

this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Thomas S. Fusco, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2571.

**Authority:** The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2008).

*Scope of Investigation:* Having considered the complaint, the U.S. International Trade Commission, on May 14, 2008, ordered that—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain semiconductor integrated circuits using tungsten metallization or products containing same that infringe claim 1 of U.S. Patent No. 5,227,335, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainants are—  
LSI Corporation, 1621 Barber Lane, Milpitas, California 95035  
Agere Systems, Inc., 1110 American Parkway, NE, Allentown, Pennsylvania 18109

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served: United Microelectronics Corporation, No 3 Li-Hsin 2nd Road, Hsinchu Science Park, Hsinchu-Chu City, Taiwan.

Integrated Device Technology, Inc., 6024 Silver Creek Valley Road, San Jose, California 95138

AMIC Technology Corporation, No. 2 Li-Hsin 6th Road, Science-Based Industrial Park, Hsinchu, Taiwan  
Cypress Semiconductor Corporation, 198 Champion Court, San Jose, California 95134

Elpida Memory, Inc., Sumitomo Seimei Yaesu Building, 3rd Floor 2-1 Yaesu 2-chome Chuo-ku, Tokyo 104-0028, Japan

Freescale Semiconductor, Inc., 6501 William Cannon Drive West, Austin, Texas 78735.

Grace Semiconductor Manufacturing Corporation, 1399 Zu Chong Zhi Road, Zhangjiang Hi-Tech Park, Shanghai 201203, China  
Microchip Technology, Inc., 2355 West Chandler Boulevard, Chandler, Arizona 85224

Micronas Semiconductor Holding, AG, Technopark Technoparkstrasse 1, Zurich, 8005, Switzerland  
National Semiconductor Corporation, 2900 Semiconductor Drive, Santa Clara, California 95052-8090

Nanya Technology Corporation, HWA Ya Technology Park, 669 Fu Hsing 3rd Road, Kueishan, Taoyuan County, Taiwan

NXP B.V., High Tech Campus 60, Eindhoven, 5656, Netherlands  
ON Semiconductor Corporation, 5005 East McDowell Road, Phoenix, Arizona 85008

Powerchip Semiconductor Corporation, No 12 Li-Hsin Road, 1 Hsinchu Science-Based Industrial Park, Hsinchu, Taiwan

PromOS Technologies, Inc., 19 Li-Hsin Road Hsinchu Science-Based, Industrial Park, Hsinchu, Taiwan  
Spansion, Inc., 915 DeGuigne Drive, P.O. Box 3453, Sunnyvale, California 94088-3453

STMicroelectronics NV, 39 Chemin du Champ des Filles Plan-Les-Quates C P 21, Geneva, 1228, Switzerland  
Vanguard International Semiconductor Corporation, Headquarter, Fab 1, 123 Park Avenue-3rd, Hsinchu Science Park, Hsinchu, Taiwan 30077

(c) The Commission investigative attorney, party to this investigation, is Thomas S. Fusco, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Suite 401, Washington, DC 20436; and

(3) For the investigation so instituted, the Honorable Carl C. Charneski is designated as the presiding administrative law judge.

The Commission notes that the patent at issue was the subject of earlier litigation which raises the issue of whether the complainants are precluded from asserting that patent. In instituting this investigation, the Commission has not made any determination as to whether the complainants are so precluded. Accordingly, the presiding administrative law judge may wish to consider this issue at an early date. Any such decision should be issued in the form of an initial determination (ID). The ID will become the Commission's final determination 45 days after the date of service of the ID unless the Commission determines to review the ID. Any petitions for review of the ID must be filed within ten (10) days after

service thereof. Any review will be conducted in accordance with Commission Rules 210.43, 210.44 and 210.45, 19 CFR 210.43, 210.44, and 210.45.

Responses to the complaint and the notice of investigation must be submitted by the named respondents 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 not 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 and the notice of investigation 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 this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: May 15, 2008.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E8-11308 Filed 5-20-08; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Air Act of 1970, as Amended

Pursuant to 28 CFR 50.7, notice is hereby given that on May 6, 2008, a proposed consent decree in *United States v. Carmeuse Lime & Stone, Inc.*, Civil Action No. 2:08-CV-00081-WOB, was lodged with the United States District Court for the Eastern District of Kentucky.

