

DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service**

[FWS-R3-ES-2015-N035;
 FXES11120300000-156-FF03E00000]

**Notice of Availability of Draft
 Environmental Assessment and
 Revised Multi-Species Habitat
 Conservation Plan; Receipt of
 Application for Incidental Take Permit
 Amendment; NiSource Inc.**

AGENCY: Fish and Wildlife Service,
 Interior.

ACTION: Notice of availability; request
 for public comment.

SUMMARY: We, the U.S. Fish and
 Wildlife Service (Service), have received
 an application from NiSource Inc. and
 its subsidiary Columbia Pipeline Group
 (hereafter, NiSource), for an amendment
 to add the northern long-eared bat to its
 Endangered Species Act (ESA)
 incidental take permit (ITP). The
 application includes a revised Habitat
 Conservation Plan (HCP). The Service
 prepared an Environmental Assessment
 (EA). We request public comments on
 NiSource's revised HCP and our draft
 EA.

DATES: To ensure consideration, please
 send your written comments on or
 before April 20, 2015.

ADDRESSES: *Document availability:* The
 permit application and associated
 documents are available for review,
 subject to the requirements of the
 Privacy Act of 1974 (5 U.S.C. 552a) and
 Freedom of Information Act, by any of
 the following methods:

- *Internet:* You may access electronic
 copies on the Internet at [http://
 www.fws.gov/midwest/endangered/
 permits/hcp/nisource/index.html](http://www.fws.gov/midwest/endangered/permits/hcp/nisource/index.html).

- *U.S. Mail:* You may obtain
 electronic copies on CD-ROM by
 submitting a request in writing to the
 U.S. Fish and Wildlife Service within 30
 days of the date of publication of this
 notice; see **FOR FURTHER INFORMATION**

CONTACT.

- *In-Person:* Printed copies are
 available for public inspection and
 review (by appointment only), at the
 office listed under **FOR FURTHER**

INFORMATION CONTACT.

Submitting Comments: Send written
 comments via U.S. mail to the Regional
 Director, Midwest Region, Attn: Thomas
 Magnuson, U.S. Fish and Wildlife
 Service, Ecological Services, 5600
 American Blvd. West, Suite 990,
 Bloomington, MN 55437-1458, or by
 electronic mail to permitsR3ES@fws.gov.

FOR FURTHER INFORMATION CONTACT:
 Karen Herrington, NiSource MSHCP

Coordinator, by U.S. mail at U.S. Fish
 and Wildlife Service, 360 Pearson Ct.,
 Saint Charles, MO 63304; or by phone
 at 612-713-5315.

SUPPLEMENTARY INFORMATION: We have
 received an application from NiSource
 for an amendment to its Endangered
 Species Act (ESA) incidental take
 permit (ITP), to add the northern long-
 eared bat. The application includes a
 revised HCP, developed to satisfy the
 criteria listed in section 10(a)(1)(B) of
 the ESA pertaining to issuance of
 incidental take permits. If NiSource has
 met these criteria, and its HCP and
 supporting information are statutorily
 complete, an amended incidental take
 permit that includes the northern long-
 eared bat will be issued. Issuances of
 ITPs by the Service are Federal actions
 subject to review under the National
 Environmental Policy Act (NEPA). To
 comply with NEPA, the Service
 prepared an EA, the purpose of which
 is to determine the significance of
 environmental impacts that could result
 from amending the NiSource ITP to
 include the northern long-eared bat, and
 through subsequent implementation of
 the revised NiSource HCP.

We request public comments on
 NiSource's revised HCP and our draft
 EA. For availability of these documents,
 see **ADDRESSES**.

NiSource, headquartered in
 Merrillville, Indiana, is engaged in
 natural gas transmission, storage, and
 distribution across the eastern United
 States. In September 2013, the Service
 issued NiSource an ITP for 10 federally
 listed species that occur in portions of
 its 14-State operating territory. The
 permit allows NiSource to incidentally
 take these species while operating and
 maintaining its interstate natural gas
 pipeline infrastructure. After issuance of
 the ITP, the Service proposed listing the
 northern long-eared bat (*Myotis*
septentrionalis) under the ESA. The
 northern long-eared bat was not
 included in the original NiSource HCP.

On January 13, 2015, the Service
 received an application from NiSource
 to have the northern long-eared bat
 added to its ITP. The application
 includes a revised HCP that provides an
 analysis of NiSource activities across its
 14-State operating territory, which
 includes Delaware, Indiana, Kentucky,
 Louisiana, Maryland, Mississippi, New
 Jersey, New York, North Carolina, Ohio,
 Pennsylvania, Tennessee, Virginia, and
 West Virginia. Northern long-eared bats
 are present in each of those 14 States.
 Based on the analysis in the revised
 HCP, certain NiSource activities (e.g.,
 right-of-way maintenance, facility
 inspection, upgrade and replacement of

pipelines, relocations, routine
 expansions, and mitigation) have the
 potential to impact the northern long-
 eared bat. In particular, two NiSource
 activities will potentially cause take of
 northern long-eared bats: (1) Tree
 clearing in known and suitable summer,
 spring staging, and fall swarming
 habitat, and (2) "waste pit" construction
 in storage fields. NiSource mitigation
 directed at the Indiana bat will likely
 provide conservation benefits to the
 northern long-eared bat. The revised
 NiSource HCP identifies over 40
 conservation measures that NiSource
 will implement in each of those 14
 States to avoid, minimize, and mitigate
 potential impacts to northern long-eared
 bats. Beyond the ITP amendment
 request, there are no other changes to
 the NiSource HCP.

