

Secretary for those parties authorized to receive BPI under the APO.

Staff report.—The prehearing staff report in the final phase of these investigations will be placed in the nonpublic record on September 22, 2015, and a public version will be issued thereafter, pursuant to section 207.22 of the Commission's rules.

Hearing.—The Commission will hold a hearing in connection with the final phase of these investigations beginning at 9:30 a.m. on October 6, 2015, at the U.S. International Trade Commission Building. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before October 1, 2015. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and make oral presentations should participate in a prehearing conference to be held on October 5, 2015, at the U.S. International Trade Commission Building, if deemed necessary. Oral testimony and written materials to be submitted at the public hearing are governed by sections 201.6(b)(2), 201.13(f), and 207.24 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony *in camera* no later than 7 business days prior to the date of the hearing.

Written submissions.—Each party who is an interested party shall submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of section 207.23 of the Commission's rules; the deadline for filing is September 29, 2015. Parties may also file written testimony in connection with their presentation at the hearing, as provided in section 207.24 of the Commission's rules, and posthearing briefs, which must conform with the provisions of section 207.25 of the Commission's rules. The deadline for filing posthearing briefs is October 13, 2015. In addition, any person who has not entered an appearance as a party to the investigations may submit a written statement of information pertinent to the subject of the investigations, including statements of support or opposition to the petition, on or before October 13, 2015. On October 30, 2015, the Commission will make available to parties all information on which they have not had an opportunity to comment. Parties may submit final comments on this information on or before November 3, 2015, but such final comments must not contain new factual information and must otherwise comply with section 207.30 of the Commission's

rules. 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 *Handbook on E-Filing*, available on the Commission's Web site at <http://edis.usitc.gov>, elaborates upon the Commission's rules with respect to electronic filing.

Additional written submissions to the Commission, including requests pursuant to section 201.12 of the Commission's rules, shall not be accepted unless good cause is shown for accepting such submissions, or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

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

Authority: These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.21 of the Commission's rules.

By order of the Commission.

Issued: June 8, 2015.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2015-14319 Filed 6-11-15; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-914]

Certain Sulfentrazone, Sulfentrazone Compositions, and Processes for Making Sulfentrazone; Commission's Determination Not To Review in Part a Final Initial Determination Finding No Violation of Section 337, and, on Review, To Set Aside Findings on One Issue and Correct a Typographical Error; Termination of the Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to review in part a final initial determination ("ID") issued by the presiding administrative law judge ("ALJ"). On

review, the Commission determined to vacate the ALJ's findings on one issue and to correct a typographical error. The Commission has found no violation of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in this investigation. The investigation is terminated.

FOR FURTHER INFORMATION CONTACT:

Robert Needham, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 708-5468. 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 (<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 14, 2014, based on a complaint filed by FMC Corporation ("FMC") on March 5, 2014. 79 FR 20907-08. The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 ("section 337"), in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain sulfentrazone active ingredient and formulated sulfentrazone compositions made by a process that infringes certain claims of U.S. Patent No. 7,169,952 ("the '952 patent"). The Commission's notice of investigation named as respondents Beijing Nutrichem Science and Technology Stock Co., Ltd., of Beijing, China ("Beijing Nutrichem"); Summit Agro USA, LLC, of Cary, North Carolina; Summit Agro North America, Holding Corporation of New York, New York; and Jiangxi Heyi Chemicals Co. Ltd. of Jiujiang City, China. *Id.* at 20908. The ALJ later granted FMC's motion to amend the complaint and notice of investigation to replace Beijing Nutrichem with Nutrichem Co., Ltd. ("Nutrichem"). Order No. 9 (May 29, 2014), *not reviewed* June 23, 2014. The Office of Unfair Import Investigations is also a party to the investigation.

On April 10, 2015, the ALJ issued her final ID finding no violation of section 337. She found that, under her claim constructions, there was insufficient evidence to conclude that the respondents infringed the asserted claims or that FMC satisfied either the technical prong or the economic prong of the domestic industry requirement. She further found that the respondents showed by clear and convincing evidence that the asserted claims of the '952 patent are invalid under 35 U.S.C. 102(g).

On April 22, 2015, FMC filed a timely petition for review challenging nearly all of the ID's findings. On April 30, 2015, the respondents and the Commission investigative attorney timely opposed FMC's petition.

Having examined the record of this investigation, including the ALJ's final ID, the petition for review, and the responses thereto, the Commission has determined to review the final ID in part. The Commission has determined to review and set aside the ALJ's findings on the economic prong of the domestic industry requirement *See* 19 CFR 210.45(c).

The Commission has also determined to review the the ALJ's construction of "a temperature in the range of about 120 °C to about 160 °C" because it contains a typographical error. The ALJ cites the Commission's affirmation of her construction of the claim phrase during the temporary phrase of this investigation, but adds the word "about" to her quotation of the Commission's construction and to her final construction. Because the ID indicates the intent to be consistent with the Commission's construction, the Commission finds that the inclusion of the word "about" in the construction is a typographical error. On review, the Commission finds that "a temperature in the range of about 120 °C to about 160 °C" means "a temperature in the range of 120 °C (+/- 2.5 °C) to 160 °C (+/- 2.5 °C)." This minor change does not impact any of the ALJ's findings on infringement, invalidity, or the technical prong of the domestic industry requirement.

The Commission has determined not to review the remaining findings in the ID.

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 Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: June 8, 2015.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2015-14380 Filed 6-11-15; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Oil Pollution Act

On June 8, 2015, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Western District of Michigan in the lawsuit entitled *United States, et al. v. Enbridge Energy Limited Partnership, et al.*, Civil Action No. 1:15-CV-590.

The United States, the State of Michigan, the Nottawaseppi Huron Band of the Potawatomi Indians and the Match-E-Be-Nash-E-Wish Band of the Pottowatomi filed this action seeking damages under the Oil Pollution Act for injuries to natural resources that occurred as a result of discharges of oil into Talmadge Creek, the Kalamazoo River and adjoining shorelines following a July 2010 rupture of the Line 6B oil pipeline owned and operated by various Enbridge entities. The State of Michigan also asserts claims for natural resource damages under State law.

Under the proposed Consent Decree, seven affiliated Enbridge entities ("Enbridge") will pay \$1,484,952, plus interest, to reimburse past natural resource damage assessment costs incurred by federal natural resource trustees and an additional \$150,000, plus interest, to reimburse natural resource damage assessment costs incurred by the two Tribes. The Consent Decree also requires Enbridge to complete a number of natural resource damage restoration projects in accordance with workplans and schedules established or approved under a separate State Consent Judgment in *Michigan Dep't of Env'tl. Quality v. Enbridge Energy Partners, L.P., et al.*, No. 15-1411-CE (Calhoun County Cir. Ct. May 13, 2015). In addition, Enbridge will pay \$2,265,048, plus interest, to a Restoration Account within the Department of the Interior's Natural Resource Damage Assessment and Restoration Fund, for joint use of federal, state, and tribal natural resource trustees. Of the Funds in the Restoration Account, at least \$1,703,174, plus interest, will be used to fund additional natural resource restoration projects consistent with a Restoration Plan that is subject to approval by the natural

resource trustees. Up to \$561,875 of the funds in the Restoration Account, plus interest, will be available for and applied as needed to fund Future Costs of federal and tribal natural resource trustees, including costs of restoration planning activities and costs of overseeing implementation of any natural resource restoration projects required under the Consent Decree. The proposed Consent Decree will resolve natural resource damages claims asserted against Enbridge in the complaint, but it does not resolve other claims against Enbridge arising from the July 2010 oil discharges from the Line 6B pipeline, including claims for injunctive relief and civil penalties under the Clean Water Act. The proposed Consent Decree reserves such claims for separate resolution.

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 et al., v. Enbridge Energy Limited Partnership, et al.*, D.J. Ref. No. 90-5-1-1-10099/1. 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:

| <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 proposed Consent Decree may be examined and downloaded at this Justice Department Web site: <http://www.justice.gov/enrd/consent-decrees>. 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 \$10.75 (25 cents per page reproduction cost) payable to the United States Treasury.

Randall M. Stone,

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

[FR Doc. 2015-14384 Filed 6-11-15; 8:45 am]

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