

**INTERNATIONAL TRADE  
COMMISSION**

[Investigation No. 337-TA-553]

**In the Matter of Certain NAND Flash  
Memory Devices and Products  
Containing Same; Notice of  
Determination To Grant the Joint  
Motion To Terminate the Investigation  
on the Basis of Settlement****AGENCY:** U.S. International Trade  
Commission.**ACTION:** Notice.**SUMMARY:** Notice is hereby given that  
the U.S. International Trade  
Commission has determined to grant the  
joint motion to terminate the above-  
captioned investigation based on  
settlement.**FOR FURTHER INFORMATION CONTACT:**  
Michelle Walters, Office of the General  
Counsel, U.S. International Trade  
Commission, 500 E Street, SW.,  
Washington, DC 20436, telephone (202)  
708-5468. Copies of non-confidential  
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 at <http://www.usitc.gov>.  
The public record for this investigation  
may be viewed on the Commission's  
electronic docket (EDIS) at <http://edis.usitc.gov>. Hearing-impaired  
persons are advised that information on  
this matter can be obtained by  
contacting the Commission's TDD  
terminal on (202) 205-1810.**SUPPLEMENTARY INFORMATION:** The  
Commission instituted this investigation  
on November 25, 2005, based on a  
complaint filed by Hynix  
Semiconductor Inc. of Korea; Hynix  
Semiconductor America Inc. of San  
Jose, California; and Hynix  
Semiconductor Manufacturing America  
Inc. of Eugene, Oregon (collectively,  
"Hynix"). The complaint, as  
supplemented and amended, alleged  
violations of section 337 of the Tariff  
Act of 1930 (19 U.S.C. 1337) in the  
importation into the United States, the  
sale for importation, and the sale within  
the United States after importation of  
certain NAND flash memory devices  
and products containing the same by  
reason of infringement of certain claims  
of United States Patent Nos. 5,509,995  
and 5,869,404.

On November 20, 2006, the presiding  
administrative law judge ("ALJ") issued  
his final initial determination ("ID"),  
finding no violation of section 337 by  
respondents Toshiba Corporation of  
Japan; Toshiba America Electronic  
Components, Inc. of Irvine, California;  
Toshiba America Information Systems,  
Inc. of Irvine, California; and Toshiba  
America Consumer Products, L.L.C. of  
Wayne, New Jersey (collectively,  
"Toshiba"). The Commission  
determined to review the ALJ's ID on  
January 11, 2007.

On March 21, 2007, Hynix and  
Toshiba jointly moved to terminate the  
investigation based on settlement. In the  
same motion papers, Hynix and Toshiba  
jointly moved to vacate the ID issued by  
the ALJ. In addition, Hynix withdrew its  
motion for sanctions against Toshiba,  
filed on August 18, 2006. On March 30,  
2007, the Commission investigative  
attorney filed a response to the joint  
motion to terminate based on  
settlement, recommending that the  
Commission grant the motion.

Having examined the record of this  
investigation, the Commission has  
determined to grant the joint motion to  
terminate the investigation. In addition,  
the Commission has determined to deny  
the joint motion to vacate the ALJ's final  
ID.

The authority for the Commission's  
determination is contained in section  
337 of the Tariff Act of 1930, as  
amended (19 U.S.C. 1337), and in  
section 210.21 of the Commission's  
Rules of Practice and Procedure (19 CFR  
210.21).

Issued: April 16, 2007.

By order of the Commission.

**Marilyn R. Abbott,***Secretary to the Commission.*

[FR Doc. E7-7464 Filed 4-18-07; 8:45 am]

**BILLING CODE 7020-02-P****DEPARTMENT OF JUSTICE****Notice of Lodging of Consent Decree  
Under the Comprehensive  
Environmental Response,  
Compensation and Liability Act**

Under 28 CFR 50.7, notice is hereby  
given that on April 2, 2007, a proposed  
consent decree with defendant BOC  
Group, Inc., was lodged in the civil  
action *United States v. The BOC Group,  
Inc.*, Civil Action No. 07-5163-FDB, in  
the United States District Court for the  
Western District of Washington.

In this action the United States  
sought, pursuant to Sections 106 and  
107 of the Comprehensive  
Environmental Response, Compensation

and Liability Act ("CERCLA"), 42 U.S.C.  
9606 & 9607, to recover costs incurred  
in response to releases of hazardous  
substances at the Boomsnub/Airco  
Superfund Site ("the Site") in  
Vancouver, Washington, and to require  
defendant BOC Group, Inc. to  
implement EPA's selected remedy at the  
Site.

The proposed consent decree will  
resolve the United States' claims against  
defendant BOC Group, Inc. Under the  
terms of the proposed consent decree,  
defendant BOC Group, Inc. will  
implement the remedy for the Site as  
required in the proposed consent  
decree, and pay \$6.65 million to the  
Hazardous Substances Superfund.

In return, the United States will grant  
BOC Group, Inc. a covenant not to sue  
under CERCLA with respect to the Site.

The Department of Justice will  
receive, for a period of thirty (30) days  
from the date of this publication,  
comments relating to the proposed  
consent decree. Comments should be  
addressed to the Assistant Attorney  
General, Environment and Natural  
Resources Division, P.O. Box 7611, U.S.  
Department of Justice, Washington, DC  
20044-7611, and should refer to the  
proposed consent decree with defendant  
BOC Group, Inc. in *United States v. The  
BOC Group, Inc.*, D.J. Ref. 90-11-2-  
1018/2.

The proposed consent decree may be  
examined at the office of the United  
States Attorney, 1201 Pacific Avenue,  
Suite 700, Tacoma, Washington. During  
the public comment period, the  
proposed consent decree may be  
examined on the following Department  
of Justice Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html) and may be  
obtained upon request from the Consent  
Decree Library, P.O. Box 7611, U.S.  
Department of Justice, Washington, DC  
20044-7611 or by faxing a request to  
Tonia Fleetwood, fax no. (202) 514-  
0097, phone confirmation number (202)  
514-1547. In requesting a copy please  
refer to the referenced case and enclose  
a check in the amount of \$19.50 (25  
cents per page reproduction costs),  
payable to the U.S. Treasury.

Public comments may be submitted  
by e-mail to the following e-mail  
address: [pubcommentees.enrd@usdoj.gov](mailto:pubcommentees.enrd@usdoj.gov).

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

[FR Doc. 07-1923 Filed 4-18-07; 8:45 am]

**BILLING CODE 4410-15-M**