

(Textron) filed a complaint with the Commission alleging violation of section 337 of the Tariff Act of 1930 in the importation and sale of certain mechanical lumbar supports and products containing same that infringe certain claims of a U.S. patent owned by Textron. The Commission instituted an investigation of Textron's complaint on September 29, 1998. Advantage was listed as a proposed respondent in Textron's complaint, although the Commission did not name it as a respondent in the notice of investigation. Five other firms were named as respondents. 63 FR 51949 (September 29, 1998).

On December 4, 1998, complainant Textron moved (Motion No. 415-7) to add Advantage as a respondent, based on the company's involvement with and connection to the importation, assembly, and sale of the allegedly infringing devices. The Commission investigative attorney supported the motion, and Advantage and the five original respondents opposed the motion.

On December 16, 1998, the presiding ALJ issued an ID (Order No. 12) granting the motion. No party petitioned for review of the ID.

All nonconfidential documents filed in the investigation, including the motion to add Advantage, the Commission investigative attorney's response, the joint response of Advantage and the five respondents, and the ID, are or will be available for public inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Commission's Office of the Secretary, Dockets Branch, 500 E Street, SW, Room 112, Washington, D.C. 20436, telephone 202-205-1802.

This action is taken under authority of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) and section 210.42(h) of the Commission's Rules of Practice and Procedure (19 CFR 210.42(h)).

By order of the Commission.

Issued: January 11, 1999.

Donna R. Koehnke,
Secretary.

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INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 701-TA-380-382 and 731-TA-797-804 (Final)]

Certain Stainless Steel Sheet and Strip From France, Germany, Italy, Japan, the Republic of Korea, Mexico, Taiwan, and the United Kingdom

AGENCY: United States International Trade Commission.

ACTION: Scheduling of the final phase of countervailing duty and antidumping investigations.

SUMMARY: The Commission hereby gives notice of the scheduling of the final phase of countervailing duty investigations Nos. 701-TA-380-382 (Final) under section 705(b) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)) (the Act) and the final phase of antidumping investigations Nos. 731-TA-797-804 (Final) under section 735(b) of the Act (19 U.S.C. 1673d(b)) to determine whether an industry in the United States is materially injured or threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of subsidized and/or less-than-fair-value imports from France, Germany, Italy, Japan, the Republic of Korea (Korea), Mexico, Taiwan, and the United Kingdom of certain stainless steel sheet and strip, provided for in subheadings 7219.13.00, 7219.14.00, 7219.32.00, 7219.33.00, 7219.34.00, 7219.35.00, 7219.90.00, 7220.12.10, 7220.12.50, 7220.20.10, 7220.20.60, 7220.20.70, 7220.20.80, 7220.20.90 and 7220.90.00 of the Harmonized Tariff Schedule of the United States.¹

¹ For purposes of these investigations, Commerce has defined the subject merchandise as certain stainless steel sheet and strip in coils. Stainless steel is an alloy steel containing, by weight, 1.2 percent or less of carbon and 10.5 percent or more of chromium, with or without other elements. The subject sheet and strip is a flat-rolled product in coils that is greater than 9.5 mm in width and less than 4.75mm in thickness, and that is annealed or otherwise heat treated and pickled or otherwise descaled. The subject sheet and strip may also be further processed (e.g., cold-rolled, polished, aluminized, coated, etc.) provided that it maintains the specific dimensions of sheet and strip following such processing. Excluded from the scope of these investigations are the following: (1) sheet and strip that is not annealed or otherwise heat treated and pickled or otherwise descaled, (2) sheet and strip that is cut to length, (3) plate (i.e., flat-rolled stainless steel products of a thickness of 4.75 mm or more), (4) flat wire (i.e., cold-rolled sections, with a prepared edge, rectangular in shape, of a width of not more than 9.5 mm), (5) razor blade steel, (6) flapper valve steel, (7) suspension foil, (8) certain stainless steel foil for automotive catalytic converters, (9) permanent magnet iron-chromium-cobalt alloy stainless strip, (10) certain electrical resistance alloy steel, (11) certain martensitic precipitation-hardenable stainless steel, and (12)

For further information concerning the conduct of this phase of the investigations, hearing procedures, and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

EFFECTIVE DATE: January 4, 1999.

FOR FURTHER INFORMATION CONTACT: David Boyland (202-708-4725), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its internet server (<http://www.usitc.gov>).

