

not to reach the issue of whether Fujifilm has satisfied the economic prong with respect to its domestic investments in its LTO-7 DI products.

Accordingly, the Commission has determined the appropriate remedy is a limited exclusion order against Sony's products that infringe claims 1, 4-9, 11, and 14 of the '891 patent, and a cease and desist order against each of the Sony respondents. The Commission has also determined that the public interest factors enumerated in subsections 337(d)(l) and (f)(1) (19 U.S.C. 1337(d)(l), (f)(1)) do not preclude issuance of the limited exclusion order and cease and desist order. The Commission has, however, determined to exempt Sony's magnetic data storage tapes and cartridges containing the same that are imported or used for the purpose of supporting Sony's warranty, service, repair, and compliance verification obligations. The Commission has further determined to set a bond at zero (0) percent of entered value during the Presidential review period (19 U.S.C. 1337(j)).

The Commission's orders and opinion were delivered to the President and to the United States Trade Representative on the day of their issuance.

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 Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: March 8, 2018.

Katherine M. Hiner,
Supervisory Attorney.

[FR Doc. 2018-05093 Filed 3-13-18; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF JUSTICE

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

On March 8, 2018, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the District of Colorado in the lawsuit entitled *United States v. El Paso County Retirement Plan*, Civil Action No. 1:18-cv-00552.

The proposed Consent Decree resolves the United States' claim under Section 107 of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9607, against the El Paso County

Retirement Plan for recovery of past response costs incurred at the Widefield PCE Superfund Site ("Site") in El Paso County, Colorado. The Site comprises a former dry cleaners at 3217 South Academy Boulevard in Colorado Springs and related contamination of soil and groundwater, including of the Widefield Aquifer. The El Paso County Retirement Plan was the owner of the 3217 South Academy Boulevard property at the time of disposal of hazardous substances. The proposed Consent Decree requires the El Paso County Retirement Plan to pay \$420,000 in reimbursement of past response costs incurred by the United States with respect to the Site. The proposed Consent Decree provides the El Paso County Retirement Plan with a covenant not to sue for past response costs incurred by the United States in connection with the Site and contribution protection under CERCLA.

The publication of this notice opens a period for public comment on the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. El Paso County Retirement Plan*, D.J. Ref. No. 90-11-3-11721/1. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

| <i>To submit comments:</i> | <i>Send them to:</i> |
|----------------------------|---|
| By email | <i>pubcomment-ees.enrd@usdoj.gov.</i> |
| By mail | Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611. |

During the public comment period, the proposed Consent Decree may be examined and downloaded at this Justice Department website: <https://www.justice.gov/enrd/consent-decrees>. We will provide a paper copy of the proposed Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Please enclose a check or money order for \$3.75 (25 cents per page

reproduction cost) payable to the United States Treasury.

Robert Brook,

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

[FR Doc. 2018-05182 Filed 3-13-18; 8:45 am]

BILLING CODE 4410-15-P

DEPARTMENT OF JUSTICE

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

On February 27, 2018, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Southern District of Ohio in the lawsuit entitled *United States v. Bridgestone Americas Tire Operations et al.*, Case No. 3:18-cv-00054 (S.D. Ohio).

The proposed consent decree resolves claims of the United States Environmental Protection Agency ("EPA") against seven defendants—Bridgestone Americas Tire Operations, LLC; Cargill, Inc.; Flowserve Corporation; Kelsey-Hayes Company; NCR Corporation; Northrop Grumman Systems Corporation, and Waste Management of Ohio (collectively "Defendants")—for response costs and injunctive relief with respect to the North Sanitary (aka "Valleycrest") Landfill Superfund Site in Dayton, Ohio ("Site"). A complaint, which was filed simultaneously with the proposed consent decree, alleges that the Defendants are liable under Sections 106, 107(a), and 113(g)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9606, 9607(a), and 9613(g)(2). Under the proposed consent decree, the defendants will perform the remedy selected by EPA to address contamination at the Site by, among other things, designing and constructing a landfill "cap" that will cover approximately 70 acres of the Site. Other significant remedial actions will include the design and construction of a system to address landfill gas, as well as a system to prevent leachate from contaminating groundwater. Additionally, the Defendants will reimburse EPA for its future response costs, but they will not reimburse EPA for its future oversight costs unless and until such costs, together with past response costs and interim costs incurred before entry of the consent decree, exceed \$8.37 million. The proposed consent decree will provide

covenants not to sue to the Defendants, as well as to numerous other potentially responsible parties (“Other Settling Parties”) who have previously entered into settlement agreements with one or more of the Defendants and, in most instances, received indemnifications from them, provided that such Other Settling Parties (listed in Appendix E of the consent decree) submit signature pages agreeing to be bound by the consent decree and, if they own property likely affected by the remedial action, cooperate in the implementation of the consent decree.

The publication of this notice opens a period for public comment on the proposed consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer *United States v. Bridgestone Americas Tire Operations et al.*, Case No. 3:18-cv-00054 (S.D. Ohio), D.J. Ref. No. 90-11-3-11076. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

| To submit comments: | Send them to: |
|---------------------|---|
| By email | pubcomment-ees.enrd@usdoj.gov . |
| By mail | Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, D.C. 20044-7611. |

During the public comment period, the proposed consent decree may be examined and downloaded at this Justice Department website: <https://www.usdoj.gov/enrd/consent-decrees.html>. We will also provide a paper copy of the proposed consent decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Please enclose a check or money order for \$84.50 (338 pages at 25 cents per page reproduction cost) payable to the United States Treasury. For a paper copy without the Appendices and signature pages, the cost is \$20.75.

Randall M. Stone,
*Acting Assistant Section Chief,
Environmental Enforcement Section,
Environment and Natural Resources Division.*
[FR Doc. 2018-05140 Filed 3-13-18; 8:45 am]

BILLING CODE 4410-15-P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Modification to Consent Decree Under The Clean Air Act

On March 6, 2018, the Department of Justice lodged with the United States District Court for the District of Kansas a proposed modification to the consent decree entered by the Court on March 26, 2010 in the lawsuit entitled *United States of America, et al. v. Westar Energy, Inc.*, Civil Action No. 2:09-cv-02059-JAR.

The consent decree resolved claims asserted by the United States against Westar Energy, Inc. (“Westar”) under various provisions of the Clean Air Act (“Act”). Those claims related to Westar’s operation of the Jeffrey Energy Center (“JEC”), a coal-fired power plant in St. Marys, Kansas with three electric generating units, numbered 1 through 3. The United States alleged in primary part that Westar made major modifications to JEC without obtaining a permit under the Prevention of Significant Deterioration program.

The Consent Decree requires Westar, among other things, to install and operate Selective Catalytic Reduction (“SCR”) on one of the JEC units and, at Westar’s election, either install a second SCR or meet a plant-wide 30-day rolling average emission rate of 0.100 lb/mmBTU NO_x. Westar installed the SCR on JEC Unit 1 and elected to meet a plant-wide 30-day rolling average emission rate of 0.100 lb/mmBTU NO_x. To meet this limit, Westar must operate JEC Unit 1 (the unit with the SCR) at all times when it is available, even when it would not otherwise be dispatched by the Regional Transmission Organization. This results in unnecessary emissions of NO_x, sulfur dioxide, particulate matter and other pollutants from JEC.

The proposed modification to the Consent Decree would require Westar to meet a 30-Day Rolling Average Unit Emission Rate for NO_x of 0.150 lb/mmBTU, on an individual unit basis, when JEC Unit 1 is not operating. Overall emissions from JEC, including emissions of NO_x, are expected to decrease as a result of the change because JEC Unit 1 would no longer be forced to operate to meet the Consent Decree NO_x Plant-Wide Operating Day emission limitation. To help ensure that NO_x emissions do not increase, the modification would also require Westar to comply with a new NO_x 12-Month Rolling Tonnage Limitation for JEC Units 2 and 3.

The publication of this notice opens a period for public comment on the

modification to the consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States, et al. v. Westar Energy, Inc.*, D.J. Ref. No. 90-5-2-1-08242. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

| To submit comments: | Send them to: |
|---------------------|---|
| By email | pubcomment-ees.enrd@usdoj.gov . |
| By mail | Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611. |

During the public comment period, the modification to the consent decree may be examined and downloaded at this Justice Department website: <https://www.justice.gov/enrd/consent-decrees>. We will provide a paper copy of the modification to the consent decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Please enclose a check or money order for \$4.25 (25 cents per page reproduction cost) payable to the United States Treasury.

Susan M. Akers,
Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2018-05184 Filed 3-13-18; 8:45 am]

BILLING CODE 4410-15-P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Davis-Bacon Certified Payroll

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting the Wage and Hour Division (WHD) sponsored information collection request (ICR) titled, “Davis-Bacon Certified Payroll,” to the Office of Management and Budget (OMB) for review and approval for continued use, without change, in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.