

proposed under both alternatives. The Local-Import Alternative involves the following improvements:

1. *Groundwater Banking Pipeline.* A 23-mile-long, 54-inch-diameter pipeline is proposed to link the Pajaro Valley with the Santa Clara Conduit of the San Felipe water system. Water would be transported from the San Felipe system into the Pajaro Valley via the pipeline, allowing PVWMA to transport water from the CVP into the PVWMA service area. CVP water deliveries vary each year depending on water availability. The Proposed Action is based on in-lieu recharge of the groundwater basin. During wet years through normal years, PVWMA would provide surface water supplemented as necessary with the minimum quantity of groundwater necessary to meet demand. Consequently, during wet through normal years, the groundwater basin would be allowed to recharge. During dry to critically dry years when CVP water deliveries are cut back, PVWMA would rely on a commensurately greater quantity of groundwater to meet demand.

2. *Water Recycling Facilities.* Tertiary treatment facilities, a pumping plant, and an associated distribution pipeline would be constructed at the existing Watsonville Wastewater Treatment Plant to provide a local water supply. To ensure that the quality of the recycled water would be sufficient for irrigating crops in the Pajaro Valley, the water would be blended with CVP water or groundwater. This is also a component of the Local-Only Alternative; however, the Local-Only Alternative does not include receipt of CVP water and, consequently, groundwater and local surface supplies would be used for blending.

#### Previous Environmental Review

PVWMA has already conducted an environmental review pursuant to CEQA and (NEPA) for components of the Local-Import Alternative, described below.

- Final Program Environmental Impact Report on the Pajaro Valley Water Basin Management Plan, certified by the PVWMA Board of Directors in December 1993. In 1993, PVWMA adopted a Basin Management Plan to identify a preferred water supply alternative for meeting supply needs. A programmatic EIR (PEIR) was developed for the BMP, which addressed water import and local supply concepts at a programmatic level.

- PVWMA Local Water Supply and Distribution Final Environmental Impact Report, certified by the PVWMA Board of Directors in May 1999. This

document relied on the 1993 PEIR and further served as a project EIR, providing detailed, site-specific project-level impact and mitigation analysis for proposed local project components, and supported discretionary approvals and implementation without the need for further CEQA review. The local projects evaluated at a project-level of detail in that EIR include Harkins Slough, Murphy Crossing, College Lake, and the Coastal and Inland Distribution Systems. The EIR also evaluated treated effluent conveyance pipelines, but did not evaluate implementation of tertiary treatment and pumping facilities. Consequently, implementation of tertiary treatment and pumping facilities at the City of Watsonville's Wastewater Treatment Plant (WWTP) will be evaluated at a project-level of detail in the BMP Update EIR.

- CVP Water Supply Contract Assignment from Mercy Springs Water District (Contract No. 14-06-200-3365A) to Pajaro Valley Water Management Agency Final Environmental Assessment and Final Finding of No Significant Impact, approved by the U.S. Department of the Interior, Bureau of Reclamation, on November 6, 1998. The Proposed Action evaluated in this document was the assignment of a portion of the Mercy Springs Water District's CVP Contract to PVWMA.

The purpose of the scoping meeting is to receive comments regarding the appropriate scope of the EIS. PVWMA staff will make a brief presentation to describe the proposed project, its purpose and need, project alternatives, and scenarios for construction and operation. The public may comment on the environmental issues to be addressed in the EIS. If necessary due to large attendance, comments will be limited to 5 minutes per speaker.

Reclamation practice is to make comments, including names and home addresses of respondents, available for public review. Individual respondents may request that we withhold their home address from public disclosure, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold a respondent's identity from public disclosure, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public disclosure in their entirety.

Dated: July 16, 2001.

**Frank Michny,**

*Regional Environmental Officer.*

[FR Doc. 01-19440 Filed 8-2-01; 8:45 am]

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## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-443]

### In the Matter of Certain Flooring Products; Notice of Commission Decision not to Review an Initial Determination Finding That Complainants Have Satisfied the Economic Prong of the Domestic Industry Requirement of Section 337 of the Tariff Act of 1930

**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 the presiding administrative law judge's ("ALJ's") initial determination ("ID") finding that complainants have satisfied the economic prong of the domestic industry requirement.

**FOR FURTHER INFORMATION CONTACT:** Robin L. Turner, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, tel. (202) 205-3096. Hearing impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal at (202) 205-1810. General information concerning the Commission may also be obtained by accessing the Commission's internet server (<http://www.usitc.gov>). The public record for the this investigation may be viewed on the Commission's electronic docket (EDIS-ON-LINE) at <http://www.usitc.gov/eol/public>.

**SUPPLEMENTAL INFORMATION:** The Commission instituted this investigation on December 29, 2000, based on a complaint filed on behalf of Alloc, Inc., Berry Finance N.V., and Valinge Aluminum AB. There are seven respondents: Unilin Decor N.V., BHK of America, Meister-Leisten Schulte GmbH, Roysol, Akzenta Paneele + Profile GmbH, Tarkett, Inc., and Pergo, Inc. Complainants allege violations of section 337 by reason of infringement of multiple claims of U.S. Letters Patent Nos. 5,860,267 ('267 patent), 6,023,907 ('907 patent), and 6,182,410 ('410 patent).

