

**Written submissions.**—Each party who is an interested party shall submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of section 207.23 of the Commission's rules; the deadline for filing is December 6, 2012. Parties may also file written testimony in connection with their presentation at the hearing, as provided in section 207.24 of the Commission's rules, and posthearing briefs, which must conform with the provisions of section 207.25 of the Commission's rules. The deadline for filing posthearing briefs is December 20, 2012; witness testimony must be filed no later than three days before the hearing. In addition, any person who has not entered an appearance as a party to the investigations may submit a written statement of information pertinent to the subject of the investigations, including statements of support or opposition to the petition, on or before December 20, 2012. On January 11, 2012, the Commission will make available to parties all information on which they have not had an opportunity to comment. Parties may submit final comments on this information on or before January 15, 2012, but such final comments must not contain new factual information and must otherwise comply with section 207.30 of the Commission's rules. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain BPI must also 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>.

Additional written submissions to the Commission, including requests pursuant to section 201.12 of the Commission's rules, shall not be accepted unless good cause is shown for accepting such submissions, or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigations must be served on all other parties to the investigations (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

**Authority:** These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.21 of the Commission's rules.

By order of the Commission.

Issued: August 17, 2012.

**Lisa R. Barton,**

*Acting Secretary to the Commission.*

[FR Doc. 2012–20624 Filed 8–21–12; 8:45 am]

**BILLING CODE 7020–02–P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 731–TA–344 (Third Review)]

### Tapered Roller Bearings From China

#### Determination

On the basis of the record<sup>1</sup> developed in the subject five-year review, the United States International Trade Commission (Commission) determines, pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)), that revocation of the antidumping duty order on tapered roller bearings from China would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.<sup>2</sup>

#### Background

The Commission instituted this review on August 1, 2011 (76 FR 45853) and determined on November 4, 2011 that it would conduct a full review (76 FR 72213, November 22, 2011). Notice of the scheduling of the Commission's review and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** on February 29, 2012 (77 FR 12326). The hearing was held in Washington, DC, on June 19, 2012, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determination in this review to the Secretary of Commerce on August 16, 2012. The views of the Commission are contained in USITC Publication 4343 (August 2012), entitled *Tapered Roller Bearings from China: Investigation No. 731–TA–344 (Third Review)*.

<sup>1</sup> The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

<sup>2</sup> Commissioner Deanna Tanner Okun did not participate in this five-year review.

By order of the Commission.

Issued: August 16, 2012.

**Lisa R. Barton,**

*Acting Secretary to the Commission.*

[FR Doc. 2012–20600 Filed 8–21–12; 8:45 am]

**BILLING CODE 7020–02–P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–838]

### Certain Food Waste Disposers and Components and Packaging Thereof; Notice of Commission Determination Not to Review an Initial Determination Granting Complainant's Motions To Amend the Notice of Investigation and Complaint

**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 the presiding administrative law judge's ("ALJ") initial determination ("ID") (Order No. 5) granting a motion by complainant Emerson Electric Co. of St. Louis, Missouri to amend the Notice of Investigation ("NOI") and complaint to add as respondents Jiangsu Mega Motors ("Mega") of Jiangsu, China and Zhejiang Zhongda Technical Export Co., Ltd. ("Zhongda") of Hangzhou, China.

**FOR FURTHER INFORMATION CONTACT:** Amanda S. Pitcher, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–2737. 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 20, 2012, based on a complaint filed by Emerson Electric Co. ("Emerson"), of St. Louis, Missouri, alleging violations of section 337 of the

Tariff Act of 1930 (19 U.S.C. 1337) by reason of (1) infringement of the claim of U.S. Patent No. D535,850; (2) infringement of U.S. Trademark Registration No. 2,518,010 and common law trademarks; (3) unfair competition by passing off; (4) trademark dilution; and (5) trade dress infringement. 77 FR 23751 (Apr. 20, 2012). The Commission's Notice of Investigation named Anaheim Manufacturing Co. ("Anaheim"), of Brea, California, as the only respondent. The Office of Unfair Import Investigations ("OUII") was also named as a party.

On June 7, 2012, Emerson filed a corrected motion to amend the complaint and NOI to add Mega as a respondent. Then on June 28, 2012, Emerson filed a second motion to amend the complaint and NOI to add Zhongda as a respondent. Respondent Anaheim did not oppose the motions. On June 15, 2012 and July 10, 2012, the OUII investigative staff attorney ("IA") filed responses in support of the motions to amend.

