

**DEPARTMENT OF THE INTERIOR****Bureau of Reclamation****Red Bluff Diversion Dam Fish Passage Improvement Project**

**AGENCY:** Bureau of Reclamation, Interior.

**ACTION:** Notice of Availability of the Final Environmental Impact Statement/Environmental Impact Report (Final EIS/EIR).

**SUMMARY:** The Bureau of Reclamation (Reclamation) is the National Environmental Policy Act Federal lead agency. The Tehama Colusa Canal Authority (TCCA) is the California Environmental Quality Act State lead agency. Together, these agencies have prepared a Final EIS/EIR for the Red Bluff Diversion Dam Fish Passage Improvement Project (Project). The Project provides for improved fish passage at the Red Bluff Diversion Dam as called for by the Central Valley Project Improvement Act section 3406 (b)(10), while also providing for continued agricultural water deliveries to TCCA member districts.

The Notice of Availability of the Draft EIS/EIR was published in the **Federal Register** on September 6, 2002 (Volume 67, No. 173). The written comment period on the Draft EIS/EIR ended December 6, 2002. On January 30, 2007, Reclamation published a second Notice of Availability for the Draft EIS/EIR in the **Federal Register** (Volume 72, No. 19), which began an additional comment period lasting through March 16, 2007. The Final EIS/EIR contains responses to all comments received and changes made to the text of the Draft EIS/EIR as a result of those comments and any additional information received during the review period.

**DATES:** Reclamation will not make a decision on the proposed action until at least 30 days after release of the Final EIS/EIR. After the 30-day period, Reclamation will complete a Record of Decision (ROD). The ROD will state the action that will be implemented and will discuss all factors leading to the decision.

**ADDRESSES:** A compact disk of the Final EIS/EIR may be requested from Mr. Don Reck, by writing to the Bureau of Reclamation, 16349 Shasta Dam Boulevard, Shasta Lake, CA 96019-8400; by calling 530-275-1554; or by e-mailing [dreck@mp.usbr.gov](mailto:dreck@mp.usbr.gov). The Final EIS/EIR is also accessible from the following Web site: <http://www.mp.usbr.gov>. See the Supplementary Information section for

locations where copies of the Final EIS/EIR are available for public review.

**FOR FURTHER INFORMATION CONTACT:** Mr. Don Reck, Bureau of Reclamation, at 530-275-1554 or [dreck@mp.usbr.gov](mailto:dreck@mp.usbr.gov).

**SUPPLEMENTARY INFORMATION:** Since construction of the Red Bluff Diversion Dam, concern has been expressed regarding the dam's effect on both upstream and downstream fish migration. The dam was built with 11 movable gates. Raising the gates eliminates the dam's effect and allows the river to flow unimpeded. Lowering the dam gates allows for gravity diversion of water into canals and results in the creation of Lake Red Bluff.

Over the years, the dam gates have been raised for increasingly longer periods in an attempt to enhance fish passage. Therefore, the ability to divert irrigation water has been gradually decreased from year-round to the current 4-month (gates-in) operations from May 15 to September 14. During the remainder of the year, the dam gates are open, allowing a free flowing, unimpeded river. Detailed studies show the current design of the fish ladders and the operations of the dam gates do not adequately allow passage of all threatened and endangered fish species.

The Draft EIS/EIR evaluated the proposed project alternatives that could improve fish passage at Red Bluff Diversion Dam, while also providing for continued diversion of water for irrigation.

The Draft EIS/EIR documented the direct, indirect, and cumulative effects to the physical, natural, and socioeconomic environment that may result from implementation of one of the alternatives. Copies of the Final EIS/EIR are available for public review at the following locations:

- Bureau of Reclamation, Mid-Pacific Region, Regional Library, 2800 Cottage Way, Sacramento, California 95825.
- Bureau of Reclamation, Denver Office Library, Building 67, Room 167, Denver Federal Center, 6th and Kipling, Denver, Colorado 80225.
- Natural Resources Library, U.S. Department of the Interior, 1849 C Street, NW., Main Interior Building, Washington, DC 20240-0001.

Before including your name, address, phone number, e-mail address, or other personal identifying information in any correspondence, you should be aware that your entire correspondence—including your personal identifying information—may be made publicly available at any time. While you can ask us in your correspondence to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: May 9, 2008.

**Donald R. Glaser,**

*Regional Director, Mid-Pacific Region.*

[FR Doc. E8-11349 Filed 5-20-08; 8:45 am]

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**INTERNATIONAL TRADE COMMISSION**

[Inv. No. 337-TA-648]

**In the Matter of Certain Semiconductor Integrated Circuits Using Tungsten Metallization and Products Containing Same; Notice of Investigation**

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

**ACTION:** Institution of investigation pursuant to 19 U.S.C. 1337.

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on April 18, 2008, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of LSI Corporation of Milpitas, California and Agere Systems Inc. of Allentown, Pennsylvania. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain semiconductor integrated circuits using tungsten metallization and products containing same that infringe claim 1 of U.S. Patent No. 5,227,335. The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after the investigation, issue an exclusion order and cease and desist orders.

**ADDRESSES:** The complaint, except for any confidential information contained therein, is 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., Room 112, Washington, DC 20436, telephone 202-205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810. 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. 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>.

**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]

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## 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