

**INTERNATIONAL TRADE COMMISSION**

[Investigation No. 731-TA-472 (Third Review)]

**Silicon Metal From China; Scheduling of an Expedited Five-Year Review**

**AGENCY:** United States International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission hereby gives notice of the scheduling of an expedited review pursuant to section 751(c)(3) of the Tariff Act of 1930 (19 U.S.C. 1675(c)(3)) (the Act) to determine whether revocation of the antidumping duty order on silicon metal from China would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. For further information concerning the conduct of this review and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

**DATES: Effective Date:** February 6, 2012.

**FOR FURTHER INFORMATION CONTACT:** Barbara Elkins (202-205-2250), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter 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 (<http://www.usitc.gov>). The public record for this review may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

**SUPPLEMENTARY INFORMATION:**

**Background.**—On February 6, 2012, the Commission determined that the domestic interested party group response to its notice of institution (76 FR 67476, November 1, 2011) of the subject five-year review was adequate and that the respondent interested party group response was inadequate. The Commission did not find any other circumstances that would warrant conducting a full review.<sup>1</sup> Accordingly,

the Commission determined that it would conduct an expedited review pursuant to section 751(c)(3) of the Act.<sup>2</sup>

**Staff report.**—A staff report containing information concerning the subject matter of the review will be placed in the nonpublic record on March 1, 2012, and made available to persons on the Administrative Protective Order service list for this review. A public version will be issued thereafter, pursuant to section 207.62(d)(4) of the Commission's rules.

**Written submissions.**—As provided in section 207.62(d) of the Commission's rules, interested parties that are parties to the review and that have provided individually adequate responses to the notice of institution,<sup>3</sup> and any party other than an interested party to the review may file written comments with the Secretary on what determination the Commission should reach in the review. Comments are due on or before March 6, 2012 and may not contain new factual information. Any person that is neither a party to the five-year review nor an interested party may submit a brief written statement (which shall not contain any new factual information) pertinent to the review by March 6, 2012. However, should the Department of Commerce extend the time limit for its completion of the final results of its review, the deadline for comments (which may not contain new factual information) on Commerce's final results is three business days after the issuance of Commerce's results. If comments contain business proprietary information (BPI), they must conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. Please be aware that the Commission's rules with respect to electronic filing have been amended. The amendments took effect on November 7, 2011. See 76 FR 61937 (Oct. 6, 2011) and the newly revised Commission's Handbook on E-Filing, available on the Commission's Web site at <http://edis.usitc.gov>.

Also, in accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the review must be served on all other parties to the review (as identified by either the public or APO service list as appropriate), and a certificate of service must accompany the document (if you are not a party to the review you do not need to serve your response). The

<sup>2</sup> Chairman Deanna Tanner Okun is not participating in this review.

<sup>3</sup> The Commission has found the response submitted by Globe Metallurgical Inc. to be individually adequate. Comments from other interested parties will not be accepted (see 19 CFR 207.62(d)(2)).

Secretary will not accept a document for filing without a certificate of service.

**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: February 17, 2012.

**James R. Holbein,**

*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**

Notice is hereby given that on February 14, 2012, the United States lodged a proposed Consent Decree with Defendants Bradley Mining Company ("BMC") and Frederick Bradley, Trustee for the Worthen Bradley Family Trust ("Bradley Trust"), in *United States v. Bradley Mining Company, et al.*, Civil Action No. 3:08-CV-03968 TEH (N.D. Cal.), with respect to the Sulphur Bank Mercury Mine Superfund Site in Lake County, California ("Sulphur Bank Site"), and with Defendant BMC in a consolidated case, *United States v. Bradley Mining Company*, Civil Action No. 3:08-CV-05501 TEH (N.D. Cal.), with respect to the Stibnite Mine Site in Valley County, Idaho ("Stibnite Mine Site").

The proposed Consent Decree resolves the following claims: (1) on August 19, 2008, the United States, on behalf of the United States Environmental Protection Agency ("EPA"), filed a complaint under section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9607, against BMC and Bradley Trust, seeking recovery of response costs incurred by EPA related to releases of hazardous substances at the Sulphur Bank Site; and (2) on September 26, 2008, the United States, on behalf of EPA and the United States Department of Agriculture Forest Service ("Forest Service"), filed a complaint under CERCLA section 107 against BMC seeking recovery of response costs incurred by EPA and the Forest Service related to the releases of hazardous substances at the Stibnite Mine Site. The proposed Consent Decree also resolves claims in the Sulphur Bank case brought by the Elem Tribe against BMC, the Bradley Trust, and the United States for cost recovery

<sup>1</sup> A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements will be available from the Office of the Secretary and at the Commission's Web site.