

Commission has determined not to review an initial determination (“ID”) (Order No. 9) of the presiding administrative law judge (“ALJ”) granting complainant’s motion to amend the complaint and notice of investigation.

**FOR FURTHER INFORMATION CONTACT:**

Panyin A. Hughes, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-3042. 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 September 8, 2009, based on a complaint filed by The Lincoln Electric Company of Cleveland, Ohio and Lincoln Global, Inc. of City of Industry, California (collectively, “Lincoln”). 74 FR 46223 (Sept. 8, 2009). The complaint 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, or the sale within the United States after importation of certain bulk welding wire containers and components thereof and welding wire by reason of infringement of certain claims of United States Patent Nos. 6,260,781; 6,648,141; 6,708,864; 6,913,145; 7,309,038; 7,398,881; and 7,410,111. *Id.* The complaint named five respondents: Atlantic China Welding Consumables, Inc., of Sichuan, China; ESAB AB, of Göteborg, Sweden (“ESAB AB”); Hyundai Welding Co., Ltd., of Seoul, Korea; Kiswel Co., Ltd. of Seoul, Korea; and Sidergas SpA, of Ambrogio (Verona) Italy. *Id.* at 46224.

On October 28, 2009, Lincoln filed an unopposed motion to amend the complaint and notice of investigation to remove ESAB AB from the investigation and add The ESAB Group, Inc. of Florence, South Carolina (“The ESAB Group”). Lincoln stated that ESAB AB has represented that it is not involved

in the manufacture, importation into the United States, sale for importation, or sale with the United States after importation of bulk wire containers, components thereof and welding wire. Lincoln further stated that the entity responsible for the activities that form the basis of Lincoln’s claim against ESAB AB is The ESAB Group, and that neither ESAB AB nor The ESAB Group oppose the motion.

On October 30, 2009, the ALJ issued Order No. 9 granting Lincoln’s motion. None of the parties petitioned for review of Order No 9. The Commission has determined not to review the 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 210.42(h) of the Commission’s Rules of Practice and Procedure (19 CFR 210.42(h)).

Issued: November 19, 2009.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

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**BILLING CODE 7020-02-P**

**DEPARTMENT OF JUSTICE**

**Notice of Lodging of a Consent Decree Under the Clean Water Act**

Notice is hereby given that on November 13, 2009, a proposed Consent Decree in *United States v. City of Akron, Ohio and State of Ohio*, Civil Action No. 05:09-cv-0272 was lodged with the United States District Court for the Northern District of Ohio.

In this action the United States, and the State of Ohio in a cross-claim, sought civil penalties and injunctive relief for violations of the Clean Water Act, 33 U.S.C. 1251 *et seq.*, in connection with the City of Akron’s (“Akron’s”) operation of its municipal wastewater treatment facility and sewer system. The United States’ First Amended Complaint and the State’s cross-claim allege, among other things, that Akron violated the Clean Water Act and its National Pollution Discharge Elimination System (“NPDES”) Permit by discharging pollutants from Combined Sewer Overflow (“CSO”) points to navigable waters and waters of the State during dry weather, and during wet weather in a manner that violates the general effluent limitations of the NPDES Permit; diverting wastewater from secondary treatment at the treatment plant, known as the Water Pollution Control Station (“WPCS”); failing to monitor or report the results

of its monitoring; and releasing untreated sewage from its sewer system into buildings and onto public and private property.

Under the proposed Decree, Akron will develop and implement a comprehensive plan to eliminate or reduce (i) combined sewer overflows in its sewer system and (ii) bypasses around secondary treatment at the WPCS. Within eight years, Akron will expand secondary treatment capacity at the WPCS to at least 130 million gallons of wastewater per day and will construct separate sewer lines for five combined sewer outfall points. Akron will also implement capacity, maintenance and emergency response programs to improve sewer system performance and to eliminate or reduce releases from the sewer collection system, including basement backups, releases into buildings, and onto property. The proposed Decree requires Akron to pay a total civil penalty of \$500,000. Also, as a State Supplemental Environmental Project to improve water quality in the Cuyahoga River, Akron will pay \$900,000 towards the removal of the Brecksville (or Route 82) Dam.