On May 11, 2001, complainants moved for summary determination on

the economic prong of the domestic industry requirement under section 337. The motion was not opposed by the Commission investigative attorney and certain respondents, but was opposed by other respondents. On July 10, 2001, the ALJ issued an ID (Order No. 26) granting the motion. No party petitioned for review of the ID.

The authority for the Commission's action is contained in section 337 of the Tariff Act of 1930, as amended (19 CFR 1337), and in section 210.42(a) of the Commission's Rules of Practice and Procedure (19 CFR 210.42(a)). Copies of the ALJ's 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.

By Order of the Commission.

Issued: July 30, 2001.

**Donna R. Koehnke,**

Secretary.

[FR Doc. 01-19372 Filed 8-2-01; 8:45 am]

BILLING CODE 7020-02-P

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-406, Consolidated Enforcement and Advisory Opinion Proceedings]

### In the Matter of Certain Lens-Fitted Film Packages; Notice of Institution of Formal Enforcement and Advisory Opinion Proceedings

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has instituted a formal enforcement proceeding relating to certain remedial orders issued at the conclusion of the above-captioned investigation. The Commission has also instituted advisory opinion proceedings in the same investigation. The Commission has determined to deny complainant's request for separate proceedings to modify the remedial orders issued in the above-captioned investigation.

**FOR FURTHER INFORMATION CONTACT:** Jean Jackson, Esq., telephone 202-205-3104, or Tim Yaworski, Esq., telephone 202-205-3096, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, D.C. 20436. Copies of all

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. 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:** This investigation was instituted on March 25, 1998, based on a complaint by Fuji Photo Film Co., Ltd. (Fuji) of Tokyo, Japan. 63 FR 14474. Fuji's complaint alleged unfair acts in violation of section 337 of the Tariff Act of 1930 by 27 respondents in the importation and sale of certain lens-fitted film packages (*i.e.*, disposable cameras) that allegedly infringed one or more claims of 15 patents held by complainant Fuji. On February 24, 1999, the presiding administrative law judge (ALJ) issued his final initial determination, finding a violation of section 337 by 26 of 27 named respondents. (During the evidentiary hearing, Fuji withdrew its claims of infringement as to one named respondent.) The ALJ found infringement of 12 utility patents, but found that Fuji failed to carry its burden of proof in showing infringement of three asserted design patents. On June 2, 1999, the Commission terminated the investigation, finding a violation of section 337 by 26 respondents, by reason of infringement of various claims of all 15 patents, including the design patents. 64 FR 30541 (June 8, 1999). The Commission issued a general exclusion order, prohibiting the importation of disposable cameras that infringed any of the claims of the 15 patents at issue, and cease and desist orders to 20 domestic respondents.

On June 27, 2001, Fuji filed a "Complaint for Enforcement Proceedings Under Rule 210.75, Petition for Modification Under Rule 210.76 and/or Request for Advisory Opinion Under Rule 210.79." Fuji's enforcement complaint asserts 22 claims contained in nine utility patents and named 20 entities as "enforcement respondents." On July 18, 2001, Fuji withdrew its complaint against one enforcement respondent, Jazz Photo Corp. On July

20, Fuji withdrew its complaint against two additional enforcement respondents, GrandwayChina and Grandway U.S.A.

The Commission, having examined the request for a formal enforcement proceeding filed by Fuji, and having found that the request complies with the requirements for institution of a formal enforcement proceeding, determined to institute formal enforcement proceedings to determine whether the twelve respondents named below are in violation of the Commission's general exclusion order and/or cease and desist orders issued in the investigation, and what if any enforcement measures are appropriate.

The following were named as parties to the formal enforcement proceeding: (1) Complainant Fuji Photo Film Co., Ltd.; (2) respondent Achiever Industries, Ltd.; (3) respondent Ad-tek Specialities, Inc.; (4) respondent Americam, Inc.; (5) respondent Argus Industries, Inc.; (6) respondent Boeck's Camera, LLC; (7) respondent Camera Custom Design a/k/a Title the Moment; (8) respondent Charles Randolph Company; (9) respondent CS Industries a/k/a PLF, Inc.; (10) respondent The Message Group; (11) respondent Penmax, Inc.; (12) respondent Photoworks, Inc.; (13) respondent Vastfame Camera Ltd.; and (14) a Commission investigative attorney to be designated by the Director, Office of Unfair Import Investigations.

The Commission, having examined the request for an advisory opinion filed by Fuji, and having found that the request complies with the requirements for institution of advisory opinion proceedings, determined to institute advisory opinion proceedings to determine whether the importation of certain cameras would violate the general exclusion order issued in the above-captioned investigation. The following were named as parties to the advisory opinion proceedings: (1) Complainant Fuji Photo Film Co., Ltd.; (2) Achiever Industries, Ltd.; (3) Ad-tek Specialities, Inc.; (4) Americam, Inc.; (5) Argus Industries, Inc.; (6) Atico International USA, Inc.; (7) Boeck's Camera, LLC; (8) Camera Custom Design a/k/a Title the Moment; (9) Charles Randolph Company; (10) CS Industries a/k/a PLF, Inc.; (11) Diamond City International Gift, Inc.; (12) Elite Brands, Inc.; (13) Highway Holdings, Ltd.; (14) The Message Group; (15) Penmax, Inc.; (16) Photoworks, Inc.; (17) Sky Light International, Ltd.; (18) Vastfame Camera Ltd.; and (19) a Commission investigative attorney to be designated by the Director, Office of Unfair Import Investigations.