

the *Subject Country* (that is, the level of production that your establishment(s) could reasonably have expected to attain during the year, assuming normal operating conditions (using equipment and machinery in place and ready to operate), normal operating levels (hours per week/weeks per year), time for downtime, maintenance, repair, and cleanup, and a typical or representative product mix); and

(c) the quantity and value of your firm's(s') exports to the United States of *Subject Merchandise* and, if known, an estimate of the percentage of total exports to the United States of *Subject Merchandise* from the *Subject Country* accounted for by your firm's(s') exports.

(12) Identify significant changes, if any, in the supply and demand conditions or business cycle for the *Domestic Like Product* that have occurred in the United States or in the market for the *Subject Merchandise* in the *Subject Country* after 2013, and significant changes, if any, that are likely to occur within a reasonably foreseeable time. Supply conditions to consider include technology; production methods; development efforts; ability to increase production (including the shift of production facilities used for other products and the use, cost, or availability of major inputs into production); and factors related to the ability to shift supply among different national markets (including barriers to importation in foreign markets or changes in market demand abroad). Demand conditions to consider include end uses and applications; the existence and availability of substitute products; and the level of competition among the *Domestic Like Product* produced in the United States, *Subject Merchandise* produced in the *Subject Country*, and such merchandise from other countries.

(13) (OPTIONAL) A statement of whether you agree with the above definitions of the *Domestic Like Product* and *Domestic Industry*; if you disagree with either or both of these definitions, please explain why and provide alternative definitions.

Authority: This proceeding is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.61 of the Commission's rules.

By order of the Commission.

Issued: June 25, 2019.

Lisa Barton,

Secretary to the Commission.

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-990 (Third Review)]

Non-Malleable Cast Iron Pipe Fittings From China

Determination

On the basis of the record¹ developed in the subject five-year review, the United States International Trade Commission ("Commission") determines, pursuant to the Tariff Act of 1930 ("the Act"), that revocation of the antidumping duty order on non-malleable cast iron pipe fittings 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.

Background

The Commission, pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)), instituted this review on January 2, 2019 (84 FR 14) and determined on April 12, 2019 that it would conduct an expedited review (84 FR 20659, May 10, 2019).

The Commission made this determination pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)). It completed and filed its determination in this review on June 25, 2019. The views of the Commission are contained in USITC Publication 4915 (June 2019), entitled *Non-Malleable Cast Iron Pipe Fittings from China: Investigation No. 731-TA-990 (Third Review)*.

By order of the Commission.

Issued: June 25, 2019.

Lisa Barton,

Secretary to the Commission.

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DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under The Clean Air Act, Comprehensive Environmental Response, Compensation, and Liability Act, Emergency Planning and Community Right-To-Know Act, Resource Conservation and Recovery Act, and Clean Water Act

On June 25, 2019, the Department of Justice lodged a proposed consent decree with the United States District Court for the Eastern District of Michigan in the lawsuit entitled *United*

States v. Dow Silicones Corporation, Civil Action No. 19-cv-11880. The consent decree addresses alleged violations of several federal environmental laws at a facility in Midland, Michigan operated by Dow Silicones Corporation ("DSC").

The complaint alleges, *inter alia*, that DSC has violated the following laws: (1) The Clean Air Act ("CAA"), by failing to implement a facility-wide leak detection and repair program, and failing to control emissions of hazardous air pollutants and volatile organic compounds; (2) the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), and the Emergency Planning and Community Right-To-Know Act ("EPCRA"), by failing to report releases of hazardous substances in a timely manner; (3) the Resource Conservation and Recovery Act ("RCRA"), by failing to characterize hazardous waste properly, and by failing to inspect and maintain hazardous waste secondary containment areas adequately; and (4) the Clean Water Act ("CWA"), by failing to comply with the terms and conditions of DSC's National Pollutant Discharge Elimination System permit.

The consent decree requires, *inter alia*, that DSC: (1) Address CAA violations by implementing a facility-wide leak detection and repair program and a CAA compliance plan to remedy violations of the national emissions standards for hazardous air pollutants disclosed by DSC; (2) address RCRA violations by identifying and re-characterizing all hazardous waste streams at the facility, and coating all secondary containment systems for the tanks with an impervious liner or monitoring the systems more frequently; (3) address CWA violations by performing hydraulic capacity and pollutant monitoring studies to evaluate deficiencies in current stormwater management and discharge monitoring, and amending its stormwater pollution prevention plan to reflect enhanced monitoring measures; and (4) address EPCRA/CERCLA violations by revising release reporting and training policies and conducting root cause analyses of releases.

The consent decree would also require that DSC pay a civil penalty of \$4.55 million, and perform a package of supplemental environmental projects at an estimated cost of \$1.6 million, including monitoring connectors and upgrading and replacing pumps and agitators, which should reduce volatile organic compound emissions, and performing lead abatement projects to

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