

## INTERNATIONAL TRADE COMMISSION

### [Investigation 332–325]

#### The Economic Effects of Significant U.S. Import Restraints: Fourth Update

**AGENCY:** United States International Trade Commission.

**ACTION:** Notice of fourth update report and scheduling of public hearing.

**EFFECTIVE DATE:** August 14, 2003.

**SUMMARY:** The Commission has announced the schedule for its fourth update report in investigation No. 332–325, The Economic Effects of Significant U.S. Import Restraints, and has established deadlines for the submission of requests to appear at the hearing and for the filing of written submissions as set forth below. The investigation was requested by the Office of the U.S. Trade Representative (USTR) in May 1992. That request called for an initial investigation and subsequent updates, under section 332(g) of the Tariff Act of 1930 (19 U.S.C. 1332(g)).

**FOR FURTHER INFORMATION CONTACT:** Soamiely Andriamananjara, Project Leader (202) 205–3252 or Marinos Tsigas, Deputy Project Leader (202) 708–3654, Office of Economics, U.S. International Trade Commission, Washington, DC 20436. For information on the legal aspects of this investigation, contact William Gearhart of the Office of the General Counsel (202) 205–3091. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the TDD terminal on (202) 205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205–2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for these investigations may be viewed on the Commission's electronic docket (EDIS–ON–LINE) at <http://dockets.usitc.gov/eol/public>.

#### Background

The Commission instituted this investigation following receipt on May 15, 1992 of a request from the USTR. The request asked that the Commission conduct an investigation assessing the quantitative economic effects of significant U.S. import restraints on the U.S. economy, and prepare periodic update reports following the submission of the first report. The first report was delivered to the USTR in November 1993, the first update in December 1995,

the second update in May 1999, and the third update in June 2002.

In this fourth update report, the Commission will assess the economic effects of significant tariff and non-tariff U.S. import restraints on U.S. consumers, on the activities of U.S. firms, on the income and employment of U.S. workers, and on the net economic welfare of the United States. The assessment will not include import restraints resulting from final antidumping or countervailing duty investigations, section 337 and 406 investigations, or section 301 actions.

The initial notice of institution of this investigation was published in the **Federal Register** of June 17, 1992 (57 FR 27063).

#### Public Hearing

A public hearing in connection with the investigation will be held at the U.S. International Trade Commission Building, 500 E Street SW., Washington, DC, beginning at 9:30 a.m. on December 9, 2003. All persons shall have the right to appear, by counsel or in person, to present information and to be heard. Requests to appear at the public hearing should be filed with the Secretary, United States International Trade Commission, 500 E Street SW., Washington, DC 20436, no later than 5:15 p.m., November 14, 2003. Any prehearing briefs (original and 14 copies) should be filed not later than close of business, November 17, 2003; the deadline for filing post-hearing briefs or statements is the close of business, January 10, 2004. In the event that, as of the close of business on November 14, 2003, no witnesses are scheduled to appear at the hearing, the hearing will be canceled. Any person interested in attending the hearing as an observer or non-participant may call the Secretary to the Commission (202) 205–2000 after November 20, 2003, to determine whether the hearing will be held.

#### Written Submissions

In lieu of or in addition to participating in the hearing, interested parties are invited to submit written statements (original and 14 copies) concerning the matters to be addressed by the Commission in its report on this investigation. Commercial or financial information that a submitter desires the Commission to treat as confidential must be submitted on separate sheets of paper, each clearly marked “Confidential Business Information” at the top. All submissions requesting confidential treatment must conform with the requirements of section 201.6 of the Commission's Rules of Practice

and Procedure (19 CFR 201.6). All written submissions, except for confidential business information, will be made available in the Office of the Secretary for inspection by interested parties. To be assured of consideration by the Commission, written statements relating to the Commission's report should be submitted to the Commission at the earliest practical date and should be received no later than the close of business on January 10, 2004. All submissions should be addressed to the Secretary, United States International Trade Commission, 500 E St. SW., Washington, DC 20436. The Commission's rules do not authorize filing submissions with the Secretary by facsimile or electronic means, except to the extent permitted by section 201.8 of the Commission's Rules (19 CFR 201.8) (see Handbook for Electronic Filing Procedures, [ftp://ftp.usitc.gov/pub/reports/electronic\\_filing\\_handbook.pdf](ftp://ftp.usitc.gov/pub/reports/electronic_filing_handbook.pdf)).

Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205–2000. General information concerning the Commission may be obtained by accessing its Internet server (<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>.

*List of Subjects:* U.S. Import Restraints, Nontariff measures (NTM), Tariffs, Imports.

By order of the Commission.

Issued: August 15, 2003.

**Marilyn R. Abbott,**  
Secretary.

[FR Doc. 03–21455 Filed 8–20–03; 8:45 am]

**BILLING CODE 7020–02–P**

## DEPARTMENT OF JUSTICE

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

Pursuant to 28 CFR 50.7 notice is hereby given that on July 31, 2003, a proposed Consent Decree in *United States v. E.F.I. DuPont De Nemours and Company* (“DuPont”), Civil Action No. 5.03CV–175–R, was lodged with the United States District Court for the Western District of Kentucky.

The Consent Decree resolves the government's claims for violations of the General Duty of Care provisions of the Clean Air Act, 42 U.S.C. 7412(r),

with respect to DuPont's fluoroproducts plant in Louisville, Kentucky.

The settlement provides for payment of \$550,000 in civil penalties and performance of eight Supplemental Environmental Projects ("SEPs") valued at \$552,000. Under the proposed SEPs, DuPont will provide emergency response equipment and training for Local Emergency Planning Committees ("LEPCs"), provide a green buffer zone between its facility and the surrounding area, and contract with a community group in an environmental justice area to set up a website on environmental issues and ensure that the group can continue to run its information center which disseminates information on environmental issues.

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, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. E.I. DuPont De Nemours and Company*, D.J. Ref. 90-5-2-1-2099/2.

The Consent Decree may be examined at U.S. EPA Region 4, 61 Forsyth Street, Atlanta, Georgia 30303. 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/open.html>. A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, PO 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 \$14.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Ellen M. Mahan,**

*Assistant Section Chief, Environmental Enforcement Section.*

[FR Doc. 03-21388 Filed 8-20-03; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Clean Air Act

In accordance with Department policy, 28 U.S.C. 50.7, notice is hereby given that a proposed Consent Decree in *United States v. Earthgrains Baking Companies, Inc., et al.*, Civil Action No.

4-03CV01043SNL, was lodged on July 31, 2003, with the United States District Court for the Eastern District of Missouri.

In this action the United States sought civil penalties and injunctive relief for Defendants' violations of the industrial refrigerant, repair, testing, record-keeping, and reporting regulations at 40 CFR, part 82, subpart F, §§ 82.156-82.166 ("Recycling and Emissions Reduction"), promulgated pursuant to subchapter VI of the Act ("Stratospheric Ozone Protection"), 42 U.S.C. 7671-7671q.

The Consent Decree settles an action brought under section 113 of the Clean Air Act, 42 U.S.C. 7413. The Consent Decree provides that *Earthgrains Baking Companies, Inc., et al.*, will pay the United States \$5.25 million in civil penalties, and perform extensive injunctive relief by retrofitting, replacing, or retiring a total of 264 Industrial Refrigeration Appliances and Commercial Refrigeration Appliances that presently contain ozone depleting substances with non-ozone depleting substances (e.g. glycol, water, ammonia, etc).

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 for the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Earthgrains Baking Companies, Inc., et al.*, D.J. Ref. #90-5-2-1-07388.

The proposed Consent Decree may be examined at the office of the United States Attorney, Eastern District of Missouri, Thomas F. Eagleton U.S. Courthouse, 111 South 10th Street, Room 20.333, St. Louis, Missouri 63102; the Headquarters Office of the Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460. 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/open.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 \$10.00 (25 cents per

page reproduction costs), payable to the U.S. Treasury.

**Robert Maher,**

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

[FR Doc. 03-21392 Filed 8-20-03; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

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

Under 28 CFR 50.7, notice is hereby given that on August 11, 2003, a proposed Consent Decree ("Decree") in *United States v. Glencore AG*, Civil Action No. 3:03CV1381 (JBA) was lodged with the United States District Court for the District of Connecticut.

In this action the United States seeks civil penalties and injunctive relief to address Glencore's alleged violations of the Clean Air Act and its implementing regulations in 40 CFR part 80 with respect to Glencore's importation, refining, distribution and sale of reformulated and conventional motor gasoline within the United States. The alleged violations include exceedances of the regulatory limits for Reid vapor pressure and exhaust benzene levels for certain batches of gasoline, three reporting or record keeping violations, and a tank sampling violation. To resolve these alleged violations, the Decree requires Glencore to pay a civil penalty of \$450,000 to the United States and complete a three-year "Compliance Assurance Program" as specified in the Decree to ensure Glencore's future compliance with the Clean Air Act's programs and regulations concerning reformulated and conventional motor gasoline. The Compliance Assurance Program requires Glencore to retain an auditor or consultant to perform certain detailed periodic reviews and verification procedures with respect to Glencore's records, reports and laboratory data concerning its compliance with applicable fuel regulations.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, D.C. 20044-7611, and should refer to *United States v. Glencore AG*, Civil Action No. 3:03CV1381 (JBA) (D. Conn.), D.J. Ref. 90-5-2-1-2169.

The Decree may be examined at the Office of the United States Attorney,