

## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-415]

### Certain Mechanical Lumbar Supports and Products Containing Same; Notice of Commission Determination not to Review a Final Initial Determination Finding no Violation of Section 337

**AGENCY:** International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review the final initial determination (ID) issued by the presiding administrative law judge (ALJ) on June 29, 1999, finding no violation of section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, in the above-captioned investigation. Accordingly, the Commission has terminated the investigation with a finding of no violation of section 337.

**FOR FURTHER INFORMATION CONTACT:** Jean Jackson, Esq., Office of the General Counsel, U.S. International Trade Commission, telephone 202-205-3104. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). Hearing-impaired persons are advised that information on the matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation of allegations of unfair acts in violation of section 337 in the importation and sale of certain mechanical lumbar supports on September 29, 1998. 63 FR 51949. The complaint alleged that five respondents had infringed two claims of U.S. Letters Patent 5,518,294 (the '294 patent) held by complainant McCord Winn Textron, Inc. (Textron) of Manchester, New Hampshire. The notice of investigation named the following respondents: Schukra Manufacturing Inc. and Schukra North America, Ltd., both of Canada, Schukra Berndorf GmbH of Austria, Schukra Automobil-Erstaussatungs GmbH, Germany, and Schukra U.S.A. of Plymouth, Michigan. On January 11, 1999, the Commission determined not to review an ID adding Advantage Technologies, Inc. of Plymouth, Michigan as a respondent. An evidentiary hearing was held March 22-26, 1999.

On June 29, 1999, the presiding ALJ issued her final ID, finding no violation of section 337, based on her finding that

respondents were not infringing the asserted patent claims. On July 12, 1999, complainant petitioned for review of the claim construction and infringement issues. Also on that date, respondents filed a contingent petition for review of the issues of patent validity and unenforceability to be considered in the event that the Commission reviewed the claim construction and infringement issues. The Commission investigative attorney (IA) did not file a petition for review. On July 19, 1999, complainant, respondents, and the IA filed responses to the petitions for review.

Having reviewed the record in this investigation, including the parties' written submissions, the Commission determined not to review the ID or ALJ Order No. 41.

This action is taken under the authority of section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, and section 210.42 of the Commission's rules of practice and procedure, 19 CFR § 210.42.

Copies of the public version of the ID, and all other nonconfidential 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.

Issued: August 16, 1999.

By order of the Commission.

**Donna R. Koehnke,**

Secretary.

[FR Doc. 99-22072 Filed 8-24-99; 8:45 am]

BILLING CODE 7020-02-P

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-851 (Preliminary)]

### Synthetic Indigo From China

#### Determination

On the basis of the record<sup>1</sup> developed in the subject investigation, the United States International Trade Commission determines, pursuant to section 733(a) of the Tariff Act of 1930 (19 U.S.C. 1673b(a)), that there is a reasonable indication that an industry in the United States is materially injured by reason of imports from China of synthetic indigo, provided for in subheadings 3204.15.10, 3204.15.40, and 3204.15.80 of the Harmonized Tariff

<sup>1</sup>The record is defined in § 207.2(f) of the Commission's rules of practice and procedure (19 CFR 207.2(f)).

Schedule of the United States, that are alleged to be sold in the United States at less than fair value (LTFV).

### Commencement of Final Phase Investigation

Pursuant to § 207.18 of the Commission's rules, the Commission also gives notice of the commencement of the final phase of its investigation. The Commission will issue a final phase notice of scheduling which will be published in the **Federal Register** as provided in § 207.21 of the Commission's rules upon notice from the Department of Commerce (Commerce) of an affirmative preliminary determination in the investigation under section 733(b) of the Act, or, if the preliminary determination is negative, upon notice of an affirmative final determination in that investigation under section 735(a) of the Act. Parties that filed entries of appearance in the preliminary phase of the investigation need not enter a separate appearance for the final phase of the investigation. Industrial users, and, if the merchandise under investigation is sold at the retail level, representative consumer organizations have the right to appear as parties in Commission antidumping and countervailing duty investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigation.

### Background

On June 30, 1999, a petition was filed with the Commission and Commerce by Buffalo Color Corporation, Parsippany, NJ, and the United Steelworkers of America, AFL-CIO/CLC, alleging that an industry in the United States is materially injured and threatened with material injury by reason of LTFV imports of synthetic indigo from China. Accordingly, effective June 30, 1999, the Commission instituted antidumping investigation No. 731-TA-851 (Preliminary).

Notice of the institution of the Commission's investigation and of a public conference 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** of July 8, 1999 (64 FR 36921). The conference was held in Washington, DC, on July 22, 1999, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determination in this investigation to

the Secretary of Commerce on August 16, 1999. The views of the Commission are contained in USITC Publication 3222 (August, 1999), entitled Synthetic Indigo from China: Investigation No. 731-TA-851 (Preliminary).

