

**SUPPLEMENTARY INFORMATION:** On July 18, 2012 (77 FR 42329), we published a notice of intent (NOI) to prepare an EIS for the Four Corners Power Plant and Navajo Mine Energy Project. The NOI requested public comments on the scope of the EIS and significant issues that should be addressed in the EIS. The close of the scoping comment period for the notice of intent to prepare an EIS for the Four Corners Power Plant and Navajo Mine Energy Project published on July 18, 2012, was September 17, 2012. In response to requests for an extension of the comment period, we are granting a 45 day extension from September 17, 2012 to November 1, 2012. All comments received between September 17, 2012, and November 1, 2012, will be considered.

The July 18, 2012, NOI listed the dates and times of the public scoping meetings and discussed the alternatives and related impacts under consideration. To summarize, the EIS will analyze the impacts for the BHP Navajo Coal Company Proposed Pinabete Permit and for the Navajo Mine Permit Renewal, both of which are located on the Navajo Reservation in San Juan County, New Mexico. The EIS will also analyze the impacts for the Arizona Public Service Company Proposed Four Corners Power Plant (FCPP) lease amendment, located on the Navajo Reservation in San Juan County, New Mexico, and associated transmission line rights-of-way renewals for lines located on the Navajo and Hopi Reservations in San Juan County, New Mexico and Navajo, Coconino and Apache Counties in Arizona. In addition, the EIS will analyze impacts for the Public Service Company of New Mexico transmission line rights-of-way renewal associated with the FCPP and located on the Navajo Reservation in New Mexico.

#### Availability of Comments

OSM will make comments, including name of respondent, address, phone number, email address, or other personal identifying information, available for public review during normal business hours. Comments submitted anonymously will be accepted and considered; however, those who submit anonymous comments may not have standing to appeal the subsequent decision.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—will be publicly available. While you can ask us in your comment to withhold your

personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: August 30, 2012.

**Bill Clark,**

*Acting Regional Director, Western Region.*

[FR Doc. 2012-24948 Filed 10-11-12; 8:45 am]

**BILLING CODE 4310-05-M**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-772]

### Certain Polyimide Films, Products Containing Same, and Related Methods Commission Determination To Affirm the Final Initial Determination With Respect to the Issues on Review and To Terminate the Investigation

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to affirm, as modified, the final initial determination (“final ID” or “ID”) of the presiding administrative law judge (“ALJ”) in the above-captioned investigation under section 337 of the Tariff Act of 1930, as amended, and has terminated the investigation.

#### FOR FURTHER INFORMATION CONTACT:

James A. Worth, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205-3065. 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 (<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 May 4, 2011, based on a complaint filed on behalf of Kaneka Corporation of Osaka, Japan (“Kaneka”). 76 FR 25373 (May 4, 2011). The complaint alleges

violations of Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the sale for importation, importation, or sale after importation of certain polyimide films, products containing same, and related methods by reason of infringement of one or more of claims 1-3 and 9-10 of U.S. Patent No. 6,264,866 (“the ‘866 patent’”); claims 1-6 of U.S. Patent No. 6,746,639 (“the ‘639 patent’”); claims 1-5 of U.S. Patent No. 7,018,704 (“the ‘704 patent’”); and claims 1-20 of U.S. Patent No. 7,691,961 (“the ‘961 patent’”). The Commission’s notice of investigation named as respondents SKC Kolon PI, Inc. of Gyeonggi-do, South Korea and SKC Corporation of Covington, Georgia (collectively, “SKC”).

On February 23, 2012, the Commission issued notice of its determination not to review an ID (Order No. 26) that Kaneka has satisfied the importation requirement with respect to all versions of the following SKC products: IN30 (75 um), IN70 (19um), IN 70 (25um), IN70 (50um), IF30 (7.5um), IF70 (12.5um), LV100, LV200, and LV300.

On February 27, 2012, the Commission issued notice of its determination not to review an ID (Order No. 25) terminating the investigation with respect to claims 4-5 of the ‘704 patent and claims 4, 11, 16, 17, and 20 of the ‘961 patent.

An evidentiary hearing was held from March 12, 2012, to March 16, 2012.

On May 10, 2012, the ALJ issued a final ID finding no violation of section 337 in the above-identified investigation. Specifically, the ALJ found that there was no violation with respect to the ‘866 patent, the ‘639 patent, the ‘704 patent, or the ‘961 patent by SKC. The ALJ also issued a recommended determination on remedy and bonding.

On May 22, 2012, Kaneka filed a petition for review of the final ID and on May 23, 2012, SKC filed a contingent petition for review. On May 30, 2012, SKC filed a response to Kaneka’s petition, and on May 31, 2012, Kaneka filed a response to SKC’s contingent petition.

