

subject articles from entry into the United States, and/or (2) issue one or more cease and desist orders that could result in a respondent being required to cease and desist from engaging in unfair acts in the importation and sale of such articles. Accordingly, the Commission is interested in receiving written submissions that address the form of remedy, if any, that should be ordered. If a party seeks exclusion of an article from entry into the United States for purposes other than entry for consumption, the party should so indicate and provide information establishing that activities involving other types of entry either are adversely affecting it or likely to do so. For background, see *In the Matter of Certain Devices for Connecting Computers via Telephone Lines*, Inv. No. 337-TA-360, USITC Pub. No. 2843 (December 1994) (Commission Opinion).

If the Commission contemplates some form of remedy, it must consider the effects of that remedy upon the public interest. The factors the Commission will consider include the effect that an exclusion order and/or cease and desist orders would have on (1) the public health and welfare, (2) competitive conditions in the U.S. economy, (3) U.S. production of articles that are like or directly competitive with those that are subject to investigation, and (4) U.S. consumers. The Commission is therefore interested in receiving written submissions that address the aforementioned public interest factors in the context of this investigation.

If the Commission orders some form of remedy, the United States Trade Representative, as delegated by the President, has 60 days to approve or disapprove the Commission's action. See Presidential Memorandum of July 21, 2005, 70 FR 43251 (July 26, 2005). During this period, the subject articles would be entitled to enter the United States under bond, in an amount determined by the Commission and prescribed by the Secretary of the Treasury. The Commission is therefore interested in receiving submissions concerning the amount of the bond that should be imposed if a remedy is ordered.

**Written Submissions:** The parties to the investigation are requested to file written submissions on the issues identified in this notice. Parties to the investigation, interested government agencies, and any other interested parties are encouraged to file written submissions on the issues of remedy, the public interest, and bonding. Such submissions should address the recommended determination by the ALJ on remedy and bonding. Complainant

and the Commission investigative attorney are also requested to submit proposed remedial orders for the Commission's consideration. Complainant is also requested to state the date that the patent expires and the HTSUS numbers under which the accused products are imported. The written submissions and proposed remedial orders must be filed no later than close of business on May 10, 2010. Reply submissions must be filed no later than the close of business on May 17, 2010. The written submissions must be no longer than 60 pages and the reply submissions must be no longer than 30 pages. No further submissions on these issues will be permitted unless otherwise ordered by the Commission.

Persons filing written submissions must file the original document and 12 true copies thereof on or before the deadlines stated above with the Office of the Secretary. Any person desiring to submit a document to the Commission in confidence must request confidential treatment unless the information has already been granted such treatment during the proceedings. All such requests should be directed to the Secretary of the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 CFR 210.6. Documents for which confidential treatment by the Commission is sought will be treated accordingly. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary.

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 210.42-46 and 210.50 of the Commission's Rules of Practice and Procedure (19 CFR 210.42-46 and 210.50).

Issued: April 26, 2010.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

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## INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701-TA-462 and 731-TA-1156-1158 (Final)]

### Polyethylene Retail Carrier Bags From Indonesia, Taiwan, and Vietnam

#### Determinations

On the basis of the record<sup>1</sup> developed in the subject investigations, the United States International Trade Commission (Commission) determines, pursuant to section 705(b) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)) (the Act), that an industry in the United States is threatened with material injury by reason of imports from Vietnam of polyethylene retail carrier bags (PRCBs), provided for in subheading 3923.21.00 of the Harmonized Tariff Schedule of the United States, that have been found by the Department of Commerce (Commerce) to be subsidized by the Government of Vietnam.<sup>2</sup> The Commission further determines, pursuant to section 735(b) of the Act (19 U.S.C. 1673d(b)), that an industry in the United States is threatened with material injury by reason of imports from Indonesia, Taiwan, and Vietnam of PRCBs that have been found by Commerce to be sold in the United States at less than fair value (LTFV).<sup>3</sup> In addition, the Commission determines that it would not have found material injury but for the suspension of liquidation.

