

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 this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission has received a complaint, as amended, filed on behalf of Digitide Innovations LLC on December 16, 2011. The complaint alleges 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, and the sale within the United States after importation of certain portable communication devices. The complaint names Research In Motion Ltd. of Canada; Research In Motion Corp. of Irving, TX; HTC Corporation of Taiwan; HTC America, Inc. of Bellevue, WA; LG Electronics, Inc. of South Korea; LG Electronics U.S.A. Inc. of Englewood Cliffs, NJ; LG Electronics MobileComm U.S.A. Inc. of San Diego, CA; Motorola Mobility Holdings, Inc. of Libertyville, Illinois; Samsung Electronics Co., Ltd. of South Korea; Samsung Electronics America, Inc. of Ridgefield Park, New Jersey; Samsung Telecommunications America, LLC of Richardson, TX; Sony Corporation of Japan; Sony Corporation of America of New York, NY; Sony Electronics, Inc. of San Diego, CA; Sony Ericsson Mobile Communication AB of Sweden; Sony Ericsson Mobile Communication (USA) Inc. of Research Triangle Park, NC; Amazon.com, Inc. of Seattle, WA; Nokia Corporation of Finland; Nokia Inc. of Irving, TX; Pantech & Curitel Communication, Inc. of South Korea; Pantech Wireless, Inc. of Atlanta, Georgia as respondents.

The complainant, proposed respondents, other interested parties, and members of the public are invited to file comments, not to exceed five pages in length, on any public interest issues raised by the complaint. Comments should address whether issuance of an exclusion order and/or a cease and desist order in this investigation would negatively affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) Explain how the articles potentially subject to the orders are used in the United States;

(ii) Identify any public health, safety, or welfare concerns in the United States relating to the potential orders;

(iii) Indicate the extent to which like or directly competitive articles are produced in the United States or are otherwise available in the United States, with respect to the articles potentially subject to the orders; and

(iv) Indicate whether Complainant, Complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to an exclusion order and a cease and desist order within a commercially reasonable time.

Written submissions must be filed no later than by close of business, five business days after the date of publication of this notice in the **Federal Register**. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation.

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. Submissions should refer to the docket number ("Docket No. 2861") in a prominent place on the cover page and/or the first page. The Commission's rules authorize filing submissions with the Secretary by facsimile or electronic means only to the extent permitted by section 201.8 of the rules (see Handbook for Electronic Filing Procedures, [http://www.usitc.gov/secretary/fed\\_reg\\_notices/rules/documents/handbook\\_on\\_electronic\\_filing.pdf](http://www.usitc.gov/secretary/fed_reg_notices/rules/documents/handbook_on_electronic_filing.pdf)). Persons with questions regarding electronic filing should contact the Secretary (202) 205-2000.

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of sections 201.10 and 210.50(a)(4) of the Commission's Rules of Practice

and Procedure (19 CFR 201.10, 210.50(a)(4)).

By order of the Commission.

Issued: December 29, 2011.

**James R. Holbein,**

*Secretary to the Commission.*

[FR Doc. 2011-33771 Filed 1-4-12; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on December 29, 2011, a proposed Consent Decree in *United States and State of New Mexico v. Freeport-McMoRan Corp. et al.* ("Freeport-McMoRan Consent Decree"), Civil Action No. 1:11-cv-1140 (D. N.M.), was lodged with the United States District Court for the District of New Mexico.

The Complaint in this case was filed against Freeport-McMoRan Corporation, Freeport-McMoRan Chino Mines Company, Freeport-McMoRan Tyrone Inc., Freeport-McMoRan Tyrone Mining LLC, and Freeport-McMoRan Cobre Mining Company (collectively "Freeport-McMoRan") on December 29, 2011. The cause of action is based on Section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9607(a). The Complaint alleges that Freeport-McMoRan is civilly liable for payment of damages for injuries to natural resources belonging to, managed by, or controlled by the United States and the State of New Mexico that resulted from hazardous substance releases at and from Freeport-McMoRan's Chino Mine, Tyrone Mine, and Cobre Mine in southwestern New Mexico. The Complaint further alleges that surface waters, ground water, terrestrial habitat and wildlife, and migratory birds have been injured, destroyed, or lost as a result of releases of hazardous substances at and from the mine sites.

