

the United States at less than fair value (ALTFV@).<sup>2</sup>

### Background

The Commission instituted these investigations effective March 1, 2012, following receipt of a petition filed with the Commission and Commerce by Elkay Manufacturing Company, Oak Brook, IL. The final phase of the investigations was scheduled by the Commission following notification of a preliminary determinations by Commerce that imports of drawn stainless steel sinks from China were subsidized within the meaning of section 703(b) of the Act (19 U.S.C. 1671b(b)) and dumped within the meaning of 733(b) of the Act (19 U.S.C. 1673b(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 Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** on October 22, 2012 (77 FR 64545). The hearing was held in Washington, DC, on February 21, 2013, 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 4, 2013. The views of the Commission are contained in USITC Publication 4390 (April 2013), entitled *Drawn Stainless Steel Sinks from China: Investigation Nos. 701-TA-489 and 731-TA-1201 (Final)*.

Issued: April 4, 2013.

By order of the Commission.

**Lisa R. Barton,**

*Acting Secretary to the Commission.*

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as Amended ("CERCLA"), 42 U.S.C. 9601 et seq.

On March 27, 2013, the Department of Justice lodged a proposed consent decree ("Decree") with the United States District Court for the Northern District of New York in the lawsuit entitled *United States, State of New York and St. Regis Mohawk Tribe v.*

*Alcoa Inc. and Reynolds Metals Co., Civil Action No. 7:13-cv-00337-NAM-TWD.* The Decree resolves claims asserted under Section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9607(a), against Alcoa Inc. and Reynolds Metals Co. ("Defendants") for natural resource damages resulting from the release of hazardous substances at or from the Alcoa and Reynolds sites located near the Town of Massena, St. Lawrence County, New York. The Decree provides for the Defendants to pay assessment costs, pay for natural resource restoration projects, purchase and transfer real property to be included in an existing State of New York Wildlife Management Area, pay for Tribal cultural restoration projects, and perform certain restoration projects. The Defendants' work and payment obligation under the Decree total approximately \$19.4 million.

Attachment A to the Decree is the St. Lawrence River Environment Natural Resource Damage Assessment: Restoration and Compensation Determination Plan and Environmental Assessment ("RCDP"). The RCDP describes the natural resource injuries and associated losses and outlines proposed restoration projects. Notice of the issuance of the RCDP was published by the National Oceanic and Atmospheric Administration in the **Federal Register** on April 4, 2013, triggering the public comment period for that document. 78 Fed. Reg. 20298 (April 4, 2013).

The publication of this notice opens a period for public comment on the Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States, State of New York and St. Regis Mohawk Tribe v. Alcoa Inc. and Reynolds Metals Co.*, D.J. Ref. No. 90-11-3-558. 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:

<i>To submit comments:</i>	<i>Send them to:</i>
By email ..	<i>pubcomment-ees.enrd@usdoj.gov.</i>
By mail ....	Assistant Attorney General, U.S. DOJ-ENRD, P.O. Box 7611, Washington, DC 20044-7611.

During the public comment period, the Decree may be examined and downloaded at this Justice Department Web site: <http://www.usdoj.gov/enrd/>

*Consent\_Decrees.html.* We will provide a paper copy of the 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 \$155.25 (25 cents per page reproduction cost) payable to the United States Treasury. For a paper copy of the consent decree without the appendices the cost is \$4.75.

**Brian Donohue,**

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

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Consent Decree Under the Comprehensive Environmental Response Compensation and Liability Act, Concerning Natural Resource Damages

On April 3, 2013, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Southern District of Texas in the lawsuit entitled *United States and the State of Texas v. Arkema, Inc.*, Civil Action No. 13-cv-00935 (S.D. Tex.).

Co-plaintiffs United States and State of Texas seek redress from Defendant Akema, Inc. for damages to natural resources that resulted from discharge of hazardous substances at and from a facility that formulated agricultural chemicals, located in the vicinity of 201 West Dodge Street, Bryan, Brazos County, Texas.

Under the settlement embodied in the proposed Decree, Arkema will pay the federal and state natural resource trustees a total of \$1.4 million, of which more than \$1.1 million will be jointly administered and used by those trustees to restore, replace, or acquire the equivalent of the injured natural resources. The balance of the payment will be used to reimburse the trustees for previously-incurred assessment costs (almost \$0.160 million to the United States and almost \$0.124 million to the State). Also under the proposed settlement, the United States covenants not to sue Arkema for natural resource damages at the facility under specified provisions of the Clean Water Act and the Comprehensive Environmental Response Compensation and Liability Act. The State covenants not to sue Arkema on similar terms.

<sup>2</sup> All six Commissioners voted in the affirmative.