

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

United States Section; Notice of Availability of a Final Environmental Assessment and Finding of No Significant Impact for Improvements to the Lateral A/Retamal Dike Levee System, in the Lower Rio Grande Flood Control Project, Hidalgo County, TX

AGENCY: United States Section, International Boundary and Water Commission, United States and Mexico.

ACTION: Notice of Availability of Final Environmental Assessment (EA) and Finding of No Significant Impact (FONSI).

SUMMARY: Pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Final Regulations (40 CFR parts 1500 through 1508); and the United States Section's Operational Procedures for Implementing Section 102 of NEPA, published in the **Federal Register** September 2, 1981, (46 FR 44083); the United States Section hereby gives notice that the Final Environmental Assessment and Finding of No Significant Impact for Improvements to the Lateral A/Retamal Dike Levee System, in the Lower Rio Grande Flood Control Project, located in Hidalgo County, Texas are available. A notice of finding of no significant impact dated January 8, 2007 provided a thirty (30) day comment period before making the finding final. The Notice was published in the **Federal Register** on January 8, 2007 (**Federal Register** Notice, Vol. 72, No. 4, Pages 797–798).

FOR FURTHER INFORMATION CONTACT: Daniel Borunda, Environmental Protection Specialist; Environmental Management Division; United States Section, International Boundary and Water Commission; 4171 N. Mesa, C-100; El Paso, Texas 79902. Telephone: (915) 832-4767, e-mail: danielborunda@ibwc.state.gov.

Background: The USIBWC, in cooperation with the U.S. Fish and Wildlife Service (USFWS), prepared this Environmental Assessment for the proposed action of raising the Lateral A/Retamal Dike Levee System located in Hidalgo County, Texas to improve flood control. This levee system is part of the LRGFCP that extends approximately 180 miles from the Town of Peñitas in south Texas to the Gulf of Mexico. The Lateral A/Retamal Dike Levee System extends approximately 14 miles, from the Carlson Settling Basin to Retamal Diversion Dam.

The Proposed Action would increase the flood containment capacity of the Lateral A/Retamal Dike System to meet the 3-foot freeboard design criterion for flood protection. Throughout the approximately 11.5-mile Lateral A segment, height increases between 1.5 and 4 feet are typically needed to reach the design freeboard value. For the 3.5-mile Retamal Dike segment, typical increases in levee height range from 0 to 2 feet. The increase in levee height will result in an expansion to the levee footprint by lateral extension of the structure. Structural improvements, such as a slurry cutoff barrier or a riverside impermeable liner, may be required for some levee segments where seepage is a potential problem.

The Environmental Assessment assesses potential environmental impacts of the Proposed Action and the No Action Alternative. Potential impacts on natural, cultural, and other resources were evaluated and mitigation measures were incorporated into the Proposed Action. A Finding of No Significant Impact was issued for the Proposed Action based on a review of the facts and analyses contained in the Environmental Assessment.

The USIBWC is authorized to construct, operate, and maintain any project or works projected by the United States of America on the Lower Rio Grande Flood Control Project (LRGFCP) as authorized by the Act of the 74th Congress, Sess. I Ch. 561 (H.R. 6453), approved August 19, 1935 (49 Stat. 660), and codified at 22 U.S.C. Section 277, 277a, 277b, 277c, and Acts amendatory thereof and supplementary thereto. The LRGFCP was constructed to protect urban, suburban, and highly developed irrigated farmland along the Rio Grande delta in the United States and Mexico.

Availability: Electronic copies of the Final EA and FONSI are available from the USIBWC Home Page at <http://www.ibwc.state.gov>.

Dated: April 4, 2007.

Susan Daniel,

General Counsel.

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 332-490 and Investigation No. NAFTA-103-017]

Certain Sugar Goods: Probable Economic Effect of Tariff Elimination Under NAFTA for Goods of Mexico

AGENCY: United States International Trade Commission.

ACTION: Institution of investigation and request for written submissions.

SUMMARY: Following receipt of a request on March 15, 2007 from the United States Trade Representative (USTR) under section 332(g) of the Tariff Act of 1930 (19 U.S.C. 1332(g)) and in accordance with section 103 of the North American Free Trade Agreement (NAFTA) Implementation Act (19 U.S.C. 3313), the Commission instituted Investigation Nos. 332-490 and NAFTA-103-017, *Certain Sugar Goods: Probable Economic Effect of Tariff Elimination under NAFTA for Goods of Mexico*.

DATES: March 15, 2007: Date of receipt of request.

April 5, 2007: Date of institution of investigation.

May 4, 2007: Deadline for written statements, including any post-hearing briefs.

June 15, 2007: Transmittal of report to the USTR.

ADDRESSES: All Commission offices, including the Commission's hearing rooms, are located in the United States International Trade Commission Building, 500 E Street, SW., Washington, DC. All written submissions, including requests to appear at the hearing, statements, and briefs, should be addressed to the Secretary, United States International Trade Commission, 500 E Street, SW., Washington, DC 20436. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: Information may be obtained from Douglas Newman, Office of Industries (202-205-3328 or douglas.newman@usitc.gov); for information on legal aspects, contact William Gearhart of the Commission's Office of the General Counsel (202-205-3091 or william.gearhart@usitc.gov). The media should contact Margaret O'Laughlin, Office of External Relations (202-205-1819 or margaret.olaughlin@usitc.gov). Hearing impaired individuals are advised that information on this matter can be obtained by contacting the TDD terminal on (202-205-1810). General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). 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.

