

advisory opinion proceedings and has certified the consolidated proceedings to administrative law judge Paul J. Luckern. The administrative law judge may conduct such proceedings as appropriate for the issuance of an enforcement initial determination and an initial advisory opinion.

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 sections 210.75 and 210.79 of the Commission's Rules of Practice and Procedure (19 CFR 210.75, 210.79).

By order of the Commission.

Issued: June 20, 2008.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. E8-14462 Filed 6-25-08; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-638]

In the Matter of Certain Intermediate Bulk Containers; Notice of Decision Not To Review an Initial Determination Finding the Sole Remaining Respondent in Default; Request for Written Submissions on Remedy, the Public Interest, and Bonding

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 an initial determination ("ID") (Order No. 6) issued by the presiding administrative law judge ("ALJ") finding the last remaining respondent in this investigation in default. Accordingly, the Commission requests written submissions, under the schedule set forth below, on remedy, public interest, and bonding.

FOR FURTHER INFORMATION CONTACT: Mark B. Rees, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-3116. Copies of non-confidential 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. General information concerning the Commission may also be obtained by accessing its Internet server at <http://www.usitc.gov>.

The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on March 10, 2008, based on a complaint filed by Schütz Container Systems Inc. of North Branch, New Jersey and Protechna, S.A. of Switzerland (collectively, "Schütz"), alleging violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain intermediate bulk containers by reason of infringement of certain claims of United States Patent Nos. 4,909,387; 5,253,777; and 5,673,630. 73 FR 13919 (March 14, 2008). The complaint named Shanghai Kingtainer Packaging Container Co., Ltd. of China ("Kingtainer") and Novus International, Inc. of St. Louis, Missouri ("Novus") as respondents.

On April 2, 2008, Schütz and Novus jointly moved to terminate the investigation with respect to Novus based on a settlement agreement between them, which motion was allowed in an unreviewed ID.

On April 18, 2008, Schütz moved, pursuant to Commission Rule 210.16(b), for an order to show cause why Kingtainer should not be found in default and, upon failure to show cause, for the issuance of an ID finding Kingtainer in default. On May 2, 2008, the ALJ ordered Kingtainer to show cause, no later than the close of business on May 16, 2008, why it should not be found in default for failure to respond to the Complaint and Notice of Investigation (Order No. 4). No response to Order No. 4 was filed.

On May 22, 2008, the ALJ issued the subject ID (Order No. 6) finding Kingtainer in default under Commission Rule 210.16(c). No petitions for review of this ID were filed. The Commission has determined not to review the ALJ's ID.

Kingtainer is the last remaining respondent in this investigation, the investigation having been terminated with respect to the only other respondent based on a settlement agreement.

Section 337(g)(1) and Commission Rule 210.16(c) authorize the Commission to order relief against a respondent found in default unless, after consideration of the public-interest

factors, it finds that such relief should not issue. Schütz did not file a declaration stating that it was seeking a general exclusion order as provided in Commission Rule 210.16(c).

In conjunction with the final disposition of this investigation, therefore, the Commission may: (1) Issue an order that could result in the exclusion of articles manufactured or imported by the defaulting respondent; and/or (2) issue a cease and desist order that could result in the defaulting respondent being required to cease and desist from engaging in unfair acts in the importation and sale of such articles. Accordingly, the Commission is interested in receiving written submissions that address the form of remedy, if any, that should be ordered. If a party seeks exclusion of an article from entry into the United States for purposes other than entry for consumption, the party should so indicate and provide information establishing that activities involving other types of entry either are adversely affecting it or likely to do so. For background, see *In the Matter of Certain Devices for Connecting Computers via Telephone Lines*, Inv. No. 337-TA-360, USITC Pub. 2843 (Dec. 1994) (Comm'n Op.).

If the Commission contemplates some form of remedy, it must consider the effects of that remedy upon the public interest. The factors the Commission will consider include the effect that an exclusion order and/or cease and desist orders would have on (1) The public health and welfare, (2) competitive conditions in the U.S. economy, (3) U.S. production of articles that are like or directly competitive with those that are subject to investigation, and (4) U.S. consumers. The Commission is therefore interested in receiving written submissions that address the aforementioned public interest factors in the context of this investigation.

