

Innovative Home Products, Inc., 2400 East Lincoln Street, Birmingham, Michigan 48009-7126

Wayne-Dalton Corporation, One Door Drive, P.O. Box 67, Mt. Hope, Ohio 44660

Guardian Access Corporation, No. 1, Pei Yuan 2. Rd., Chung Li City, Taiwan

(c) David O. Lloyd, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Room 401, Washington, DC 20436, who shall be the Commission investigative attorney, party to this investigation; and

(3) For the investigation so instituted, the Honorable Sidney Harris is designated as the presiding administrative law judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondent in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(d) and 210.13(a), such responses will be considered by the Commission if received no later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and to authorize the administrative law judge and the Commission, without further notice to that respondent, to find the facts to be as alleged in the complaint and this notice and to enter both an initial determination and a final determination containing such findings, and may result in the issuance of a limited exclusion order or a cease and desist order or both directed against that respondent.

Issued: July 16, 2001.

By Order of the Commission.

**Donna R. Koehnke,**

*Secretary.*

[FR Doc. 01-18126 Filed 7-18-01; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-448]

### Certain Oscillating Sprinklers, Sprinkler Components, and Nozzles; Notice of Commission Determination Not To Review an Initial Determination Adding a Respondent to the Investigation

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (ID) of the presiding administrative law judge ("ALJ") in the above-captioned investigation adding Dayco Products Inc. ("Dayco") as a respondent to the investigation.

#### FOR FURTHER INFORMATION CONTACT:

Laurent de Winter, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone 202-708-5452. 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-ON-Line) at <http://dockets.usitc.gov/eol.public>. Hearing-impaired persons are advised that information on the matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation, which concerns allegations of unfair acts in violation of section 337 of the Tariff Act of 1930 in the importation and sale of certain oscillating sprinklers, sprinkler components, and nozzles, on February 9, 2001 66 FR 9721. On June 4, 2001, complainant L.R. Nelson Corporation moved, pursuant to Commission rule 210.14(b), to amend the complaint and notice of investigation to add Dayco Products, Inc. ("Dayco") as a respondent in this investigation with respect to infringement of U.S. Letters Patent 6,036,117.

On June 14, 2001, the presiding administrative law judge (ALJ) (Judge Luckern) issued an ID (Order No. 9) (copy attached) adding Dayco as a respondent to the investigation. No petitions for review of the ID were filed.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337),

and Commission rule 210.42 (19 CFR 210.42).

Copies of the nonconfidential version of the ID and all other nonconfidential documents filed in connection with this investigation are 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.

By order of the Commission.

Issued: July 16, 2001.

**Donna R. Koehnke,**

*Secretary.*

[FR Doc. 01-18125 Filed 7-18-01; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-444]

### Certain Semiconductor Light Emitting Devices, Components Thereof, and Products Containing Same; Notice of a Commission Determination Not To Review an Initial Determination Terminating the Investigation Based on Withdrawal of the Complaint

**AGENCY:** International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's ("ALJ's") initial determination ("ID") granting a motion to terminate the above-captioned investigation based on withdrawal of the complaint.

**FOR FURTHER INFORMATION:** Timothy P. Monaghan, Esq., Office of the General Counsel, U.S. International Trade Commission, telephone (202) 205-3152.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on January 9, 2001, based on a complaint by Rohm Co. Ltd. ("Rohm") alleging that respondents Nichia Corporation and Nichia American Corporation ("Nichia") violated section 337 of the Tariff Act of 1930 by importing, selling for importation, or selling within the United States after importation certain semiconductor light emitting devices, components thereof, and products containing same that infringe certain claims of U.S. Letters Patent Nos. 6,084,899 and 6,115,399.

On April 27, 2001, complainant Rohm filed a motion pursuant to rule 210.21(a) to terminate the investigation on the basis of withdrawal of the complaint. On May 9, 2001, the Nichia respondents

filed a response to Rohm's motion to terminate the investigation. Nichia did not oppose the motion to terminate, but requested that the ALJ terminate the investigation "with prejudice" in view of a Nichia's motion for sanctions against Rohm for abuse of Commission process. The Commission investigative attorney supported Rohm's motion to terminate the investigation.

On June 27, 2001, the presiding ALJ issued an ID granting Rohm's motion to terminate the investigation, but denying Nichia's request to terminate the investigation "with prejudice."

None of the parties filed a petition to review the subject ID. The Commission subsequently determined not to review the subject ID.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and Commission rule 210.42, 19 CFR 210.42. Copies of the subject ID and all other nonconfidential 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. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810. 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-ON-LINE) at <http://dockets.usitc.gov/eol/public>.