Over the 49 year life of the permit,
 NiSource is requesting incidental take,
 primarily in the form of habitat
 harassment and harm, for no more than
 93,500 acres of habitat that could
 support up to 4,618 northern long-eared
 bats. After all practicable steps have
 been taken to avoid and minimize take,
 NiSource will fund mitigation projects
 to compensate for the impacts of its
 take. Such projects will include
 protecting high-quality northern long-
 eared bat habitats, restoring and
 protecting degraded northern long-eared
 bat habitat, and potentially establishing
 new habitat.

The NEPA process will culminate
 with a decision by the Service's
 Regional Director on one of three
 alternatives found in Chapter 2 of the
 EA: (1) No Action (Status Quo); (2)
 Approve ITP Amendment Request
 (Applicant's Preferred Alternative); (3)
 Approve ITP Amendment Request with
 Conditions (Service's Preferred
 Alternative). Once an alternative is
 selected, the Regional Director will then
 decide whether issuance of an amended
 ITP to NiSource Inc., including
 subsequent implementation of its
 revised HCP, will significantly affect the
 quality of the human environment, as
 defined by the NEPA.

Public Availability of Comments

Written comments we receive become
 part of the public record associated with
 this action. Before including your
 address, phone number, email address,
 or other personal identifying
 information in your comment, you
 should be aware that the entire
 comment, including your personal
 identifying information, may be made
 available at any time. While you can ask
 us in your comment to withhold your
 personal identifying information from

public review, we cannot guarantee that we will be able to do so.

Authority

We provide this notice under section 10(c) of the ESA (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.22), and under NEPA (42 U.S.C. 4371 *et seq.*) and its implementing regulations (40 CFR 1506.6; 43 CFR part 46).

Dated: February 18, 2015.

Lynn Lewis,

Assistant Regional Director, Ecological Services, Midwest Region.

[FR Doc. 2015-06396 Filed 3-19-15; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-888]

Certain Silicon Microphone Packages and Products Containing Same: Commission Determination To Grant the Joint Motion To Terminate the Investigation on the Basis of Settlement; Termination of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to grant the joint motion to terminate the above-referenced investigation based upon settlement.

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 July 26, 2013, based on a complaint filed by Knowles Electronics, LLC, of Itasca, Illinois. 78 *Fed. Reg.* 45272 (July 26, 2013). The notice of investigation named GoerTek, Inc. of Weifang, China and GoerTek Electronics, Inc. of Sunnyvale, California as respondents. The Commission's Office of Unfair Import Investigations is not a party to this investigation. The complaint alleged violations of section 337 in the importation into the United States, the sale for importation, and the sale within the United States after importation of silicon microphone packages and products containing the same, by reason of infringement of certain claims of U.S. Patent Nos. 7,439,616 ("the '616 patent"); 8,018,049 ("the '049 patent"); and 8,121,331. Subsequently, the investigation was terminated as to claims 13 and 14 of the '616 patent and claim 24 of the '049 patent based on the withdrawal of complainant's allegations as to those claims. See Notice (May 16, 2014) (determining not to review Order No. 37 issued on April 17, 2014).

The evidentiary hearing in this investigation was held from May 6 through May 14, 2014. On August 29, 2014, the ALJ issued the final initial determination ("ID") finding a violation of section 337. Respondents and complainant (conditionally) petitioned for review of various portions of the final ID. The Commission determined to review the final ID in part, and issued a Notice dated November 6, 2014, 79 FR 67446-48 (Nov. 13, 2014), in which the Commission specified the issues under review and the questions pertaining to such issues. The Commission received timely opening and reply briefs regarding the issues under review, as well as the issues of remedy, the public interest, and bonding, from both parties to the investigation.

On February 11, 2015, the parties filed a "Joint Motion To Extend the Target Date by 10 Days" representing that an extension was necessary because the parties were "making progress on an agreement which, if signed, would resolve their dispute and permit termination of this investigation pursuant to 19 CFR 210.21." Motion To Extend at 1. The Commission granted the joint motion extending the target date for completion of this investigation to March 16, 2015. See Commission Notice dated February 27, 2015.

On February 25, 2015, the parties filed a "Joint Motion To Terminate Investigation No. 337-TA-888 on the Basis of Settlement."

Having examined the joint motion, the settlement agreement, and the record of this investigation, the Commission has determined to grant the

joint motion to terminate the investigation. The Commission finds that this termination will not prejudice the public interest.

The Commission has therefore terminated this 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 Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: March 16, 2015.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2015-06381 Filed 3-19-15; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF JUSTICE

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

On March 16, 2015, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Southern District of Indiana in the lawsuit entitled *United States and the State of Indiana v. Exide Technologies*, Civil Action No. 15-cv-433 (S.D. Ind.).

A Complaint that was filed along with the proposed Consent Decree alleges that Exide Technologies ("Exide") has violated the Clean Air Act and its implementing regulations, certain terms and conditions of Exide's Clean Air Act Title V operating permit, and corresponding requirements under Indiana state law at its secondary lead smelting facility in Muncie, Indiana. The proposed Consent Decree would resolve the claims alleged in the Complaint in exchange for Exide's commitment to make specific improvements to its air pollution control and monitoring systems at its Muncie facility, including installing a new furnace exhaust gas afterburner, and to pay civil penalties to the United States and the State. The penalties would be paid as allowed claims in Exide's pending Chapter 11 bankruptcy proceeding, captioned *In re Exide Technologies*, No. 13-11482-KJC (Bankr. D. Del.). The Consent Decree would grant the United States and the State equivalent allowed penalty claims in the bankruptcy totaling \$820,000, including a \$246,000 allowed administrative expense claim and a \$164,000 allowed general unsecured claim each for the United States and the State.