If the Commission orders some form of remedy, the U.S. Trade Representative, as delegated by the President, has 60 days to approve or disapprove the Commission's action. See Presidential Memorandum of July 21, 2005, 70 FR 43251 (July 26, 2005). During this period, the subject articles would be entitled to enter the United States under bond, in an amount determined by the Commission and prescribed by the Secretary of the Treasury. The Commission is therefore interested in receiving submissions concerning the amount of the bond that should be imposed if a remedy is ordered.

Written Submissions: The parties to the investigation, interested government

agencies, and any other interested parties are encouraged to file written submissions on the issues of remedy, the public interest, and bonding. Complainant and the Commission investigative attorney are also requested to submit proposed remedial orders for the Commission's consideration. Complainant is further requested to state the dates that the asserted patents expire and the HTSUS numbers under which the accused products are imported. Main written submissions and proposed remedial orders must be filed no later than the close of business on July 11, 2008. Reply submissions must be filed no later than the close of business on July 18, 2008. No further submissions on these issues will be permitted unless otherwise ordered by the Commission.

Persons filing written submissions must file the original document and 12 true copies thereof with the Office of the Secretary on or before the aforementioned deadlines. Any person desiring to submit a document to the Commission in confidence must request confidential treatment unless the information has already been granted such treatment during the proceedings. All such requests should be directed to the Secretary of the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 CFR 210.6. Documents for which confidential treatment by the Commission is sought will be treated accordingly. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary.

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 sections 210.16 and 210.42–46 of the Commission's Rules of Practice and Procedure (19 CFR 210.16, 210.42–46).

By order of the Commission.

Issued: June 20, 2008.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. E8–14439 Filed 6–25–08; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Water Act

Under 28 CFR 50.7, notice is hereby given that on June 18, 2008, a proposed Consent Decree (“Consent Decree”) in the matter of *United States v. City of Shelton*, Civil Action No. 3:08–cv–00919–SRU, was lodged with the United

States District Court for the District of Connecticut.

In the complaint in this matter, the United States sought injunctive relief and civil penalties against the City of Shelton (“the City”) for claims arising under the Clean Water Act, in connection with the operation of the City's wastewater collection system as well as the City's wastewater treatment plant located on the Housatonic River. Under the Consent Decree, the City will perform necessary upgrades to comply with the Clean Water Act, and pay a civil penalty of \$142,000, which will be divided equally between the United States and the State of Connecticut.

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. Comments should be addressed to the 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 Shelton*, D.J. Ref. No. 90–5–1–1–08406.

The Consent Decree may be examined at the Office of the United States Attorney, 450 Main Street, Hartford, Connecticut, 06103, and at U.S. EPA Region I, Robert F. Kennedy Federal Building, Boston, Massachusetts 02203–2211. 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 number (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 \$8.00 (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 Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. E8–14467 Filed 6–25–08; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

Agency Information Collection Activities: Extension of a Currently Approved Information Collection With Non-Substantive Changes; Comment Request

ACTION: 60-day notice of information collection under review: Labor Condition Application For H–1b, H–1b1, and E–3 Nonimmigrants; Forms ETA–9035, ETA–9035CP, ETA–9035E, and WH–4, OMB Control No. 1205–0310.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, is conducting a pre-clearance consultation to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This consultation is undertaken to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Employment and Training Administration is soliciting comments concerning Forms ETA–9035, ETA–9035CP, ETA–9035E, and WH–4; Labor Condition Application For H–1b, H–1b1, and E–3 Nonimmigrants. A copy of the proposed information collection request (ICR) can be obtained by contacting the office listed below in the addressee section of this notice or at this WEB site: <http://www.doleta.gov/OMB/OMBControlNumber.cfm>

DATES: Written comments must be submitted to the office listed in the addressee section below on or before August 25, 2008.

ADDRESSES: William L. Carlson, Administrator, Office of Foreign Labor Certification, U.S. Department of Labor, Room C4312, 200 Constitution Ave., NW., Washington, DC 20210. Phone (202) 693–3010 (this is not a toll-free number), fax (202) 693–2768, or e-mail at ETA.OFLC.Forms@dol.gov subject line: LCA.

SUPPLEMENTARY INFORMATION:

I. Background

The information collection is required by sections 212(n) and (t) and 214(c) of the Immigration and Nationality Act