This Consent Decree will resolve claims asserted by the United States against Carmeuse for civil penalties based on violations of its PSD/operating permit ("the Permit") and the PSD provisions of the Kentucky State Implementation Plan ("SIP") at Carmeuse's Black River plant ("the

Plant”) located in Butler, Pendleton County, Kentucky. The complaint alleges that Carmeuse violated the Permit by not implementing best available control technology (“BACT”) for two lime kilns at the Plant.

The proposed Consent Decree resolves these claims by requiring Carmeuse to pay a civil penalty in the amount of \$100,000 to the United States.

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, Environment and Natural Resources Division, and either e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Carmeuse Lime & Stone, Inc.*, D.J. Ref. #90-5-2-1-08832.

The consent decree may be examined at the Office of the United States Attorney for the Eastern District of Kentucky, 260 West Vine Street, Suite 300, Lexington, KY 40507-1671, and at U.S. EPA Region 4, Office of Regional Counsel, 61 Forsyth Street, Atlanta, GA 30303. During the public comment period, the consent decree may also 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). A copy of the consent decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$3.00 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Henry Friedman,**

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

[FR Doc. E8-11290 Filed 5-20-08; 8:45 am]

BILLING CODE 4410-15-P

## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on May 13, 2008, a Consent Decree in *United States*

*of America v. the District of Columbia*, Civil Action No. 1:08-cv-00825-RBW, was lodged with the United States District Court for the District of Columbia.

The consent decree resolves the claims of the United States under Section 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act (“CERCLA”), 42 U.S.C. 9607(a), for reimbursement of its past response costs incurred in connection with EPA’s response to releases of mercury at two high schools in the District of Columbia. The first release of mercury occurred in and around Ballou High School in 2003 and second release of mercury occurred in and around Cardozo High School in 2005.

The consent decree obligates the District of Columbia to reimburse \$600,000 of the United States’ past response costs. In addition, the District of Columbia commits to verify that it is properly storing, removing and disposing of mercury and other hazardous substances in the District of Columbia public schools. Its verification will include conducting an audit of a representative number of schools. If the District discovers hazardous substances in the schools which are present or maintained in a manner inconsistent with its policies and procedures, the District commits to remove and dispose of such chemicals properly, or to store and inventory them properly.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to this proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, Attention: Nancy Flickinger (EES), and should refer to *United States of America v. the District of Columbia*, Civil Action No. 1:08-cv-00825-RBW, DOJ # 90-11-3-09036.

The proposed Consent Decree may be examined at the Office of the United States Attorney for the District of Columbia, Judiciary Center Building, 555 Fourth Street, NW., Washington, DC 20530. During the public comment period, the consent decree may also 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). A copy of the proposed Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a

request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$22.75 (25 cents per page reproduction cost for a full copy) payable to the U.S. Treasury.

**Robert D. Brook,**

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

[FR Doc. E8-11309 Filed 5-20-08; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-60,703]

#### Thyssenkrupp Budd, EmploymentGiant LLC, Detroit, MI; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273), and Section 246 of the Trade Act of 1974 (26 U.S.C. 2813), as amended, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance on February 28, 2007, applicable to workers of Thyssenkrupp Budd, Detroit, Michigan. The notice was published in the **Federal Register** on March 14, 2007 (72 FR 11904).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The workers were engaged in the production of automotive exterior body stampings and assemblies.

New information shows that Thyssenkrupp Budd contracted to have the workers’ payroll managed through EmploymentGiant LLC, located in Warren, Michigan. Therefore, some of the workers separated from employment at the subject firm have had their wages reported under the Unemployment Insurance (UI) account for EmploymentGiant LLC.

Accordingly, the Department is amending this certification to include the workers of Thyssenkrupp Budd whose wages were reported as EmploymentGiant LLC.

The amended notice applicable to TA-W-60,703 is hereby issued as follows: