

the Commission determined that it would conduct expedited reviews pursuant to section 751(c)(3) of the Tariff Act of 1930 (19 U.S.C. 1675(c)(3)).

For further information concerning the conduct of these reviews and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

**Staff report.**—A staff report containing information concerning the subject matter of the reviews has been placed in the nonpublic record, and will be made available to persons on the Administrative Protective Order service list for these reviews on June 27, 2023. A public version will be issued thereafter, pursuant to § 207.62(d)(4) of the Commission's rules.

**Written submissions.**—As provided in § 207.62(d) of the Commission's rules, interested parties that are parties to the reviews and that have provided individually adequate responses to the notice of institution,<sup>2</sup> and any party other than an interested party to the reviews may file written comments with the Secretary on what determination the Commission should reach in the reviews. Comments are due on or before July 5, 2023 and may not contain new factual information. Any person that is neither a party to the five-year reviews nor an interested party may submit a brief written statement (which shall not contain any new factual information) pertinent to the reviews by July 5, 2023. If comments contain business proprietary information (BPI), they must conform with the requirements of §§ 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's *Handbook on Filing Procedures*, available on the Commission's website at [https://www.usitc.gov/documents/handbook\\_on\\_filing\\_procedures.pdf](https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf), elaborates upon the Commission's procedures with respect to filings.

In accordance with §§ 201.16(c) and 207.3 of the rules, each document filed by a party to these reviews must be served on all other parties to these reviews (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

available from the Office of the Secretary and at the Commission's website.

<sup>2</sup> The Commission has found the responses submitted on behalf of Charter Steel, Commercial Metals Company, Liberty Steel USA, Nucor Corporation, and Optimus Steel, LLC to be individually adequate. Comments from other interested parties will not be accepted (*see* 19 CFR 207.62(d)(2)).

document for filing without a certificate of service.

**Determinations.**—The Commission has determined these reviews are extraordinarily complicated and therefore has determined to exercise its authority to extend the review period by up to 90 days pursuant to 19 U.S.C. 1675(c)(5)(B).

**Authority:** These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.62 of the Commission's rules.

Issued: April 6, 2023.

**Lisa Barton,**

*Secretary to the Commission.*

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## DEPARTMENT OF JUSTICE

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

On April 6, 2023, the Department of Justice lodged a proposed First Amendment to Consent Decree with the United States District Court for the Northern District of Indiana in the lawsuit entitled *United States v. City of Gary, Indiana*, Civil Action No. 20-cv-386.

The Complaint in the United States' lawsuit sought civil penalties and injunctive relief for alleged violations of the Clean Air Act ("CAA") relating to a closed landfill owned and operated by the City of Gary, Indiana ("Gary" or "City"). The Complaint alleged that Gary: (1) violated its permit and the CAA by failing to install a compliant gas collection and control system; (2) failed to properly operate its current system; (3) violated the landfill's surface methane standard; (4) failed to monitor proper operation of its flares; and (5) failed to demonstrate compliance with its gas collection wellhead standards.

A Consent Decree resolving the claims in the Complaint was entered by the Court on January 5, 2021. Under the Consent Decree, Gary is required to take a number of measures to come into compliance with the CAA. Gary must undertake a suite of improvements to Gary's gas collection and control system, including replacement of the existing flare and system upgrades to actively collect, rather than passively vent, landfill gas. Gary is also required to carry out enhanced monitoring and maintenance requirements and follow certain standard operating procedures, attached to the Consent Decree as appendices.

In August 2022, Gary formally made a request to amend the Consent Decree and extend the GCCS deadline, citing unforeseen design changes, delays in receiving permit approvals, supply chain issues, and unavoidable delays in the bid process for the project. The proposed First Amendment to Consent Decree extends the deadline for Gary to complete its GCCS improvements from October 27, 2022, to October 27, 2023. In the interim, the Amendment requires Gary to more frequently monitor surface methane and implement corrective action if methane concentrations reach a trigger level; improve record-keeping for cover integrity repairs; and investigate and propose an additional corrective action for a portion of the landfill experiencing high methane readings.

The publication of this notice opens a period for public comment on the First Amendment to Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. City of Gary, Indiana*, D.J. Ref. No. 90-5-2-1-11714. 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 .....	<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 to Consent Decree may be examined and downloaded at this Justice Department website: <https://www.justice.gov/enrd/consent-decrees>. We will provide a paper copy of the First Amendment to 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 \$2.50 (25 cents per page reproduction cost) payable to the United States Treasury.

**Patricia McKenna,**

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

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