On July 17, 2012, the ALJ issued an ID granting Emerson's motions to amend the complaint and NOI to add Mega and Zhongda as respondents. The ALJ found that Emerson made a showing of good cause for the amendments based on new evidence obtained during the course of the investigation. In particular, the ALJ noted that Emerson first learned that Mega was involved in the production and manufacturing of the accused products in interrogatory responses. In addition, the ALJ noted that Emerson first learned that Zhongda was involved in the distribution, transportation, and importation of the accused products during discovery. The ALJ further found that neither the public interest nor any party would be prejudiced by the amendments. Anaheim filed a petition for review on July 25, 2012, and the IA and Emerson filed replies on August 1, 2012. We note that Anaheim's petition is not proper under the Commission's Rules. 19 CFR 210.43(a)(2).

The Commission finds no reason to overturn the ALJ's findings, and accordingly, has determined not to review the subject ID.

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 210.43–45 of the Commission's Rules of Practice and Procedure (19 CFR 210.43–45).

By order of the Commission.

Issued: August 16, 2012.

**Lisa R. Barton,**

*Acting Secretary to the Commission.*

[FR Doc. 2012–20601 Filed 8–21–12; 8:45 am]

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## DEPARTMENT OF JUSTICE

### **Notice of Lodging of Proposed Consent Decree and Settlement Agreement Under the Comprehensive Environmental Response, Compensation, and Liability Act and Federal Water Pollution Control Act**

Notice is hereby given that on August 13, 2012, a proposed Consent Decree and Settlement Agreement ("Proposed Consent Decree") in *In re: EaglePicher Holdings, Inc., et al.*, Civil Action No. 05–12601 was lodged with the United States Bankruptcy Court for the Southern District of Ohio.

In this action, the United States sought natural resource damages under Section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9607(a), and Section 311(f) of the Federal Water Pollution Control Act ("Clean Water Act"), 33 U.S.C. 1321(f), related to the release or threat of release of hazardous substances from EaglePicher Technology, LLC's ("EPT") former facility in Joplin, Missouri. The United States also sought response costs and natural resource damages under CERCLA from EaglePicher Incorporated ("EPI") related to the release or threat of release of hazardous substances from the Eagle Zinc Superfund Site in Hillsboro, Illinois, the Delta, Ohio residential fill sites, the Wentworth Subdistrict of the Newton County Mine Tailings Superfund Site in Newton County, Missouri, the Phoenix Park Millsite in Creede, Colorado, and the Creta Copper Operations Site in Jackson County, Oklahoma.

The proposed Consent Decree entered into by the United States, the State of Missouri, and EP Management Corporation resolves the United States' and State of Missouri's claims against EPT for natural resource damages under CERCLA and the Clean Water Act at the former EPT manufacturing facility in Joplin, Missouri. The proposed Consent Decree also resolves the United States' claims against EaglePicher Incorporated (EPI) under CERCLA, for: (1) EPA response costs at the Eagle Zinc Superfund Site in Hillsboro, Illinois; (2) EPA response costs at three residential fill sites located in Delta Ohio; (3) EPA response costs at the Wentworth Subdistrict of the Newton County Mine

Tailings, Superfund Site in Newton County, Missouri; (4) DOI Natural Resource Damages at the Newton County Mine Tailings Superfund Site; (5) USDA Forest Service Response Costs at the Phoenix Park Millsite in Creede, Colorado; (6) Natural Resource Damages at the Creta Copper Operation Site in Jackson County, OK. The proposed Consent Decree provides for a payment by EPMC of \$822,600 to resolve the United States' and States of Missouri's natural resource damage claims against EPT, of which \$255,955 will be paid to the United States, \$658,000 will be placed in an escrow account for the restoration, replacement, or acquisition of the equivalent of the injured natural resources at the former EPT facility in Joplin, Missouri, and \$8,645 will be paid to the State of Missouri. The proposed Consent Decree also obligates EPMC to pay an additional \$100,000 to resolve the United States' claims for response costs and natural resource damages against EPI.

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 *In re: EaglePicher Holdings, Inc., et al.*, D.J. Ref. 90–11–3–747/2.

During the public comment period, the Proposed Consent Decree, may also be examined on the following Department of Justice Web site, to [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy of the Proposed 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" ([EESCDCopy.ENRD@usdoj.gov](mailto:EESCDCopy.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 \$9.75 (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