

final ID, the Commission determined that there was a violation of section 337 by AATI with respect to certain asserted claims of the '258 patent and issued a limited exclusion order ("LEO") consistent with its findings of violation. Subsequently, based on an enforcement complaint filed by Linear, the Commission instituted an enforcement proceeding by notice in the **Federal Register** on October 10, 2008.

On March 18, 2010, the ALJ issued the subject ID, finding that, due to infringement of claims 2 and 34 of the '258 patent by the accused products, AATI violated the LEO. On May 17, 2010, the Commission determined not to review the ID and requested briefing from the parties regarding remedy, the public interest, and bonding.

Having reviewed the record of this investigation, including the recent submissions by the parties, for the reasons set forth in the Commission Opinion, the Commission has determined not to modify the existing limited exclusion order and not to issue a cease-and-desist order. The products at issue in the enforcement proceeding are covered by the existing limited exclusion order, and should be excluded thereunder.

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).

Issued: July 19, 2010.

By order of the Commission.

**William R. Bishop,**

*Acting Secretary to the Commission.*

[FR Doc. 2010-18031 Filed 7-22-10; 8:45 am]

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## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-706]

### In the Matter of Certain Wireless Communications System Server Software, Wireless Handheld Devices and Battery Packs: Notice of Commission Determination Not To Review An Initial Determination Terminating the Investigation In Its Entirety On the Basis of A Settlement Agreement; 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 an initial determination ("ID") (Order No. 13) of the presiding administrative law judge ("ALJ") terminating the above-captioned investigation on the basis of a settlement agreement.

**FOR FURTHER INFORMATION CONTACT:** Jia Chen, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 708-4737. 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 February 24, 2010, based on a complaint filed by Motorola, Inc. ("Motorola") of Schaumburg, Illinois. 75 FR 8401 (Feb. 24, 2010). The complainant named the following respondents: Research in Motion Limited and Research in Motion Corporation (collectively "RIM"). The complaint alleges violations of section 337 of the Tariff Act of 1930, 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 wireless communications system server software, wireless handheld devices and battery packs by reason of infringement of certain claims of U.S. Patent Nos. 5,319,712; 5,359,317; 5,569,550; 6,232,970; and 6,272,333.

On June 17, 2010, Motorola and RIM filed a joint motion before the ALJ to terminate the investigation on the basis of a settlement agreement. A copy of their settlement agreement is attached to the joint motion. On June 24, 2010, the Commission investigative attorney ("IA") filed a response supporting the parties' motion. On June 29, 2010, the ALJ issued the subject ID granting the joint motion to terminate. No petitions for review were filed.

The Commission has determined not to review the 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 section 210.42(h) of the Commission's Rules of Practice and Procedure (19 CFR 210.42(h)).

By order of the Commission.

Issued: July 20, 2010.

**William R. Bishop,**

*Acting Secretary to the Commission.*

[FR Doc. 2010-18048 Filed 7-22-10; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Water Act

Notice is hereby given that on July 20, 2010, a proposed Consent Decree in *United States v. Cardi Materials, LLC* ("Cardi") Civil Action No. 10-300 (ML), was lodged with the United States District Court for the District of Rhode Island.

In this action, the United States seeks, *inter alia*, injunctive relief in relation to discharges by Cardi from its concrete and asphalt manufacturing facility, in violation of, and at times in the absence of a National Pollutant Discharge Elimination System Permit issued under the Clean Water Act, 33 U.S.C. 1251, *et seq.*, and with respect to violations of the Oil Pollution Prevention regulations at 40 CFR part 112. The Consent Decree requires Cardi, among other things, to: (1) Eliminate process water discharge; (2) maintain compliance with applicable storm water discharge permits and its storm water prevention plan; (3) maintain compliance with a suitable spill prevention control and countermeasure plan; (4) designate a qualified environmental compliance officer; (5) conduct employee training; and (6) conducting quarterly storm water sampling. The Consent Decree also requires Cardi to pay a civil penalty of \$55,000.00 and undertake a Supplemental Environmental Project.

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](mailto: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. Cardi Materials LLC*, D.J. Ref. 90–5–1–1–09413.

The Consent Decree may be examined at the Office of the United States Attorney, District of Rhode Island, 50 Kennedy Plaza, Providence, RI, and at U.S. EPA Region 1, 1 Congress Street, Boston, MA. During the public comment period, the Consent Decree, may also be examined on the following Department of Justice Web site, to [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](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](mailto: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 \$15.25 (25 cents per page reproduction costs of Consent Decree and Appendices) 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.