#### Background

The Commission instituted these investigations effective March 31, 2009, following receipt of petitions filed with the Commission and Commerce by Hilex Poly Co., LLC, Hartsville, SC and Superbag Corp., Houston, TX. The final phase of these investigations was scheduled by the Commission following notification of preliminary determinations by Commerce that imports of PRCBs from Indonesia, Taiwan, and Vietnam were being sold at LTFV within the meaning of section 733(b) of the Act (19 U.S.C. 1673b(b)) and that imports of PRCBs from Vietnam were being subsidized within the meaning of section 703(b) of the Act (19 U.S.C. 1671b(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

<sup>1</sup> The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

<sup>2</sup> Vice Chairman Daniel R. Pearson dissenting.

<sup>3</sup> Vice Chairman Daniel R. Pearson dissenting.

Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of December 3, 2009 (74 FR 63410). The hearing was held in Washington, DC, on March 16, 2010, 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 April 26, 2010. The views of the Commission are contained in USITC Publication 4144 (April 2010), entitled Polyethylene Retail Carrier Bags from Indonesia, Taiwan, and Vietnam: Investigation Nos. 701-TA-462 and 731-TA-1156-1158 (Final).

Issued: April 27, 2010.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

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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 April 22, 2010, a proposed Partial Consent Decree ("CD") in *United States v. James Y. Saporito and Paul Carr*, Civil Action No. 07-cv-03169, was lodged with the United States District Court for the Northern District of Illinois, Eastern Division.

In this action, the United States seeks on behalf of the United States Environmental Protection Agency recovery of response costs incurred at the Crescent Plating Works Superfund Site (the "Site") in Chicago, Illinois, pursuant to Section 107 of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9607. The CD resolves a claim that Paul Carr ("Settling Defendant"), as current operator of the Site, is liable to the United States for reimbursement of costs incurred as a result of responding to a release, or threat of release, of hazardous substances from the Site. Based upon the Settling Defendant's ability to pay, he will not be required to pay any response costs related to the Site. Contingent on the veracity of the Settling Defendant's certifications made in the Partial Consent Decree and his fulfilling any obligations required in the Partial Consent Decree, the United States covenants not to sue the settling

defendant's pursuant to CERCLA Sections 106 and 107, 42 U.S.C. 9606 and 9607.

The Department of Justice will receive comments relating to this CD for a period of thirty (30) days from the date of this publication. 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. James Y. Saporito and Paul Carr*, D.J. Ref. 90-11-3-08304/1.

The CD may be examined at the Office of the United States Attorney, Northern District of Illinois, Eastern Division, 219 S. Dearborn St., 5th Floor, Chicago, IL 60604 and at U.S. EPA Region 5, 77 W. Jackson Blvd., Chicago, IL 60604. During the public comment period, the CD may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/Consent-Decrees.html>. A copy of the CD may also be obtained by mail from the Consent Decree Library, U.S. Department of Justice, 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 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 \$5.25 (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 Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division, United States Department of Justice.*

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## DEPARTMENT OF JUSTICE

### Office of Justice Programs

[OMB Number 1121-0269]

#### Agency Information Collection Activities: Revision of a Currently Approved Collection; Comments Requested

**ACTION:** 30-Day Notice of Information Collection Under Review: Revision of a Currently Approved Collection 2009 Census of Publicly Funded Forensic Crime Laboratories.

The Department of Justice (DOJ), Office of Justice Programs, Bureau of Justice Statistics (BJS) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** Volume 75, Number 38, page 8993 on February 26, 2010, allowing for a 60-day comment period.

The purpose of this notice is to allow for an additional 30 days for public comment until June 1, 2010. This process is conducted in accordance with 5 CFR 1320.10.

Written comments and/or suggestions regarding the items contained in this notice, especially the estimated public burden and associated response time, should be directed to The Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC 20503. Additionally, comments may be submitted to OMB via facsimile to (202) 395-7285.

Request written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

#### Overview of This Information Collection

(1) *Type of Information Collection:* Revision of a currently approved collection.