SUPPLEMENTARY INFORMATION:

Background

The final phase of these investigations is being scheduled as a result of affirmative preliminary determinations by the Department of Commerce that certain benefits which constitute subsidies within the meaning of section 703 of the Act (19 U.S.C. 1671b) are being provided to manufacturers, producers, or exporters in France, Italy, and Korea and that products from these countries, as well as from Germany, Japan, Mexico, Taiwan, and the United Kingdom, are being sold in the United States at less than fair value within the meaning of section 733 of the Act (19 U.S.C. 1673b). These investigations are being instituted in response to petitions filed on June 10, 1998, by counsel for Allegheny Ludlum Corporation; Armco, Inc.; Washington Steel Division of Bethlehem Steel Corp., the United Steelworkers of America, AFL-CIO; Butler Armco Independent Union; and Zanesville Armco Independent Organization, Inc.

Participation in the Investigations and Public Service List

Persons, including industrial users of the subject merchandise and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the final phase of these investigations as parties must file an entry of appearance with the Secretary to the Commission, as

three specialty stainless steels typically used in certain industrial blades and surgical and medical instruments.

provided in section 201.11 of the Commission's rules, no later than 21 days prior to the hearing date specified in this notice. A party that filed a notice of appearance during the preliminary phase of the investigations need not file an additional notice of appearance during this final phase. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations.

Limited Disclosure of Business Proprietary Information (BPI) Under an Administrative Protective Order (APO) and BPI Service List

Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in the final phase of these investigations available to authorized applicants under the APO issued in the investigations, provided that the application is made no later than 21 days prior to the hearing date specified in this notice. Authorized applicants must represent interested parties, as defined by 19 U.S.C. § 1677(9), who are parties to the investigations. A party granted access to BPI in the preliminary phase of the investigations need not reapply for such access. A separate service list will be maintained by the 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 May 12, 1999, 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 May 25, 1999, 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 May 17, 1999. 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 attend a prehearing conference to be held at 9:30 a.m. on May 19, 1999, at the U.S. International Trade Commission Building. 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 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 May 19, 1999. 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 June 2, 1999; witness testimony must be filed no later than three days before the hearing. 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 on or before June 2, 1999. On June 17, 1999, 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 June 21, 1999, 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 rules do not authorize filing of submissions with the Secretary by facsimile or electronic means.

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: January 11, 1999.

Donna R. Koehnke,
Secretary.

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States v. Interstate Pollution Control, Inc. et al.*, Civil Action No. 98C50426, (N.D. Illinois) entered into by the United States and 57 parties, was lodged on January 4, 1999, with the United States District Court for the Northern District of Illinois. The proposed Consent Decree will resolve claims of the United States against Interstate Pollution Control, Inc., Anderson's Garage, Inc. and 55 potentially responsible party generators [Abrasive Machining, Inc.; Acme Grinding Co.; American Shaft Co.; Amerock Corp.; Atwood Industries, Inc.; Barber-Colman Co.; Berol USA; Borg-Warner Automotive, Inc.; Camcar Division of Textron, Inc.; Caterpillar, Inc.; Cherry Valley Tool & Machine, Inc.; Clinton Electronics Corp.; Coltec Industries, Inc.; Commonwealth Edison Co.; Counselor (Brearley) Co.; Dana Corp. (Warner Electric); Eclipse Combustion, Inc.; Elco Textron, Inc.; Frantz Manufacturing Co.; The Gates Corp. d/b/a The Gates Rubber Co.; General Motors Corp.; Goss Graphics Systems, Inc.; Greenlee Textron, Inc.; GTE Communications Systems Corp.; Honeywell, Inc. (Micro Switch Division); IKON Office Solutions, Inc. o/b/o Ipsen Commercial Heat Treating; J.L. Clark, Inc. f/k/a J.L. Clark Manufacturing Co.; Kelsey Hayes Co.; Keystone Consolidated Industries, Inc.; Metal Cutting Tools Corp.; Mid-States Screw Corp.; Mobile Oil Corp.; Modern Metal Products Co.; The National Machinery Co.; Pacific Bearing Corp.; Patten Industries, Inc.; Pierce Chemical Co.; Precision Group, Inc. successor to Illinois Machine Products; The Quaker Oats Co.; Quality Metal Finishing Co.; Quebecor Printing Mt. Morris, Inc.; RB&W Corp.; Readette & Dunn Platters, Inc.; Rockford Blacktop Construction Co.; Rockford Bolt & Steel Co.; Rockford Drop Forge Co.; Rockford Headed Products, Inc.; Saws International, Inc.; Sundstrand Corp.; Thomas Industries, Inc.; Twin Disc, Inc.; The Valspar Corp.; Warner Lambert Co.; White