Issued: July 16, 2001.

By order of the Commission.

**Donna R. Koehnke,**  
Secretary.

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Clean Air Act ("CAA")

Consistent with the policy set forth in the Department of Justice regulations at 28 CFR 50.7, notice is hereby given that on July 12, 2001, a proposed Consent Decree was lodged with the United States District Court for the Southern District of Illinois, in *United States and State of Illinois v. Clark Refining and Marketing, Inc.*, Civil Action No. 99-87 (GPM). The proposed Consent Decree settles claims asserted by the United

States on behalf of the U.S. Environmental Protection Agency, and the State of Illinois, pursuant to section 113(b) of the Clean Air Act, 42 U.S.C. 9613(b), and the federally enforceable State Implementation Plan ("SIP"), in connection with operation of the Clark Refining (now The Premcor Refining Group Inc.) petroleum refinery in Hartford, Illinois.

The Consent Decree requires Premcor to pay \$2 million in civil penalties for alleged violation of the Prevention of Significant Deterioration requirements in Part C of the CAA and the implementing regulations at 40 CFR 52.21, as well as violations of SIP emission limits at the refinery's fluid catalytic cracking unit ("FCCU"). The proposed Decree also requires Premcor to install a wet gas scrubber on its FCCU, to control emissions of sulfur dioxide and particulate matter. Additional pollution control measures in the decree include a program that will result in installation of low-NO<sub>x</sub> or ultra low-NO<sub>x</sub> burners at selected heaters and boilers at the Hartford refinery.

The Department of Justice will receive written comments relating to the proposed consent Decree for thirty (30) days from the date of publication of this notice. Comments should be directed to the Acting Assistant Attorney General, Environment and Natural Resources Division, U.S. Department of Justice, Washington, DC 20530, and should refer to *United States v. Clark Refining and Marketing, Inc.*, DOJ Reference # 90-5-2-1-2032.

The proposed Consent Decree may be examined at the Office of the United States Attorney for the Southern District of Illinois, 9 Executive Drive, Suite 300, Fairview Heights, Illinois 62208 (contact William E. Coonan, (618) 628-3700), and at the offices of the U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590 (contact Brian Barwick, (312) 886-6620). Copies may also be obtained by mail from the Department of Justice Consent Decree Library, PO Box 7611, Washington, DC 20044-7611. In requesting copies, please refer to the case name and DOJ reference number and enclose a check in the amount of \$9.00 (25 cents per page reproduction cost) payable to the Consent Decree Library.

**William D. Brighton,**

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

[FR Doc. 01-18079 Filed 7-18-01; 8:45 am]

BILLING CODE 4410-15-M

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Clean Water Act

In accordance with 28 CFR 50.7, 38 FR 19029, notice is hereby given that on June 28, 2001, a Consent Decree was lodged with the United States District Court for the District of Massachusetts in *United States v. National Railroad Passenger Corporation* Civil Action No. 01-11121-RWZ. A complaint in the action was also filed simultaneously with the lodging of the Consent Decree. In the complaint the United States, on behalf of the U.S. Environmental Protection Agency (EPA), alleges that the defendant National Railroad Passenger Corporation (Amtrak) violated the Clean Water Act, 33 U.S.C. 1251, *et seq.*, at nine Amtrak facilities in Massachusetts, Connecticut and Rhode Island. The violations involve EPA requirements for control of storm water discharges; requirements of Amtrak's pollutant discharge permits; pretreatment requirements; Spill Prevention Control and Countermeasure requirements; and a small oil spill into navigable waters. The consent decree requires Amtrak to pay a cash penalty of \$500,000, and implement two Supplemental Environmental Projects at a cost of \$900,000. The consent decree also requires Amtrak to comply with relevant environmental laws at the nine identified facilities, and to also conduct a multi-media compliance audit for each of its 51 facilities nation-wide. Amtrak is also required to implement a comprehensive Environmental Management System involving the entire company.

The Department of Justice will receive comments relating to the proposed Consent Decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Washington, DC 20044, and should refer to *United States v. National Railroad Passenger Corporation*, D.J. Ref. 90-5-1-1-06798.

The proposed consent decree may be examined at the office of the United States Attorney, Suite 9200, 1 Courthouse Way, Boston, Massachusetts 02110, and at the Region I office of the Environmental Protection Agency, One Congress Street, Suite 1100, Boston, Massachusetts 02114. A copy of the proposed consent decree may also be obtained by mail from the Department of Justice Consent Decree Library, PO Box 7611, Washington, DC 20044. In requesting a copy, please enclose a