Under the settlement, Freeport-McMoRan will pay \$5.5 million to the United States Department of the Interior's Natural Resource Damage Assessment and Restoration Fund, which can be used to restore, rehabilitate, replace, or acquire the equivalent of wildlife and wildlife habitat injured, destroyed, or lost as a result of releases at the mine sites. Freeport-McMoRan will also convey to

the New Mexico State Parks Division approximately 715 acres of land adjacent to the City of Rocks State Park in Grant County, New Mexico to further offset natural resource losses at the mine sites. Finally, Freeport-McMoRan will reimburse the Department of Interior's remaining unpaid past natural resource damage assessment costs, which amount to \$59,750.99.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Freeport-McMoRan Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either emailed 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 State of New Mexico v. Freeport-McMoran Corp. et al.*, Case No. 1:11-cv-1140 (D. N.M.), D.J. Ref. 90-11-3-08069.

During the public comment period, the Freeport-McMoRan 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 Freeport-McMoRan 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 emailing a request to "Consent Decree Copy" ([EESDCopy.ENRD@usdoj.gov](mailto:EESDCopy.ENRD@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-5271. If requesting a copy from the Consent Decree Library by mail, please enclose a check in the amount of \$14.75 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if requesting by email or fax, forward a check in that amount to the Consent Decree Library at the address given above.

**Ronald G. Gluck,**

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

[FR Doc. 2011-33803 Filed 1-4-12; 8:45 am]

**BILLING CODE 4410-15-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 December 29, 2011, a proposed Consent Decree ("Decree") in *United States and State of Rhode Island v. Ashland, Inc., et al.*, Civil Action No. 11-558, was

lodged with the United States District Court for the District of Rhode Island.

The Decree resolves claims of the United States and the State of Rhode Island pursuant to Sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9606, 9607, against seven parties in connection with the Davis Liquid Waste Superfund Site located in Smithfield, Rhode Island ("Site"). The Decree requires the settling defendants to perform the remedial action selected in the Amended Record of Decision ("Amended ROD") issued on September 20, 2010.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either emailed 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 State of Rhode Island v. Ashland, Inc., et al.*, Civil Action No. 11-558, D.J. Ref. 90-11-2-137/3.

During the public comment period, the Consent Decree also may 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 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 emailing a request to "Consent Decree Copy" ([EESDCopy.ENRD@usdoj.gov](mailto:EESDCopy.ENRD@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-5271. If requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$71.00 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if by email or fax, forward a check in that amount to the Consent Decree Library at the address given above. If requesting a copy exclusive of exhibits, please enclose a check in the amount of \$17.00.

**Ronald Gluck,**

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

[FR Doc. 2011-33804 Filed 1-4-12; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Air Act

Notice is hereby given that on December 29, 2011, a proposed consent

decree in *United States, et al. v. Essroc Cement Company*, Civil Action No. 2:11-cv-0650-DSC was lodged with the United States District Court for the Western District of Pennsylvania.

In this action the United States and Indiana, Pennsylvania, Puerto Rico and West Virginia sought injunctive relief and civil penalties for violations of the following statutory and regulatory requirements of the Clean Air Act (the "Act") at Essroc cement plants: the Prevention of Significant Deterioration ("PSD") provisions of the Act, 42 U.S.C. 7470 to 7492; the nonattainment New Source Review ("nonattainment NSR") provisions of the Act, 42 U.S.C. 7501 to 7515; the federally-approved and enforceable state implementation plans, or SIPs, which incorporate and/or implement the above-listed Federal PSD and/or nonattainment NSR requirements; and, Title V of the Act, 42 U.S.C. 7661 to 7661f, and Title V's implementing Federal and state regulations. The proposed consent decree requires installation and continuous operation of a selective non-catalytic reduction system (SNCR) for NO<sub>x</sub> at five cement kilns. The proposed consent decree also requires testing a selective catalytic reduction system (SCR) for NO<sub>x</sub> control at two cement kilns. If the SCR tests are unsuccessful, Essroc will apply SNCR at each of the kilns. For controlling SO<sub>2</sub>, Essroc will install a Dry Scrubber/Lime Injection system at seven cement kilns. Two cement kilns, under the proposed settlement, will be permanently retired. As mitigation for violations under the Act, Essroc will replace old engines in several off-road vehicles at its facilities. Essroc will also pay a civil penalty of \$1.7 million, with 50 percent (\$850,000) payable to the United States and the remainder allocated among the four states.

The Department of Justice will receive for a period of thirty (30) 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 emailed 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, et al. v. Essroc Cement Company*, Civil Action No. 2:11-cv-0650-DSC (D) No. 90-5-2-1-09608).

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