

Interior, who has responsibility for making the appointments.

Members of the Steens Mountain Advisory Council are appointed for terms of three years. All positions will expire October 2012, except the vacated Burns Paiute Tribe position, which will end October 2010.

The Steens Mountain Advisory Council shall meet only at the call of the Designated Federal Official, but not less than once per year.

(Authority: Title I, Subtitle D of Pub. L. 106-399)

Edward W. Shepard,

State Director Oregon/Washington.

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 332-288]

Ethyl Alcohol for Fuel Use: Determination of the Base Quantity of Imports

AGENCY: United States International Trade Commission.

ACTION: Notice of determination.

SUMMARY: Section 423(c) of the Tax Reform Act of 1986, as amended (19 U.S.C. 2703 note), requires the United States International Trade Commission to determine annually the amount (expressed in gallons) that is equal to 7 percent of the U.S. domestic market for fuel ethyl alcohol during the 12-month period ending on the preceding September 30. This determination is to be used to establish the "base quantity" of imports of fuel ethyl alcohol with a zero percent local feedstock requirement that can be imported from U.S. insular possessions or CBERA-beneficiary countries. The base quantity to be used by U.S. Customs and Border Protection in the administration of the law is the greater of 60 million gallons or 7 percent of U.S. consumption, as determined by the Commission.

For the 12-month period ending September 30, 2009, the Commission has determined the level of U.S. consumption of fuel ethyl alcohol to be 10.57 billion gallons; 7 percent of this amount is 739.8 million gallons (these figures have been rounded). Therefore, the base quantity for 2010 should be 739.8 million gallons.

ADDRESSES: All Commission offices, including the Commission's hearing rooms, are located in the United States International Trade Commission Building, 500 E Street, SW.,

Washington, DC. All written submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street, SW., Washington, DC 20436. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://www.usitc.gov/secretary/edis.htm>.

FURTHER INFORMATION: For information specific to this investigation, contact project leader Douglas Newman (202) 205-3328, douglas.newman@usitc.gov, in the Commission's Office of Industries. For information on legal aspects of the investigation contact William Gearhart, william.gearhart@usitc.gov, of the Commission's Office of the General Counsel at (202) 205-3091. The media should contact Margaret O'Laughlin, Office of External Relations (202-205-1819 or margaret.olaughlin@usitc.gov). Hearing-impaired individuals may obtain information on this matter by contacting the Commission's TDD terminal at 202-205-1810. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). 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.

Background: The Commission published its notice instituting this investigation in the **Federal Register** of March 21, 1990 (55 FR 10512), and published its most recent previous determination for the 2009 amount in the **Federal Register** of December 28, 2008 (73 FR 75770). The Commission uses official statistics of the U.S. Department of Energy to make these determinations, as well as the PIERS database of the Journal of Commerce, which is based on U.S. export declarations.

By order of the Commission.

Issued: December 18, 2009.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. E9-30507 Filed 12-22-09; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-655]

In the Matter of Certain Cast Railway Wheels, Certain Processes for Manufacturing or Relating to Same and Certain Products Containing Same; Notice of Commission Determination Not To Review a Final Initial Determination Finding a Violation of Section 337; Request for Written Submissions Regarding Remedy, Bonding, and the Public Interest

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 a final initial determination ("ID") of the presiding administrative law judge ("ALJ") finding a violation of section 337 in the above-captioned investigation, and is requesting written submissions regarding remedy, bonding, and the public interest.

FOR FURTHER INFORMATION CONTACT: Clint Gerdine, Esq., telephone 202-708-2310, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436. Copies of all nonconfidential 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 (<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 the matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on September 16, 2008, based on a complaint filed on August 14, 2008, by Amsted Industries Incorporated ("Amsted") of Chicago, Illinois. 73 FR. 53441-53442 (Sept. 16, 2008). The complaint alleges violations of section 337 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain cast steel railway wheels and certain products containing same by reason of misappropriation of

trade secrets, the threat or effect of which is to substantially injure an industry in the United States. The complaint named four respondents: Tianrui Group Company Limited of China; Tianrui Group Foundry Company Limited of China (collectively "Tianrui"); Standard Car Truck Company ("SCT"), Inc. of Park Ridge, Illinois; and Barber Tianrui Railway Supply, LLC ("Barber") of Park Ridge, Illinois.

On October 16, 2009, the ALJ issued his final ID finding a violation of section 337 by respondents. He also issued his recommendation on remedy and bonding during the period of Presidential review. On October 30, 2009, SCT and Barber ("SCT-Barber") filed a joint petition for review of the final ID. Tianrui filed a petition for review and complainant Amsted filed a contingent petition for review on November 2, 2009. Amsted filed responses to SCT-Barber's and Tianrui's petitions on November 9 and 10, respectively, and SCT-Barber and Tianrui filed their responses on November 10. The Commission investigative attorneys filed responses to the three petitions on November 10. The Commission has determined not to review the subject ID.

In connection with the final disposition of this investigation, the Commission may issue an order that results in the exclusion of the subject articles from entry into the United States. Accordingly, the Commission is interested in receiving written submissions that address the form of remedy, if any, that should be ordered. If a party seeks exclusion of an article from entry into the United States for purposes other than entry for consumption, the party should so indicate and provide information establishing that activities involving other types of entry either are adversely affecting it or likely to do so. For background, see *In the Matter of Certain Devices for Connecting Computers via Telephone Lines*, Inv. No. 337-TA-360, USITC Pub. No. 2843 (December 1994) (Commission Opinion).

When the Commission contemplates some form of remedy, it must consider the effects of that remedy upon the public interest. The factors the Commission will consider include the effect that an exclusion order and/or cease and desist orders would have on (1) the public health and welfare, (2) competitive conditions in the U.S. economy, (3) U.S. production of articles that are like or directly competitive with those that are subject to investigation, and (4) U.S. consumers. The Commission is therefore interested in

receiving written submissions that address the aforementioned public interest factors in the context of this investigation.

When the Commission orders some form of remedy, the U.S. Trade Representative, as delegated by the President, has 60 days to approve or disapprove the Commission's action. See section 337(j), 19 U.S.C. 1337(j) and the Presidential Memorandum of July 21, 2005, 70 FR 43251 (July 26, 2005). During this period, the subject articles are entitled to enter the United States under bond, in an amount determined by the Commission. The Commission is therefore interested in receiving submissions concerning the amount of the bond that should be imposed if a remedy is ordered.

Written Submissions: Parties to the investigation, interested government agencies, and any other interested parties are encouraged to file written submissions on the issues of remedy, the public interest, and bonding, and such submissions should address the recommended determination by the ALJ on remedy and bonding. The complainant and the IA are also requested to submit proposed remedial orders for the Commission's consideration. Complainant is also requested to state the HTSUS numbers under which the accused articles are imported. The written submissions and proposed remedial orders must be filed no later than close of business on December 29, 2009. Reply submissions must be filed no later than the close of business on January 6, 2010. No further submissions on these issues will be permitted unless otherwise ordered by the Commission.

Persons filing written submissions must file the original document and 12 true copies thereof on or before the deadlines stated above with the Office of the Secretary. Any person desiring to submit a document to the Commission in confidence must request confidential treatment unless the information has already been granted such treatment during the proceedings. All such requests should be directed to the Secretary of the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 CFR 210.6. Documents for which confidential treatment by the Commission is sought will be treated accordingly. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary.

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 210.42-210.46 of the

Commission's Rules of Practice and Procedure, 19 CFR 210.42-210.46.

By order of the Commission.

Issued: December 17, 2009.

Marilyn R. Abbott,

Secretary to the Commission.

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DEPARTMENT OF JUSTICE

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

Notice is hereby given that on December 11, 2009 a proposed Consent Decree in *United States v. United Technologies Corporation*, Civil Action No. 2:09-cv-2801-BBD-cgc, was lodged with the United States District Court for the Western District of Tennessee, Memphis Division.

In this action the United States sought judgment against defendant in favor of the United States for all previously unreimbursed costs incurred by the United States in response to the release or threatened release of hazardous substances at Sixty One Industrial Park Superfund Site (the "Site") located at 5607 Highway 61 South in Memphis, Shelby County, Tennessee. Under the terms of the Consent Decree, United Technologies Corporation will undertake the remedial action selected by the United States Environmental Protection Agency for the Site. Further, the terms of the Consent Decree require United Technologies Corporation to reimburse the United States for past costs, all future oversight costs, plus interest, incurred or to be incurred in the future by the government in connection with the remedial action at 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 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 or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. United Technologies Corporation*, D.J. Ref. 90-11-2-09486.

The Consent Decree may be examined at the Office of the United States Attorney, Western District of Tennessee, 167 North Main Street, Suite 800, Memphis, TN 38103, and at U.S. EPA