Issued: August 18, 1999.

By order of the Commission.

**Donna R. Koehnke,**

Secretary.

[FR Doc. 99-22073 Filed 8-24-99; 8:45 am]

BILLING CODE 7020-02-P

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as Amended

Consistent with Departmental policy, 28 CFR § 50.7, 38 FR 19029, and 42 U.S.C. § 9622(d), notice is hereby given that on August 10, 1999, a proposed Consent Decree in *United States v. AlliedSignal Inc., et al.*, Civil Action No. 99-3766 WHW, was lodged with the United States District Court for the District of New Jersey. The proposed Consent Decree will resolve the United States' claims under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. § 9601, *et seq.*, on behalf of the U.S. Environmental Protection Agency ("EPA") against defendants relating to the Chemsol, Inc. Superfund Site ("Site") located in Piscataway, New Jersey. The Complaint alleges that each of the defendants is liable under Section 107(a) of CERCLA, 42 U.S.C. § 9607(a).

Pursuant to the Consent Decree, the settling defendants agree and Settling Federal Agencies agree to reimburse to the United States \$3,042,205.55 out of \$5,457,205.55 in past response costs. Further, the settling work defendants, as defined in the Decree, agree to implement the remedy selected in the September 18, 1998 Record of Decision ("ROD") for the Site, estimated to cost \$17.7 million, and to reimburse the United States for all of its future response costs, as defined in the Consent Decree.

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. Any comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. AlliedSignal Inc., et*

*al.*, Civil Action No. 99-3766 WHW, D.J. Ref. 90-11-3-06104.

The proposed consent decree may be examined at the Office of the United States Attorney, District of New Jersey, 970 Broad Street, Newark, NJ 07102 and at Region II, Office of the Environmental Protection Agency, 290 Broadway, New York, NY 10007-1866 and at the Consent Decree Library, 1120 G Street, NW., 3rd Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW., 3rd Floor, Washington, DC 20005. In requesting a copy, please enclose a check (there is a 25 cent per page reproduction cost) in the amount of \$29.00 payable to the Consent Decree Library.

**Walker B. Smith,**

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

[FR Doc. 99-21978 Filed 8-24-99; 8:45 am]

BILLING CODE 4410-15-M

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Order Pursuant to the Clean Water Act and the Rivers and Harbors Act

Notice is hereby given that a proposed Consent Decree in *United States v. Material Service Corporation*, Civil Action No. 95 C 3550, has been lodged with the United States District Court for the Northern District of Illinois on August 10, 1999.

The Consent Decree resolves claims alleged against defendant, Material Service Corporation ("Material Service"), under the Clean Water Act, 33 U.S.C. § 1251 *et seq.*, and the Rivers and Harbors Act, 33 U.S.C. § 403, that Material Service destroyed approximately 37 acres of high-quality wetlands and filled in parts of the Des Plaines River without a permit. Material Service has agreed to pay a civil penalty of \$500,000 and to pay \$7,000,000 to be used for restoration and preservation of degraded wetland areas in the lower Des Plaines and Kankakee River valleys similar to those impacted by the violation.

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 of the Environment and Natural Resources Division, U.S. Department of Justice, P.O. Box 7611, Washington, D.C. 20044, and should refer to *United States v.*

*Material Service Corporation*, D.J. Ref. 90-5-1-1-05381.

The proposed Consent Decree may be examined at the office of the United States Attorney for the Northern District of Illinois, 219 S. Dearborn St., Chicago, Illinois 60604, and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the proposed Consent Decree may also be obtained in person or by mail from the Consent Decree Library. In requesting a copy, please enclose a check in the amount of \$4.75 (25 cents per page reproduction costs) payable to the "Consent Decree Library."

**Letitia J. Grishaw,**

Chief, Environmental Defense Section, Environment and Natural Resources Division.

[FR Doc. 99-21977 Filed 8-24-99; 8:45 am]

BILLING CODE 4410-15-M

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Testing Innovative Methods of Providing Reemployment Assistance and Training to Eligible Workers

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Notice of Solicitation for Grant Applications (SGA).

**SUMMARY:** The U.S. Department of Labor (DOL), Employment and Training Administration (ETA), announces a demonstration program to test innovative methods of providing reemployment assistance and training to eligible workers. Through this notice, DOL seeks to identify a national group of vanguard sites committed to implementing Individual Training Accounts (ITAs as described in the WIA) and to the establishment of an Eligible Provider List process that is consistent with the WIA framework and informed by best practice and insight from the field. Awardees under this program will serve as innovative national laboratories for ITA implementation. Awardees will receive intensive technical assistance, test new approaches and practices and participate in a rigorous evaluation. In addition, they will participate in and help structure national DOL activities meant to identify and disseminate lessons learned. The demonstration project will inform ITA development as part of state and workforce system-building more generally.

The program will be funded with the Secretary's National Reserve funds