

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1189]

### Certain Dissolving Microneedle Patches for Cosmetic and Pharmaceutical Use; Commission Determination Not To Review an Initial Determination Terminating the Investigation Based on Withdrawal of the Complaint; Termination of the Investigation

**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 Administrative Law Judge's ("ALJ") initial determination ("ID") (Order No. 7) terminating the investigation in its entirety based on withdrawal of the complaint. The investigation is terminated.

**FOR FURTHER INFORMATION CONTACT:** Lynde Herzbach, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-3228. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email [EDIS3Help@usitc.gov](mailto:EDIS3Help@usitc.gov). General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal, telephone 202-205-1810.

**SUPPLEMENTARY INFORMATION:** On January 15, 2020, the Commission instituted this investigation based on a complaint, as supplemented and amended, filed on behalf of TheraJect, Inc. of Fremont, California. 85 FR 2439-40 (Jan. 15, 2020). The amended complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain dissolving microneedle patches for cosmetic and pharmaceutical use by reason of infringement of one or more of claims of U.S. Patent No. 6,945,952. *Id.* The amended complaint also alleges that a domestic industry is in the process of being established. The Commission's notice of investigation names one

respondent, Raphas Co., Ltd. of Seoul, South Korea. *Id.* The Office of Unfair Import Investigations is also named as a party in this investigation. *Id.*

On March 9, 2020, the complainant filed an unopposed motion to terminate the investigation in its entirety.

On March 18, 2020, the ALJ issued the subject ID (Order No. 7) pursuant to 19 CFR 210.21(a)(1), granting Complainant's motion. ID at 1. The ID finds that the motion for termination of this investigation complies with the Commission's rules. *Id.* at 1-2. The ID further finds that there are no extraordinary circumstances that warrant denying the motion. *Id.* at 2. No party petitioned for review of the ID.

The Commission has determined not to review the subject ID. The investigation is terminated.

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: April 3, 2020.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2020-07366 Filed 4-7-20; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Settlement Agreement Under the Atomic Energy Act and Comprehensive Environmental Response, Compensation and Liability Act

On April 1, 2020, the Department of Justice lodged a proposed Settlement Agreement between the United States, on behalf of the Nuclear Regulatory Commission ("NRC") and the Environmental Protection Agency ("EPA"), the Oklahoma Department of Environmental Quality ("ODEQ"), Fansteel, Inc. ("Debtor" or "Fansteel"), and FMRI, Inc. with the United States Bankruptcy Court for the District of Iowa in the case entitled *In re Fansteel, Inc.*, Case No. 16-01823-als11 (Bankr. S.D. Iowa).

The United States, on behalf of the NRC, filed a protective proof of claim on January 17, 2017, in this bankruptcy action, which, *inter alia*, asserted that Fansteel is liable to the United States to comply with Sections 62, 63, and 161 of the Atomic Energy Act, 42 U.S.C. 2092, 2093, 2201, applicable regulations under 10 CFR parts 20 and 40, 10 CFR

40.36, NRC license SMB-911, and the Amended Decommissioning Plan for the Muskogee Property, the facility owned by Debtor and operated by FMRI, a wholly owned subsidiary of the Debtor, and to perform the decommissioning and remediation of that Property.

Under the Settlement Agreement: (1) The Debtor will transfer Parcel D of the Muskogee property to FMRI; (2) FMRI will use funds received from the Decommissioning Trust under the Amended Decommissioning Plan, from the Plan Administrator under Fansteel's Plan of Reorganization, or from other sources for activities necessary to maintain health and safety, fulfill obligations mandated by the NRC License and Amended Decommissioning Plan, or conduct response actions pursuant to the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9601-9675, or the Oklahoma Environmental Quality Code 27A, Oklahoma Statutes § 2-1-101 *et seq.*, at the Muskogee Property; (3) the Debtor will transfer any and all causes of action the Debtor may have against potentially responsible parties at the Muskogee Property under CERCLA and Oklahoma law to FMRI; (4) the Debtor and the "Environmental Authorities" (NRC, EPA, and ODEQ) will allocate between them as provided in the Settlement Agreement any Net Proceeds received from the sale of Parcel B, any settlement reached with the Port of Muskogee regarding environmental liability for the Muskogee Property, and any other Net Proceeds received; (5) the Environmental Authorities will receive one hundred percent (100%) of any net insurance proceeds for losses related to environmental liabilities with respect to the Muskogee Property; and (6) the Environmental Authorities and FMRI will share on a fifty/fifty percent (50%/50%) basis as provided in the Settlement Agreement the proceeds from any settlement or adjudication of the third party environmental claims transferred from the Debtor to FMRI.

The publication of this notice opens a period for public comment on the proposed Settlement Agreement. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *In re Fansteel, Inc.*, Case No. 16-01823 als-11 (Bankr. S.D. Iowa) and DJ #90-10-07797/2. All comments must be submitted no later than fifteen (15) days after the publication date of this notice. Comments may be submitted either by email or by mail: