

Dated: March 3, 2011.

**John Wessels,**

*Director, Intermountain Region, National Park Service.*

[FR Doc. 2011-10118 Filed 4-26-11; 8:45 am]

**BILLING CODE 4312-ED-P**

## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-770]

### In the Matter of Certain Video Game Systems and Wireless Controllers and Components Thereof; Notice of Institution of Investigation

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on March 21, 2011, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Creative Kingdoms, LLC of Wakefield, Rhode Island and New Kingdoms, LLC of Nehalem, Oregon. 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 video game systems and wireless controllers and components thereof by reason of infringement of certain claims of U.S. Patent No. 7,500,917 ("the '917 patent"); U.S. Patent No. 6,761,637 ("the '637 patent"); U.S. Patent No. 7,850,527 ("the '527 patent"); and U.S. Patent No. 7,896,742 ("the '742 patent"). 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 a cease and desist order.

**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:** The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

**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 (2011).

**Scope of Investigation:** Having considered the complaint, the U.S. International Trade Commission, on April 19, 2011, *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 video game systems and wireless controllers and components thereof that infringe one or more of claims 1-7 of the '917 patent; claims 1, 2, 7, 11, 14, 17, and 72 of the '637 patent; claims 1-12, 17-19, 22-24, 27, 37-41, 45-50 of the '527 patent; and claim 24 of the '742 patent, 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: Creative Kingdoms, LLC, 195 Walden Way, Wakefield, RI 02879. New Kingdoms, LLC, 17005 Miami Forest Road, Nehalem, OR 97131.

(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: Nintendo Co., Ltd., 11-1 Kamitoba hokotate-cho, Minami-ku, Kyoto 601-8501, Japan.

Nintendo of America, Inc., 4820 150th Avenue, NE., Redmond, WA 98052.

(c) The 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 Paul J. Luckern, Chief Administrative Law Judge, U.S. International Trade Commission, shall

designate the presiding Administrative Law Judge.

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)-(e) 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.

Issued: April 20, 2011.

By order of the Commission.

**James R. Holbein,**

*Acting Secretary to the Commission.*

[FR Doc. 2011-10100 Filed 4-26-11; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on April 12, 2011, a proposed Consent Decree was lodged with the United States District Court for the Eastern District of Wisconsin in *United States v. Waste Management of Wisconsin, Inc., et al.*, Civil Action No. 2:11-cv-00346-WEC.

In this action, the United States asserted claims against thirty-eight parties for recovery of response costs incurred by the United States in connection with the Muskego Sanitary Landfill Superfund Site (the "Site") in Muskego, Wisconsin, pursuant to Sections 106 and 107 of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9606 and

9607. The proposed Consent Decree would resolve claims that the United States has asserted against all defendants.

Under the proposed Consent Decree, a group of four “Performing Settling Defendants” will implement remedial measures at the Site consistent with an Explanation of Significant Differences issued by the United States Environmental Protection Agency (“U.S. EPA”) on September 13, 2010. These remedial measures will include: (1) Evaluation of potential measures to optimize performance of the previously-implemented source control remedy at the Site and implementation of any appropriate source control remedy enhancements; (2) development and implementation of an Institutional Control Implementation and Assurance Plan; and (3) completing a three-year evaluation of the effectiveness of monitored natural attenuation as a means of achieving groundwater cleanup standards at the Site. Following completion of the monitored natural attenuation study, if U.S. EPA determines that monitored natural attenuation is not appropriate for this Site, Performing Settling Defendants will evaluate alternative groundwater remedies and implement an alternative groundwater remedy selected by EPA. Under the proposed decree, Performing Settling Defendants will also pay \$985,000 to the Hazardous Substances Superfund to reimburse response costs incurred by the United States through January 31, 2010 in connection with the Site, and they will reimburse all response costs incurred by the United States after January 31, 2010 in connection with the Site.

The remaining 34 defendants, “De Minimis Settling Defendants,” will resolve their potential liability with respect to the Site in accordance with Section 122(g) of CERCLA, 42 U.S.C. 9622(g), through specified payments that will be used by Performing Settling Defendants to pay for costs incurred pursuant to the Consent Decree.

The Department of Justice will receive comments relating to the Consent Decree for a period of thirty (30) days from the date of this publication. 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. Waste Management of Wisconsin, Inc., et al.*, DJ # 90–11–3–09747.

The Consent Decree may be examined at the Office of the United States Attorney, Eastern District of Wisconsin, 530 Federal Building, 517 East Wisconsin Avenue, Milwaukee, WI 53202 and at U.S. EPA Region 5, 77 W. Jackson Blvd., Chicago, IL 60604. 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 Decrees may also be obtained by mail from the Consent Decree Library, U.S. Department of Justice, P.O. Box 7611, 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 number (202) 514–0097, phone confirmation number (202) 514–1547. In requesting a copy of the Consent Decree from the Consent Decree Library, please enclose a check in the amount of \$82.00 (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, United States Department of Justice.*

[FR Doc. 2011–10069 Filed 4–26–11; 8:45 am]

**BILLING CODE 4410–15–P**

---

**DEPARTMENT OF JUSTICE**

**Notice of Filing of Consent Decree Pursuant to the Clean Water Act (“CWA”)**

Notice is hereby given that on April 20, 2011, a proposed Consent Decree in *United States v. P4 Production L.L.C.*, No. 11–00166–REB, was lodged in the United States District Court for the District of Idaho. The Consent Decree settles the United States’ claims alleged in the Complaint pursuant to Section 309 of the Clean Water Act (CWA), 33 U.S.C. 1319. The Complaint relates to P4’s South Rasmussen Mine, which is in southeast Idaho about 20 miles northeast of Soda Springs. The Consent Decree requires payment of a civil penalty of \$1,400,000. The Consent Decree also includes injunctive relief which requires P4 to prevent leachate and certain storm water from its waste rock from discharging to the downstream creek and wetland.

The Department of Justice will receive comments related to the Consent Decree for a period of thirty (30) days from the date of this publication. 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. P4 Production L.L.C.*, No. 11–00166–REB (D. Idaho), Department of Justice Case Number 90–5–1–1–09868.

During the public comment period, the Consent Decree may be examined at the Office of the United States Attorney, District of Idaho, 800 Park Boulevard, Suite 600, Boise, Idaho. The Settlement Agreement may also be examined on the following Department of Justice Web site, [http://www.justice.gov/enrd/Consent\\_Decrees.html](http://www.justice.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 \$9.00 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Robert E. Maher, Jr.,**

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

[FR Doc. 2011–10071 Filed 4–26–11; 8:45 am]

**BILLING CODE 4410–15–P**

---

**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Proposed Consent Decree Under the Clean Air Act**

Notice is hereby given that on April 13, 2011, a proposed Consent Decree was filed with the United States District Court for the District of Oregon in *United States v. JELD–WEN, Inc.*, No. 3:11–cv–453–JT (D. Or.). The proposed Consent Decree entered into by the United States, the States of West Virginia, Iowa, and North Carolina, and the company resolves the United States’ and States’ claims against the company for civil penalties and injunctive relief pursuant to the Clean Air Act, 42 U.S.C. 7412, 7413. Under the terms of the Consent Decree, JELD–WEN will pay the United States and States a combined civil penalty of \$850,000, for excessive emissions of hazardous air pollutants from four door skin manufacturing plants located in Washington, Iowa, North Carolina, West Virginia. In addition, JELD–WEN will undertake projects to offset its excess emission,