SUPPLEMENTARY INFORMATION: According to the USTR's letter, the President may

eliminate duties on between 175,000 and 250,000 metric tons, raw value, of sugar goods of Mexico that are classified in the tariff items listed below. Duties on these goods would be eliminated on October 1, 2007. Section 201(b) of the North American Free Trade Agreement Implementation Act (Act) authorizes the President, subject to the consultation and layover requirements in section 103(a) of the Act, to proclaim such modifications as the United States may agree to with Mexico or Canada regarding the staging of any duty treatment set forth in Annex 302.2 of the NAFTA. Section 103(a) requires the President to obtain advice regarding the proposed action from the Commission.

The USTR requested that the Commission provide advice as to the probable economic effect on domestic industries producing like or directly competitive articles, workers in these industries, and on consumers of the affected goods, of eliminating the U.S. tariff under the NAFTA on between 175,000 and 250,000 metric tons, raw value, of sugar goods of Mexico falling under the following Harmonized Tariff Schedule subheadings: (1) 1701.11.50 (raw cane sugar); (2) 1701.12.50 (raw beet sugar); (3) 1701.91.30 (refined sugar, containing added coloring); (4) 1701.99.50 (other refined sugar); (5) 1702.90.20 (other sugar and syrups, containing 6 percent or less soluble non-sugar solids); and (6) 2106.90.46 (sugar syrups, containing added coloring).

As requested, the Commission will provide its advice to the USTR by June 15, 2007. USTR has classified as Confidential the sections of the report that analyze probable economic effects, as well as other information that would reveal any aspect of the probable economic effects advice. USTR also requested that the Commission issue, as soon as possible after June 15, a public version of its report with any confidential business information deleted. Accordingly, the Commission will issue a public version of the report as soon as possible after June 15 and completion of USTR's review for classification purposes. The public version of the report will not include any sections of the report or information that USTR has classified as Confidential, or any information that the Commission considers to be confidential business information.

Written Submissions: In lieu of a public hearing, interested parties are invited to submit written statements concerning the matters to be addressed by the Commission in this investigation. Submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street, SW.,

Washington, DC 20436. To be assured of consideration by the Commission, written statements should be submitted to the Commission at the earliest practical date and should be received no later than the close of business on May 4, 2007. All written submissions must conform with the provisions of § 201.8 of the *Commission's Rules of Practice and Procedure* (19 CFR 201.8). Section 201.8 of the rules requires that a signed original (or copy designated as an original) and fourteen (14) copies of each document be filed. In the event that confidential treatment of the document is requested, at least four (4) additional copies must be filed, from which the confidential business information must be deleted (see the following paragraph for further information regarding confidential business information). The Commission's rules authorize filing submissions with the Secretary by facsimile or electronic means only to the extent permitted by § 201.8 of the rules (see Handbook for Electronic Filing Procedures, http://www.usitc.gov/secretary/fed_reg_notices/rules/documents/handbook_on_electronic_filing.pdf). Persons with questions regarding electronic filing should contact the Secretary (202-205-2000 or edis@usitc.gov).

Any submissions that contain confidential business information must also conform with the requirements of § 201.6 of the *Commission's Rules of Practice and Procedure* (19 CFR 201.6). Section 201.6 of the rules requires that the cover of the document and the individual pages be clearly marked as to whether they are the "confidential" or "nonconfidential" version, and that the confidential business information be clearly identified by means of brackets. All written submissions, except for confidential business information, will be made available in the Office of the Secretary to the Commission for inspection by interested parties.

The Commission may include some or all of the confidential business information submitted in the course of this investigation in the report it sends to the USTR and the President. However, the Commission will not publish such confidential business information in the public version of its report in a manner that would reveal the operations of the firm supplying the information.

Issued: April 6, 2007.

By order of the Commission.

Marilyn R. Abbott,

Secretary to the Commission.

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response Compensation and Liability Act

In accordance with Department of Justice policy, notice is hereby given that on March 29, 2007, a proposed consent decree ("Consent Decree") in *United States v. Masterwear Corporation, et al.*, Civil Action No. 05-cv-00373, was lodged with the United States District Court for the Southern District of Indiana.

The Consent Decree would resolve claims for unreimbursed past response costs and projected future response costs incurred by the United States related to the ongoing removal action at the Masterwear Superfund Site ("Site") in Martinsville, Indiana. Under the Consent Decree, the five defendants (James A. Reed, Linda Lou Mull Reed, Masterwear Corporation, William J. Cure, and Elizabeth J. Cure) named in the United States' complaint would pay a total of \$380,000 in past costs and estimated future costs, based on agreements with their insurance companies (the insurance companies are not signatories to the proposed Consent Decree but have private agreements with the defendants to make the payments). The settlement would provide EPA with complete reimbursement for past and projected future costs relating to the removal action. The defendants will remain responsible under a Unilateral Administrative Order dated April 22, 2004 for completing the removal work at the Site, which they also intend to finance with funds from their insurance companies.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environmental and Natural Resources Division, and either e-mailed to pubcomment-ees.enrd@usdoj.gov or mailed to P.O. Box No. 7611, Washington, DC 20044-7611, and should refer to *United States v. Masterwear Corporation et al.*, Civil Action No. 05-cv-00373, D.J. Ref. 90-11-3-08498.

The Consent Decree may be examined at the Office of the United States Attorney, 10 West Market Street, Suite 2100, Indianapolis, Indiana 46204, and at U.S. EPA Region 5, 77 W. Jackson Blvd., Chicago, IL 60604-4590. During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web