On August 1, 2012, the Commission issued notice of its determination to partially review the final ID. 77 FR 47092 (August 7, 2012). With respect to the ‘866 patent, the Commission determined to review the finding that Kaneka does not satisfy the technical prong of the domestic industry requirement. *Id.* With respect to the ‘961 patent, the Commission determined to review the ALJ’s finding that certain of the accused products infringe and certain of the accused products do not

infringe claim 9. *Id.* With respect to the '704 patent, the Commission determined not to review the ALJ's conclusion that the asserted claims of the '704 patent are invalid for indefiniteness. *Id.* The Commission further determined to review and vacate as moot the ID's remaining findings with respect to the '704 patent. The Commission determined not to review the remainder of the ID. *Id.*

On August 15, 2012, Kaneka and SKC each filed submissions on review. On August 22, 2012, each filed reply submissions.

On review, having examined the final ID, the submissions of the parties, and the relevant portions of the record in this investigation, the Commission has determined to affirm the ID with respect to the issues on review. With respect to the '866 patent, the Commission has determined to affirm the ALJ's determination that Kaneka has failed to satisfy the technical prong of the domestic industry requirement on modified grounds. With respect to the '961 patent, the Commission has determined to affirm the ALJ's finding that the IN70 (50µm) product infringes claim 9 and the other accused products do not. The investigation is terminated.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and under Part 210 of the Commission's Rules of Practice and Procedure (19 CFR Part 210).

By order of the Commission.

Issued: October 5, 2012.

**Lisa R. Barton,**

*Acting Secretary to the Commission.*

[FR Doc. 2012-25077 Filed 10-11-12; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-81,689; TA-W-81,689A]

#### **Niles America Wintech, Inc., Warehousing Division, a Valeo Company, Including On-Site Leased Workers from, Adecco Employment Services, Winchester, KY; Niles America Wintech, Inc., Assembly and Testing Division, a Valeo Company, Including On-Site Leased Workers from Adecco Employment Services, Winchester, KY; Notice of Affirmative Determination Regarding Application for Reconsideration**

By application dated August 28, 2012 a petitioning worker, requested administrative reconsideration of the

negative determination regarding workers' eligibility to apply for Trade Adjustment Assistance (TAA) applicable to workers and former workers of Niles America Wintech, Inc., Warehousing Division and Assembly and Testing Division, including on-site leased workers from Adecco Employment Services, Winchester, Kentucky (collectively referred to as the subject firm). The determination was issued on July 31, 2012. The Department's Notice of determination was published in the **Federal Register** on August 16, 2012 (77 FR 49462).

The initial investigation resulted in a negative determination based on the findings that the subject firm did not import services like or directly competitive with the order management, shipping, receiving, and warehousing services supplied by the subject workers.

Further, the subject firm did not shift the supply of order management, shipping, receiving and warehousing services (or like or directly competitive services) to a foreign country or acquire the supply of such services from a foreign country.

The initial investigation also revealed that the subject firm is not a Supplier to or act as a Downstream Producer to a firm that employed a group of workers who received a certification of eligibility under Section 222(a) of the Act, 19 U.S.C. 2272(a).

In addition, the subject firm did not satisfy the group eligibility requirements under Section 222(e) of the Act, either because Criterion (1) has not been met since the workers' firm has not been publically identified by name by the International Trade Commission as a member of a domestic industry in an investigation resulting in an affirmative finding of serious injury, market disruption, or material injury, or threat thereof.

Finally, with respect to Section 222(a) and Section 222(b) of the Act, the investigation revealed that Criterion (1) has not been met because a significant number or proportion of the workers in such workers' firm, have not become totally or partially separated, during the relevant time period, nor are they threatened to become totally or partially separated.

In request for reconsideration, the petitioner supplied new information regarding the number of workers who have been separated or have been threatened with separation.

The Department of Labor has carefully reviewed the request for reconsideration and the existing record, and has determined that the Department will conduct further investigation to

determine if the workers meet the eligibility requirements of the Trade Act of 1974, as amended.

### Conclusion

After careful review of the application, I conclude that the claim is of sufficient weight to justify reconsideration of the U.S. Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, DC, this 26th day of September, 2012.

**Del Min Amy Chen,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

[FR Doc. 2012-25135 Filed 10-11-12; 8:45 am]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### **Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974, as amended (19 U.S.C. 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers by (TA-W) number issued during the period of *September 24, 2012 through September 28, 2012*.

In order for an affirmative determination to be made for workers of a primary firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(a) of the Act must be met.

I. Under Section 222(a)(2)(A), the following must be satisfied:

(1) A significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) The sales or production, or both, of such firm have decreased absolutely; and

(3) One of the following must be satisfied:

(A) Imports of articles or services like or directly competitive with articles produced or services supplied by such firm have increased;

(B) Imports of articles like or directly competitive with articles into which one or more component parts produced by such firm are directly incorporated, have increased;

(C) Imports of articles directly incorporating one or more component parts produced outside the United