.

The Proposed Consent Decree may be examined at the Department of Housing and Urban Development, Office of General Counsel, 451 7th St. NW, Room 9262, Washington, DC 20410; at the office of the United States Attorney for the Southern District of Ohio, 303 Marconi Blvd., Suite 200, Columbus, Ohio 43215 (Attn. Assistant United States Attorney Andrew M. Malek); and at U.S. EPA Region 5, 77 W. Jackson Blvd., Chicago, IL 60604. During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site, to 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), 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 \$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. 2010-9524 Filed 4-23-10; 8:45 am]

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Importer of Controlled Substances; Notice of Application

Pursuant to 21 U.S.C. 958(i), the Attorney General shall, prior to issuing a registration under this Section to a bulk manufacturer of a controlled substance in schedule I or II, and prior to issuing a regulation under 21 U.S.C. 952(a)(2) authorizing the importation of such a substance, provide manufacturers holding registrations for the bulk manufacture of the substance an opportunity for a hearing.

Therefore, in accordance with 21 CFR 1301.34(a), this is notice that on November 10, 2009, Mylan Pharmaceuticals Inc., 781 Chestnut Ridge Road, Morgantown, West Virginia

26505, made application by renewal to the Drug Enforcement Administration (DEA) to be registered as an importer of the basic classes of controlled substances listed in schedule II:

| Drug | Schedule |
|------------------------------|----------|
| Methylphenidate (1724) | II |
| Fentanyl (9801) | II |
| Oxycodone (9143) | II |
| Hydromorphone (9150) | II |

The company plans to import the listed controlled substances in finished dosage form (FDF) from foreign sources for analytical testing and clinical trials in which the foreign FDF will be compared to the company's own domestically-manufactured FDF. This analysis is required to allow the company to export domestically-manufactured FDF to foreign markets.

Any bulk manufacturer who is presently, or is applying to be, registered with DEA to manufacture such basic classes of controlled substances may file comments or objections to the issuance of the proposed registration and may, at the same time, file a written request for a hearing on such application pursuant to 21 CFR 1301.43, and in such form as prescribed by 21 CFR 1316.47.

Any such comments or objections should be addressed, in quintuplicate, to the Drug Enforcement Administration, Office of Diversion Control, Federal Register Representative (ODL), 8701 Morrisette Drive, Springfield, Virginia 22152; and must be filed no later than May 26, 2010.

This procedure is to be conducted simultaneously with, and independent of, the procedures described in 21 CFR 1301.34(b), (c), (d), (e), and (f). As noted in a previous notice published in the **Federal Register** on September 23, 1975, (40 FR 43745-46), all applicants for registration to import a basic class of any controlled substance in schedule I or II are, and will continue to be, required to demonstrate to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, that the requirements for such registration pursuant to 21 U.S.C. 958(a); 21 U.S.C. 823(a); and 21 CFR 1301.34(b), (c), (d), (e), and (f) are satisfied.

Dated: April 20, 2010.

Joseph T. Rannazzisi,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 2010-9564 Filed 4-23-10; 8:45 am]

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