The Department of Justice will receive for a period of sixty (60) 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, 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. City of Akron, Ohio and State of Ohio*, D.J. Ref. 90-5-1-1-3144/2.

The proposed Consent Decree may be examined at the Office of the United States Attorney, Northern District of Ohio, 208 Federal Building, Two South Main Street, Akron, OH 44308-1855 (contact Assistant United States Attorney James Bickett (330/761-0523), and at U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, IL 60604-3590 (contact Associate Regional Counsel Susan Perdomo (312/886-0557)). During the public comment period the proposed 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 \$29.50 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if by e-mail or fax, forward a check in that amount to the Consent Decree Library at the stated address.

**Maureen M. Katz,**

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

[FR Doc. E9-28221 Filed 11-24-09; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

### Federal Bureau of Investigation

[OMB Number 1110-NEW]

#### Agency Information Collection Activities: New Collection, Comments Requested

**ACTION:** 60-day emergency notice of information collection under review: New collection; Cargo Theft Incident Report.

The Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Division will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with emergency review procedures of the Paperwork Reduction Act of 1995. OMB approval has been requested by February 27, 2010. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted until January 25, 2010. This process is conducted in accordance with 5 CFR 1320.10.

All comments and suggestions, or questions regarding additional information, to include obtaining a copy of the proposed information collection instrument with instructions, should be directed to Gregory E. Scarbro, Unit Chief, Federal Bureau of Investigation, Criminal Justice Information Services Division (CJIS), Module E-3, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306, or facsimile to (304) 625-3566.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Comments should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary

for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques of other forms of information technology, e.g., permitting electronic submission of responses.

#### Overview of This Information Collection

(1) *Type of information collection:* New collection.

(2) *The title of the form/collection:* Cargo Theft Incident Report.

(3) *The agency form number, if any, and the applicable component of the department sponsoring the collection:* Form Number: None;

*Sponsor:* Criminal Justice Information Services Division, Federal Bureau of Investigation, Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: City, county, state, federal, and tribal law enforcement agencies.

*Brief Abstract:* This collection is needed to collect information on cargo theft incidents committed throughout the United States.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* There are approximately 17,799 law enforcement agency respondents that submit monthly for a total of 213,588 responses with an estimated response time of 5 minutes per response.

(6) *An estimate of the total public burden (in hours) associated with this collection:* There are approximately 17,799 hours, annual burden, associated with this information collection.

If additional information is required contact: Ms. Lynn Bryant, Department Clearance Officer, Policy and Planning Staff, Justice Management Division, United States Department of Justice, Patrick Henry Building, Suite 1600, 601 D Street, NW., Washington, DC 20530.

Dated: November 19, 2009.

**Lynn Bryant,**

*Department Clearance Officer, PRA, United States Department of Justice.*

[FR Doc. E9-28223 Filed 11-24-09; 8:45 am]

**BILLING CODE 4410-02-P**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review: Comment Request

November 19, 2009.

The Department of Labor (DOL) hereby announces the submission of the following public information collection requests (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35). A copy of each ICR, with applicable supporting documentation; including, among other things, a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the RegInfo.gov Web site at <http://www.reginfo.gov/public/do/PRAMain> or by contacting Darrin King on 202-693-4129 (this is not a toll-free number)/e-mail: [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

Interested parties are encouraged to send comments to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Department of Labor—Occupational Safety and Health Administration (OSHA), Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: 202-395-7316/Fax: 202-395-5806 (these are not toll-free numbers), E-mail:

[OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov) within 30 days from the date of this publication in the **Federal Register**. In order to ensure the appropriate consideration, comments should reference the OMB Control Number (see below).

The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

- Enhance the quality, utility, and clarity of the information to be collected; and