**Maureen Katz,**

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

[FR Doc. 2010–18073 Filed 7–22–10; 8:45 am]

**BILLING CODE 4410–15–P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Request for Certification of Compliance —Rural Industrialization Loan and Grant Program

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

**ACTION:** Notice.

**SUMMARY:** The Employment and Training Administration is issuing this notice to announce the receipt of a “Certification of Non-Relocation and Market and Capacity Information Report” (Form 4279–2) for the following:

*Applicant/Location:* The Ballparks of Cooperstown, LLC/Richfield and Warren, New York.

*Principal Product/Purpose:* The loan, guarantee, or grant application is to allow a new business venture to acquire land, pay for design and entitlement work, and cover short-term operating expenses. The NAICS industry codes for this enterprise are: 713990 All Other Amusement and Recreational Industries; and, 722310 Food Service Contractors.

**DATES:** All interested parties may submit comments in writing no later than August 6, 2010. Copies of adverse comments received will be forwarded to the applicant noted above.

**ADDRESSES:** Address all comments concerning this notice to Anthony D. Dais, U.S. Department of Labor, Employment and Training Administration, 200 Constitution Avenue, NW., Room S–4231, Washington, DC 20210; or e-mail [Dais.Anthony@dol.gov](mailto:Dais.Anthony@dol.gov); or transmit via fax (202) 693–3015 (this is not a toll-free number).

**FOR FURTHER INFORMATION CONTACT:** Anthony D. Dais, at telephone number (202) 693–2784 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:** Section 188 of the Consolidated Farm and Rural Development Act of 1972, as established under 29 CFR Part 75, authorizes the United States Department of Agriculture to make or guarantee loans or grants to finance industrial and business activities in rural areas. The Secretary of Labor must review the application for financial assistance for the purpose of certifying to the Secretary of Agriculture that the assistance is not calculated, or likely, to result in: (a) A transfer of any employment or business activity from one area to another by the loan applicant’s business operation; or, (b) An increase in the production of goods, materials, services, or facilities in an area where there is not sufficient demand to employ the efficient capacity of existing competitive enterprises unless the financial assistance will not have an adverse impact on existing competitive enterprises in the area. The Employment and Training Administration within the Department of Labor is responsible for the review and certification process. Comments should address the two bases for certification and, if possible, provide data to assist in the analysis of these issues.

Signed: at Washington, DC, this 19th day of July 2010.

**Jane Oates,**

*Assistant Secretary for Employment and Training.*

[FR Doc. 2010–18045 Filed 7–22–10; 8:45 am]

**BILLING CODE 4510–FN–P**

## NUCLEAR REGULATORY COMMISSION

[NRC–2009–0282]

### Notice of Issuance of Regulatory Guide

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of Issuance and Availability of Regulatory Guide 1.141, Revision 1.

#### FOR FURTHER INFORMATION CONTACT:

Robert G. Carpenter, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, telephone (301) 251–7483 or e-mail to [Robert.Carpenter@nrc.gov](mailto:Robert.Carpenter@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is issuing a revision to an existing guide in the agency’s “Regulatory Guide” series. This series was developed to describe and make available to the public information such as methods that are acceptable to the NRC staff for implementing specific parts of the agency’s regulations, techniques that the staff uses in evaluating specific problems or postulated accidents, and data that the staff needs in its review of applications for permits and licenses.

Revision 1 of Regulatory Guide 1.141, “Containment Isolation Provisions for Fluid Systems,” was issued with a temporary identification as Draft Regulatory Guide, DG–1213. RG 1.141 describes updated methods that the NRC staff considers acceptable for use in complying with the Commission’s requirements for containment isolation of fluid systems. Title 10, of the Code of Federal Regulations, Part 50, “Domestic Licensing of Production and Utilization Facilities”, Appendix A, “General Design Criteria for Nuclear Power Plants,” General Design Criteria 54, 55, 56, and 57 establishes that piping systems that penetrate the primary reactor containment be provided with isolation capabilities that reflect the importance to safety of isolating these piping systems.

##### II. Further Information

In June 2009, DG–1213 was published with a public comment period of 60 days from the issuance of the guide. The public comment period closed on August 29, 2009. The staff received no public comments. The regulatory analysis may be found through the NRC’s Agencywide Documents Access and Management System (ADAMS) under Accession No. ML101870472.