moisture, 9.69 percent ash, 38.88 percent volatile matter, 43.85 percent fixed carbon and 1.26 percent sulfur.

In accordance with Federal coal management regulations 43 CFR 3422 and 3425, the public meeting is being held on the proposed sale to allow public comment on and discussion of the potential effects of mining and proposed lease. The meeting is being advertised in the Richfield Reaper located in Richfield, Utah and the Emery County Progress located in Castle Dale, Utah. 43 CFR 3422 states that, no less than 30 days prior to the publication of the notice of the sale, the Secretary shall submit public comments on the Fair Market Value appraisal and the Maximum Economic Recovery and on factors that may affect these two determinations.

Proprietary data marked as confidential may be submitted to the BLM in response to this solicitation of public comments. Data so marked shall be treated in accordance with the laws and regulations governing confidentiality of such information. A copy of the comments submitted by the public on fair market value and maximum economic recovery, except those portions identified as proprietary by the author and meeting exemptions stated in the Freedom of Information Act, will be available for public inspection at the Bureau of Land Management, Utah State Office during regular business hours (8 a.m.–4 p.m.) Monday through Friday. Comments on the Fair Market Value and Maximum Economic Recovery should be sent to the Bureau of Land Management and should address, but not necessarily be limited to the following information:

1. The quality of the coal resource;

2. The mining methods or methods which would achieve maximum economic recovery of the coal, including specifications of seams to be mined and the most desirable timing and rate of production;

3. Whether this tract is likely to be mined as part of an existing mine and therefore should be evaluated on a realistic incremental basis, in relation to the existing mine to which it has the greatest value;

4. Whether the tract should be evaluated as part of a potential larger mining unit and revaluated as a portion of a new potential mine (*i.e.,* a tract which does not in itself form a logical mining unit);

5. Restrictions to mining that may affect coal recovery;

6. The price that the mined coal would bring when sold;

7. Costs, including mining and reclamation, of producing the coal and the time of production;

8. The percentage rate at which anticipated income streams should be discounted, either with inflation or in the absence of inflation, in which case the anticipated rate of inflation should be given;

9. Depreciation, depletion, amortization and other tax accounting factors;

10. The value of any surface estate where held privately;

11. Documented information on the terms and conditions of recent and similar coal land transactions in the lease sale area;

12. Any comparable sales data of similar coal lands; and coal quantities and the Fair Market Value of the coal developed by BLM may or may not change as a result of comments received from the public and changes in the market conditions between now and when final economic evaluations are completed.

Dated: April 6, 2009.

**Selma Sierra,**

*State Director.*

[FR Doc. E9–8355 Filed 4–10–09; 8:45 am]

**BILLING CODE 4310–DQ–P**

## INTERNATIONAL TRADE COMMISSION

**[Investigation No. 337–TA–625]**

### In the Matter of Certain Self-Cleaning Litter Boxes and Components Thereof; Notice of Commission Final Determination of Violation of Section 337; Issuance of Limited Exclusion Order and Cease and Desist Orders; Termination of Investigation

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined that there is a violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337) by respondents Lucky Litter, LLC of Chicago, Illinois and OurPet's Company of Fairport Harbor, Ohio in the above-captioned investigation. The Commission has issued a limited exclusion order, issued cease and desist orders against the two respondents, and terminated the investigation.

**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 December 28, 2007, based on the complaint of Applica Consumer Products, Inc. of Miramar, Florida (''Applica'') and Waters Research Company of West Dundee, Illinois (''Waters''). 72 FR 73884 (Dec. 28, 2007); 73 FR 13566 (Mar. 13, 2008). The complaint alleges 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 self-cleaning litter boxes and components thereof by reason of infringement of U.S. Patent No. RE36,847 (''the ''847 patent''). The respondents are Lucky Litter, LLC of Chicago, Illinois (''Lucky Litter'') and OurPet's Company of Fairport Harbor, Ohio (''OurPet's'').

On December 1, 2008, the presiding administrative law judge (''ALJ'') issued his final initial determination (''ID''), finding that a violation of section 337 has occurred in the importation, sale for importation, or sale after importation of certain self-cleaning litter boxes and components thereof by reason of infringement of claim 33 of the '847 patent. His final ID also included his recommendation on remedy and bonding. Respondents Lucky Litter and OurPet's, complainants Applica and Waters, and the Commission investigative attorney (''IA'') filed petitions (or contingent petitions) for review on December 16, 2008. All parties filed responses to the petitions on December 24, 2008. Complainants also filed a motion to strike on December 23, 2008, to which Lucky Litter and the IA filed oppositions on January 5, 2009.

The Commission determined to review certain issues of claim construction, as well as invalidity due

to anticipation, invalidity due to obviousness, and direct and contributory infringement on February 9, 2009. 74 FR 7263 (Feb. 13, 2009). Per its notice, the Commission also determined to grant Complainants' motion to strike, and set a schedule for the filing of written submissions on the issues under review, including certain questions posed by the Commission, and on remedy, the public interest, and bonding. The parties have briefed, with initial and reply submissions, the issues under review and the issues of remedy, the public interest, and bonding.

On review, the Commission has determined to (1) affirm the ALJ's construction of ''comb drive'' (asserted claims 8, 13, 31–33), ''comb drive means'' (asserted claims 27, 41–42), ''drive means'' (asserted claims 24–25), and ''mode selector switch * * * moveable between a manual operation position * * * and an automatic operation position'' (asserted claim 33); (2) modify the ALJ's construction of ''discharge position adjacent the discharge end wall'' (asserted claims 8, 13) to ''not distant, nearby,'' thereby deleting the synonyms ''adjoining, continguous, abutting, and coterminus;'' and (3) construe ''coupled to'' in the limitation ''comb * * * coupled to the comb drive'' (asserted claims 31–33) as ''coupled or connected, directly or indirectly;'' (4) affirm the ALJ's finding of violation of § 337 as to Respondent Lucky Litter; (5) affirm the ALJ's finding that the accused Lucky Litter products infringe claim 33 of the '847 patent; (6) affirm the ALJ's finding of violation of § 337 as to Respondent OurPet's; (7) affirm the ALJ's finding that the accused OurPet's products infringe claim 33 of the '847 patent; (8) affirm the ALJ's finding that infringed claim 33 is not invalid due to anticipation or obviousness; and (9) affirm the ID on any other findings under review except insofar as they are inconsistent with the opinion of the Commission.

The Commission determined that the appropriate form of relief in this investigation is (1) a limited exclusion order prohibiting the unlicensed entry of self-cleaning litter boxes and components thereof, including cartridges, covered by claim 33 of U.S. Patent No. Re. 36,847 that are manufactured abroad by or on behalf of, or imported by or on behalf of, Lucky Litter and OurPet's; and (2) cease and desist orders against Lucky Litter and OurPet's.

The Commission further determined that the public interest factors enumerated in section 337(d)(1) (19 U.S.C. 1337(d)(1)) do not preclude issuance of the limited exclusion order. Finally, the Commission determined that the bond under the limited exclusion order during the Presidential review period shall be in the amount of 100 percent of the entered value of the imported articles. The Commission's orders were delivered to the President and the United States Trade Representative on the day of their issuance.

The Commission has therefore terminated this investigation. 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 sections 210.16(c) and 210.41–.42, 210.50 of the Commission's Rules of Practice and Procedure (19 CFR 210.16(c) and 210.41–.42, 210.50).

Issued: April 8, 2009.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E9–8315 Filed 4–10–09; 8:45 am]

**BILLING CODE 7020–02–P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging Proposed Consent Decree

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States of America* v. *The Port of Astoria, Oregon*, CV 09–197 KI, was lodged with the United States District Court for the District of Oregon on March 20, 2009.

This proposed Consent Decree concerns a complaint filed by the United States against The Port of Astoria pursuant to Section 301(a) of the Clean Water Act, 33 U.S.C. 1311(a), to obtain injunctive relief from and to impose civil penalties against the Port of Astoria for violating the Clean Water Act by discharging pollutants in violation of a permit into waters of the United States near Astoria, Oregon. The proposed Consent Decree resolves the allegations by requiring the Port of Astoria to pay a civil penalty and to hire and retain an environmental compliance officer.

The Department of Justice will accept written comments relating to this proposed Consent Decree for thirty (30) days from the date of publication of this Notice. Please address comments to Neil J. Evans, Assistant United States Attorney, 1000 SW. Third Ave., Suite 600, Portland, Oregon, 97204–2902, and refer to *United States of America* v. *The Port of Astoria, Oregon* (D. Ore.), CV 09–198 KI.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the District of Oregon, Mark O. Hatfield U.S. Courthouse, 1000 SW. Third Avenue, Portland, OR 97204–2902. In addition, the proposed Consent Decree may be viewed at *http://www.usdoj.gov/enrd/Consent_Decrees.html*.

**Russell Young,**

*Assistant Chief, Environmental Defense Section, Environment & Natural Resources Division.*

[FR Doc. E9–8314 Filed 4–10–09; 8:45 am]

**BILLING CODE**

## DEPARTMENT OF LABOR

### Employment and Training Administration

**[TA–W–65,644]**

### Rowe International Corporation, Belding, MI; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on March 20, 2009 in response to a petition filed by a company official on behalf of the workers at Rowe International Corporation, Belding, Michigan.

The petitioner has requested that the petition be withdrawn. Consequently, the investigation has been terminated.

Signed at Washington, DC, this 24th day of March 2009.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E9–8272 Filed 4–10–09; 8:45 am]

**BILLING CODE 4510–FN–P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

**[TA–W–65,197]**

### Republic Doors and Frames, Inc., McKenzie, TN; Notice of Termination of Investigation

In accordance with Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on February 10, 2009 in response to a petition filed by a Tennessee State AFL–CIO representative on behalf of workers of Republic Doors and Frames, Inc., McKenzie, Tennessee.

The petitioner has requested that the petition be withdrawn. Consequently, the investigation has been terminated.