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**Authority:** This review is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.62 of the Commission's rules.

By order of the Commission.

Issued: December 11, 2009.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E9-29981 Filed 12-16-09; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-674]

### In the Matter of Certain Light Emitting Diode Chips, Laser Diode Chips and Products Containing Same; Notice of a Commission Determination Not To Review an Initial Determination Terminating the Investigation as to Dalian Lumei Optoelectronics Corporation; Termination of the Investigation in Its Entirety

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination ("ID") (Order No. 29) of the presiding administrative law judge ("ALJ") terminating the above-captioned investigation as to the last remaining respondent Dalian Lumei Optoelectronics Corporation ("Dalian Lumei") based on a settlement agreement, and has terminated the investigation in its entirety.

**FOR FURTHER INFORMATION CONTACT:** Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-3115. 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 April 6, 2009, based on a complaint filed on March 2, 2009, by Gertrude Neumark Rothschild of Hartsdale, New York. 74 FR 15520-21 (April 6, 2009). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 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 light emitting diode chips, laser diode chips, and products containing same by reason of infringement of certain claims of U.S. Patent No. 5,252,499. The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337. The complaint names numerous respondents.

On October 30, 2009, complainant Rothschild and respondent Dalian Lumei jointly moved to terminate the investigation as to Dalian Lumei based on a settlement agreement. In the same motion, complainant moved for the termination of the investigation in its entirety. The Commission investigative attorney supported the motion.

On November 13, 2009, the ALJ issued an ID (Order No. 29) granting the motion. No party petitioned for review of the ID, and the Commission has determined not to review it.

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 sections 210.21 and 210.42(h) of the Commission's Rules of Practice and Procedure, 19 CFR 210.21, 210.42(h).

By order of the Commission.

Issued: December 9, 2009.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E9-29703 Filed 12-16-09; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[USITC SE-09-034]

### Sunshine Act Meeting Notice

**AGENCY HOLDING THE MEETING:** United States International Trade Commission.

**TIME AND DATE:** December 30, 2009 at 11 a.m.

**PLACE:** Room 101, 500 E Street, SW., Washington, DC 20436. *Telephone:* (202) 205-2000.

**STATUS:** Open to the public.

#### MATTERS TO BE CONSIDERED:

1. Agenda for future meetings: None.
2. Minutes.
3. Ratification List.
4. Inv. No. 701-TA-463 (Final)(Certain Oil Country Tubular Goods from China)—briefing and vote. (The Commission is currently scheduled to transmit its determination and Commissioners' opinions to the Secretary of Commerce on or before January 13, 2010.)
5. Outstanding action jackets: None. In accordance with Commission policy, subject matter listed above, not disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting.

Issued: December 15, 2009.

By order of the Commission.

**William R. Bishop,**

*Hearings and Meetings Coordinator.*

[FR Doc. E9-30098 Filed 12-15-09; 4:15 pm]

**BILLING CODE 7020-02-P**

## JUDICIAL CONFERENCE OF THE UNITED STATES

### Hearing of the Judicial Conference Advisory Rules Committee

**AGENCY:** Advisory Committee on Evidence Rules, Judicial Conference of the United States.

**ACTION:** Notice of cancellation of open hearing.

**SUMMARY:** The following public hearing on proposed amendments to the Federal Rules of Evidence, has been canceled: Evidence Rules Hearing, January 5, 2010, in Phoenix, AZ.

**FOR FURTHER INFORMATION CONTACT:** John K. Rabiej, Chief, Rules Committee Support Office, Administrative Office of the United States Courts, Washington, DC 20544, telephone (202) 502-1820.

Dated: December 9, 2009.

**John K. Rabiej,**

*Chief, Rules Committee Support Office.*

[FR Doc. E9-29931 Filed 12-16-09; 8:45 am]

**BILLING CODE 2210-55-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Amended Consent Decree Under the Clean Water Act (CWA)

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that on December 7, 2009, a proposed Integrated Overflow Abatement Plan ("IOAP") to control combined sewer overflows ("CSOs")

and eliminate sanitary sewer overflows ("SSOs") and other unauthorized discharges from the sewer system was lodged with the Court in *United States and Commonwealth of Kentucky v. The Louisville and Jefferson County Metropolitan Sewer District* (MSD) Civil Action No. 3:08-CV-608-CRS, Western District of Kentucky, Louisville Division. Pursuant to the Amended Consent Decree entered by the Court on April 15, 2009, the IOAP constitutes a material amendment to the Consent Decree, affording the public an opportunity to provide comments on it prior to it being submitted to the Court for approval.

The Amended Consent Decree required that MSD submit plans to control CSOs and eliminated SSOs and other unauthorized discharges from the sewer system. MSD integrated those plans into the IOAP, which includes a Long Term Control Plan ("LTCP") and a Sanitary Sewer Discharge Plan ("SSDP"). The IOAP was drafted by MSD's Wet Weather Team which included a broad range of stakeholders, MSD staff and consultants. The IOAP was presented to the MSD Board on October 7, 2008, and at several public meetings on November 10, 12 and 20, 2008. MSD held a public hearing to receive both written and oral public comments on the IOAP on December 2, 2008, and concluding on December 5, 2008.

