

this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: Mareesa A. Frederick, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2055.

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2008).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on December 4, 2008, *ordered that*—
(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation, of certain tunable laser chips, assemblies, and products containing same that infringes one or more of claims 1, 3, 4, 30-39, 43-49, 51, 67-73, and 77-80 of U.S. Patent No. 6,658,035 and claims 1-6, 8-10, 12-17, 19-21, and 23-26 of U.S. Patent No. 6,687,278, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is—JDS Uniphase Corporation, 430 N. McCarthy Boulevard, Milpitas, California 95035.

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Bookham, Inc., 2584 Junction Avenue, San Jose, California 95134;
Syntune AB, Torshamnsgatan 30A, S-164 40, Kista, Sweden;

Cyoptics, Inc., 9999 Hamilton Boulevard, Breinigsville,

Pennsylvania 18031;

Tellabs, Inc., One Tellabs Center, 1415 West Diehl Road, Naperville, Illinois 60563;

Adva Optical Networking, Campus Martinsried, Fraunhoferstrasse 9a, 82152 Martinsried/Munich, Germany;

Ciena Corp., 1201 Winterson Road, Linthicum, Maryland 21090;

Nortel Networks Corp., 195 The West Mall, Toronto, Ontario, Canada, M9C 5K1.

(c) The Commission investigative attorney, party to this investigation, is

Mareesa A. Frederick, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Room 401, Washington, DC 20436; and

(3) For the investigation so instituted, Paul J. Luckern, Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(d) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: December 5, 2008.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. E8-30176 Filed 12-18-08; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701-TA-459 and 731-TA-1155 (Preliminary)]

Commodity Matchbooks from India; Determinations

On the basis of the record¹ developed in the subject investigations, the United States International Trade Commission (Commission) determines, pursuant to section 703(a) of the Tariff Act of 1930 (19 U.S.C. 1671b(a)) (the Act), that there

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

is a reasonable indication that an industry in the United States is injured by reason of imports from India of commodity matchbooks, provided for in subheading 3605.00.00 of the Harmonized Tariff Schedule of the United States, that are alleged to be subsidized by the Government of India. The Commission further determines, pursuant to section 733(a) of the Act (19 U.S.C. 1673b(a)), that there is a reasonable indication that an industry in the United States is injured by reason of imports from India of commodity matchbooks, that are alleged to be sold in the United States at less than fair value (LTFV).

Commencement of Final Phase Investigations

Pursuant to section 207.18 of the Commission's rules, the Commission also gives notice of the commencement of the final phase of its investigations. The Commission will issue a final phase notice of scheduling, which will be published in the **Federal Register** as provided in section 207.21 of the Commission's rules, upon notice from the Department of Commerce (Commerce) of affirmative preliminary determinations in the investigations under section 703(b) and section 733(b) of the Act, or, if the preliminary determinations are negative, upon notice of affirmative final determinations in those investigations under section 705(a) and section 735(a) of the Act. Parties that filed entries of appearance in the preliminary phase of the investigations need not enter a separate appearance for the final phase of the investigations. 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 investigations.

Background

On October 29, 2008, a petition was filed with the Commission and Commerce by D.D. Bean & Sons Co., alleging that an industry in the United States is materially injured or threatened with material injury by reason of subsidized imports of commodity matchbooks from India, and by reason of LTFV imports from India. Accordingly, effective October 29, 2008, the Commission instituted countervailing duty and antidumping duty investigation Nos. 701-TA-459 and 731-TA-1155 (Preliminary).

Notice of the institution of the Commission's investigations 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 November 5, 2008 (73 FR 65881). The conference was held in Washington, DC, on November 17, 2008, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determinations in these investigations to the Secretary of Commerce on December 15, 2008. The views of the Commission are contained in USITC Publication 4054 (December 2008), entitled *Commodity Matchbooks from India: Investigation Nos. 701-TA-459 and 731-TA-1155 (Preliminary)*.

By order of the Commission.
Issued: December 15, 2008.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. E8-30178 Filed 12-18-08; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-745 (Second Review)]

Steel Concrete Reinforcing Bar From Turkey; Determination

On the basis of the record¹ developed in the subject five-year review, the United States International Trade Commission (Commission) determines, pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)), that revocation of the antidumping duty order on steel concrete reinforcing bar from Turkey would not be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.²

Background

The Commission instituted this review on February 1, 2008 (73 FR 6206) and determined on May 6, 2008 that it would conduct a full review (73 FR 27847, May 14, 2008). Notice of the scheduling of the Commission's review and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office

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

² Commissioners Charlotte R. Lane and Irving A. Williamson dissenting.

of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** on June 11, 2008 (73 FR 33116). The hearing was held in Washington, DC, on October 16, 2008, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determination in this review to the Secretary of Commerce on December 15, 2008. The views of the Commission are contained in USITC Publication 4052 (December 2008), entitled *Steel Concrete Reinforcing Bar from Turkey: Investigation No. 731-TA-745 (Second Review)*.

By order of the Commission.

Issued: December 15, 2008.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. E8-30179 Filed 12-18-08; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980

Notice is hereby given that on December 9, 2008, a Complaint was filed and a proposed Consent Decree was lodged with the United States District Court for the District of Massachusetts in *United States of America v. City of Attleboro, Massachusetts, et al.*, Civil Action No. 1:08-cv-120378.

In this action the United States seeks reimbursement of response costs incurred by EPA for response actions at the Shpack Landfill Superfund Site ("Site") in Norton and Attleboro Massachusetts, and performance of studies and response work at the Site consistent with the National Contingency Plan, 40 CFR part 300, pursuant to Sections 106 and 107 of the Comprehensive Environmental, Response, Compensation, and Liability Act, 42 U.S.C. 9606 and 9607 ("CERCLA"). The Consent Decree provides that the settling parties will perform the chemical portion of the cleanup work at the Site, currently estimated at \$29 million, as well as reimburse EPA for up to \$2.9 million of EPA's future costs. The Consent Decree includes a covenant not to sue by the United States under Sections 106 and 107 of CERCLA, §§ 9606 and 9607, and Section 7003 of the Resource

Conservation and Recovery Act ("RCRA"), 42 U.S.C. 6973.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Consent Decree.

Commenters may request an opportunity for a public meeting in the affected area, in accordance with Section 7003(d). Comments should be addressed to the Principal Deputy Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to pubcomment-ees.enrd@usdoj.gov or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. City of Attleboro, Massachusetts, et al.*, D.J. Ref. 90-11-2-08360.

The Consent Decree may be examined at the Office of the United States Attorney, 1 Courthouse Way, John Joseph Moakely Courthouse, Suite 9200, Boston, MA 02210, and U.S. EPA Region 1, One Congress St., Suite 1100, Boston, MA 02114. During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site, http://www.usdoj.gov/enrd/Consent_Decrees.html. A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood (tonia.fleetwood@usdoj.gov), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$125.50 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if by e-mail or fax, forward a check in that amount to the Consent Decree Library at the stated address.

Ronald G. Gluck,

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

[FR Doc. E8-30142 Filed 12-18-08; 8:45 am]

BILLING CODE 4410-15-P

DEPARTMENT OF LABOR

Bureau of International Labor Affairs; Request for Information on Efforts by Certain Countries To Eliminate the Worst Forms of Child Labor

AGENCY: The Bureau of International Labor Affairs, United States Department of Labor.