

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's ("ALJ") initial determinations ("IDs") (Order Nos. 6, and 8) granting (1) a motion by complainant Emerson Electric Co. of St. Louis, Missouri ("Emerson") to partially terminate the investigation and (2) a motion to terminate the investigation based on withdrawal of the complaint.

**FOR FURTHER INFORMATION CONTACT:**

Amanda S. Pitcher, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205-2737. 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 April 20, 2012, based on a complaint filed by Emerson of St. Louis, Missouri, alleging violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) by reason of (1) Infringement of the claim of U.S. Patent No. D535,850 ('850 patent); (2) infringement of U.S. Trademark Registration No. 2,518,010 and common law trademarks; (3) unfair competition by passing off; (4) trademark dilution; and (5) trade dress infringement. 77 FR 23751 (Apr. 20, 2012). The Commission's Notice of Investigation named Anaheim Manufacturing Co. of Brea, California as the only respondent. The Notice of Investigation was amended to add respondents Jiangsu Mega Motors and Zhjiang Zhongda Technical Export Co. Ltd. The Office of Unfair Import Investigations ("OUII") was also named as a party.

On November 28, 2012, Emerson filed a motion for partial termination with respect to Emerson's allegations of infringement of the '850 patent, trademark infringement by inducement, and trademark dilution. On December 3,

2012, Emerson filed a letter supplementing its motion to state that there are no agreements among the parties concerning the subject matter of the investigation. On December 4, 2012, the ALJ granted Emerson's motion, in Order No. 6, finding that there are no agreements, written or oral, express or implied between the parties concerning the investigation. In addition, the ALJ found that there are no extraordinary circumstances that would preclude granting the motion and that partial termination is in the public interest.

On December 7, 2012, Emerson filed a motion to terminate the investigation based on withdrawal of the remaining allegations in the complaint and to stay the procedural schedule. On December 11, 2012, the ALJ granted Emerson's motion, in Order No. 8, finding that there are no agreements, written or oral, express or implied between the parties concerning the investigation. In addition, the ALJ found that there are no extraordinary circumstances that would preclude granting the motion and that termination of the investigation is in the public interest.

The Commission has determined not to review the subject IDs and to terminate the investigation.

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

By order of the Commission.

Issued: January 3, 2013.

**William R. Bishop,**

*Supervisory Hearings and Information Officer.*

[FR Doc. 2013-00178 Filed 1-8-13; 8:45 am]

**BILLING CODE 7020-02-P**

## JUDICIAL CONFERENCE OF THE UNITED STATES

### Hearings of the Judicial Conference Advisory Committee on Rules of Bankruptcy Procedure

*Federal Register Citation of Previous Announcements:* 77 FR H9828.

**AGENCY:** Advisory Committee on Rules of Bankruptcy Procedure, Judicial Conference of the United States.

**ACTION:** Notice of Cancellation of Open Hearing.

**SUMMARY:** The following public hearing on proposed amendments to the Federal Rules of Bankruptcy Procedure has been canceled: Bankruptcy Rules Hearing, February 1, 2013, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Benjamin J. Robinson, Deputy Rules Officer and Counsel, Administrative Office of the United States Courts, Washington, DC. 20544, telephone (202) 502-1820.

Dated: January 2, 2013.

Notice of Meeting Cancellation.

**Benjamin J. Robinson,**

*Rules Committee Deputy and Counsel.*

[FR Doc. 2013-00230 Filed 1-8-13; 8:45 am]

**BILLING CODE 2210-55-P**

## JUDICIAL CONFERENCE OF THE UNITED STATES

### Hearings of The Judicial Conference Advisory Committee on Rules of Appellate Procedure

*Federal Register Citation of Previous Announcement:* 77FR 49828.

**AGENCY:** Judicial Conference of the United States, Advisory Committee on Rules of Appellate Procedure.

**ACTION:** Notice of Cancellation of Open Hearing.

**SUMMARY:** The following public hearing on proposed amendments to the Federal Rules of Appellate Procedure has been canceled: Appellate Rules Hearing, February 1, 2013, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:**

Benjamin J. Robinson, Deputy Rules Officer and Counsel, Administrative Office of the United States Courts, Washington, DC 20544, telephone (202) 502-1820.

Dated: January 2, 2013.

**Benjamin J. Robinson,**

*Rules Committee Deputy and Counsel.*

[FR Doc. 2013-00233 Filed 1-8-13; 8:45 am]

**BILLING CODE 2210-55-P**

## DEPARTMENT OF JUSTICE

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

On January 2, 2013, the Department of Justice lodged a proposed first amendment to a consent decree with the United States District Court for the Southern District of Texas in the lawsuit entitled *United States v. Formosa Plastics Corporation, Texas, et al.*, Civil Action No. 09-00061.

Under the original 2010 consent decree, Formosa Plastics Corporation, Texas, Formosa Hydrocarbons, Inc. (collectively "FPC TX"), and Formosa Plastics Corporation, Louisiana (collectively "Defendants") agreed to undertake numerous measures to come

into compliance with various environmental statutes and regulations at their facilities in Point Comfort, Texas, and Baton Rouge, Louisiana. The Defendants still are in the process of complying with the 2010 Decree. However, at the Point Comfort Facility, FPX TX violated certain leak detection and repair ("LDAR") provisions of the Decree (which are based on regulations promulgated under the Clean Air Act, 42 U.S.C. 7401, *et seq.*), and the United States and FPC TX agreed to a proposed first amendment to the Consent Decree. Under the proposed first amendment, FPC TX will undertake a comprehensive review of equipment such as valves, pumps, and compressors at the Point Comfort facility to determine the applicability of certain LDAR requirements and will pay a stipulated penalty of \$1,447,925.

The publication of this notice opens a period of public comment on the first amendment. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Formosa Plastics Corporation, Texas, et al.*, D.J. Ref. No. 90-5-2-1-08995. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	Send them to:
By e-mail	<a href="mailto:pubcomment-ees.enrd@usdoj.gov">pubcomment-ees.enrd@usdoj.gov</a>
By mail .....	Assistant Attorney General U.S. DOJ—ENRD P.O. Box 7611 Washington, DC 20044-7611.

During the public comment period, the first amendment may be examined and downloaded at this Department of Justice Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). We will provide a paper copy of the first amendment upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Please enclose a check in the amount of \$ 8.50 (25 cents per page reproduction cost) payable to the United States Treasury.

**Maureen Katz,**

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

[FR Doc. 2013-00210 Filed 1-8-13; 8:45 am]

BILLING CODE 4410-15-P

**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Proposed Consent Decree Under the Clean Air Act**

On January 4, 2013, the Department of Justice lodged a proposed consent decree with the United States District Court for the Eastern District of Wisconsin in the lawsuit entitled *United States v. Wisconsin Public Service Corporation*, Civ. No. 13-C-10 (E.D. Wis.).

In this civil enforcement action under the federal Clean Air Act, the United States alleges that Wisconsin Public Service Corporation ("WPS") failed to comply with certain requirements of the Act intended to protect air quality. The complaint seeks injunctive relief and civil penalties for violations of the Prevention of Significant Deterioration ("PSD") and Title V provisions of the Clean Air Act, 42 U.S.C. 7470-92 and 42 U.S.C. 7661a-76661f, and related state and federal implementing regulations. The complaint alleges that WPS failed to obtain appropriate permits and failed to install and operate required pollution control devices to reduce emissions of various air pollutants at the Weston Generation Station, a coal-fired power plant in Marathon County, Wisconsin.

The proposed consent decree would resolve past Clean Air Act violations and would require WPS to reduce harmful emissions of sulfur dioxide ("SO<sub>2</sub>"), nitrogen oxides ("NO<sub>x</sub>"), and particular matter ("PM") emissions, at the Weston Generation Station, as well as the Pulliam Generation Station, a coal-fired power plant located in Brown County, Wisconsin. The reductions would be achieved through emission control requirements and limitations specified by the proposed consent decree, including installation and operation of pollution controls; retirement, refueling, or repowering of certain generating units; and annual emission caps at both the Weston and Pulliam plants. WPS will also spend \$6 million to fund environmental mitigation projects that will further reduce emissions and benefit communities adversely affected by pollution from its plants, and pay a civil penalty of \$1.2 million.

The publication of this notice opens a period for public comment on the proposed consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Wisconsin Public Service Corporation*, Civ. No. 13-C-10 (E.D. Wis.), D.J. Ref. No. 90-5-2-1-1230/1. All comments must be

submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	Send them to:
By e-mail	<a href="mailto:pubcomment-ees.enrd@usdoj.gov">pubcomment-ees.enrd@usdoj.gov</a>
By mail .....	Assistant Attorney General U.S. DOJ—ENRD P.O. Box 7611 Washington, DC 20044-7611.

During the public comment period, the proposed consent decree may be examined and downloaded at this Justice Department Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). We will provide a paper copy of the proposed consent decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Please enclose a check or money order for \$19.00 (25 cents per page reproduction cost) payable to the United States Treasury.

**Maureen Katz,**

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

[FR Doc. 2013-00232 Filed 1-8-13; 8:45 am]

BILLING CODE 4410-15-P

**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Proposed Partial Consent Decree Under the Clean Water Act**

Notice is hereby given that on January 3, 2013, a proposed partial Consent Decree ("Decree") was lodged in *U.S. v. BP Exploration and Production, et al.*, Civil No. 10-4536 (E.D. La.) (That case is centralized in MDL 2179: *In Re: Oil Spill by the Oil Rig "Deepwater Horizon" in the Gulf of Mexico, on April 20, 2010.*)

In this civil enforcement action the United States sought, among other things, civil penalties under Section 311(b) of the Clean Water Act, 33 U.S.C. 1321(b), from the "Transocean Defendants" (Transocean Deepwater Inc., Transocean Offshore Deepwater Drilling Inc., Transocean Holdings LLC, and Triton Asset Leasing GmbH). That claim arises against the Transocean Defendants, and other defendants as well, from the discharge of oil into the Gulf of Mexico resulting from the blowout of the Macondo Well that began in April 2010.