MSD submitted the IOAP to the United States Environmental Protection Agency ("EPA") and the Commonwealth of Kentucky's Environmental and Public Protection Cabinet ("KDEP") on December 19, 2008, as required by the Consent Decree. Following review of the IOAP, EPA and KDEP requested clarifications and revisions regarding the IOAP's regulatory compliance approach, proposed level of overflow control, schedule and budgets. MSD submitted revisions to the IOAP on June 19, 2009, and August 21, 2009. EPA and KDEP sent a conditional letter of approval to MSD on October 23, 2009.

The IOAP is a long-term plan to control CSOs and eliminate SSOs and other unauthorized discharges of sewage and partially treated sewage in the community. The IOAP is expected to improve water quality in both Jefferson County, Kentucky and the Ohio River. The expected water quality benefits of the IOAP include reductions in the peak levels of bacteria in the Ohio River, Beargrass Creek, and other Jefferson County waterways as well as a reduction in the duration of wet weather impairment of local waterways (*i.e.*, the number of days that bacteria levels

exceed water quality standards during periods of wet weather). The IOAP, in coordination with other community water initiatives, will also improve water quality ambient conditions.

From projects selected for the LTCP, MSD anticipates approximately 96 percent capture and treatment of wet weather combined sewage during an average year. Remaining CSO loads (after removing background) are estimated to no longer cause water quality standard violations in the Ohio River and peak fecal coliform counts are modeled to be reduced by 54 percent. At the mouth of Beargrass Creek, peak coliform counts are modeled to be reduced by 18 percent.

From projects selected for the SSDP, MSD anticipates elimination of 145 SSO events per year based on 2005-2007 data; elimination of an average of 290 million gallons of overflow volume per year (based on average of 2005-2007 normalized for rainfall); elimination of 100 tons of 5-day biochemical oxygen demand ("BOD5"); and, elimination of almost 200 tons of solids annually.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the IOAP. 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 and Commonwealth of Kentucky v. The Louisville and Jefferson County Sewer District*, DOJ # 90-5-1-1-08254/1. The IOAP may be examined at the MSD Building, 700 West Liberty, Louisville, KY 40202. During the public comment period, the IOAP, may also be examined at the Main Library located at 301 York Street, Louisville, KY 40203, and MSD's Web site which is <http://www.msdlouky.org/projectwin/>.

The IOAP and all of its exhibits are too numerous and voluminous for filing with the Court. Instead of filing the entire IOAP, MSD filed the Executive Summaries of the IOAP, LTCP and SSDP. MSD has placed copies of the entire IOAP and all of the exhibits in places accessible by the public. During the public comment period, the IOAP may be examined at the MSD Building, 700 West Liberty, Louisville, KY 40202. The IOAP may also be examined at the Louisville Free Public Library located at 301 York Street, Louisville, KY 40203, and the branch libraries as well as MSD's Web site at <http://www.msdlouky.org/projectwin/>.

A copy of the Executive Summary of the IOAP may also be obtained by mail

from MSD by calling (502) 540-6000. In requesting a copy of the Executive Summary, please enclose a check in the amount of \$8.50 (25 cents per page reproduction cost) payable to the MSD. In requesting copies of the Executive Summaries for the Long Term Control Plan (30 pages) and the Sanitary Sewer Discharge Plan (15 pages), please enclose a check in the amount of \$11.25 (25 cents per page reproduction cost).

**Maureen Katz,**

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

[FR Doc. E9-29962 Filed 12-16-09; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decrees Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)

Notice is hereby given that on December 10, 2009, two proposed Consent Decrees ("Decrees") in *United States and the State of South Dakota v. CEGA Services, Inc. (f/k/a Northwestern Metal Company) and Commonwealth Mining Company*, Case No. 5:09-cv-05103-JLV, were lodged with the United States District Court for the District of South Dakota, Western Division. The case was brought under Sections 107(a) and 113(g)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9607(a) and 9613(g)(2), for the recovery of response costs related to the cleanup at the Gilt Edge Mine Superfund Site ("Site") in Lawrence County, South Dakota.

The Consent Decrees require Commonwealth Mining Company ("Commonwealth") and CEGA Services, Inc. ("CEGA") to: (1) Confess to \$6.2 million and \$5 million judgments, respectively; (2) agree to transfer the Site properties they own to the State of South Dakota; (3) with respect to Commonwealth, liquidate off-Site property it owns and pay over 60 percent of the proceeds to the United States; (4) assign any insurance coverage related to the Site to the United States.

The United States and the State of South Dakota filed a Complaint simultaneous with the Consent Decrees alleging that the Defendants are jointly and severally liable for response costs related to the cleanup at the Gilt Edge Mine Superfund Site in Lawrence County, South Dakota. 42 U.S.C. 9607(a), 9613(g)(2). The Consent Decrees would resolve the claims