

**Klickitat County**

Homesteads of the Dalles Mountain Ranch  
Historic District, 340 Dalles Mountain Rd.,  
beginning approx. 2.8 mi. N. of WA 14 jct.,  
Dallesport, 09001234

**Pierce County**

Blue Mouse Theatre, 2611 N. Proctor St.,  
Tacoma, 09001235

Request for REMOVAL has been made for  
the following resources:

**Colorado****Denver County**

Wheeler House, 1917 W. 32nd Ave., Denver,  
00000105

**Fremont County**

Fourth Street Bridge, 4th St., Canon City,  
85000207

[FR Doc. E9-30733 Filed 12-28-09; 8:45 am]

**BILLING CODE P**

## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-696]

### In the Matter of Certain Restraining Systems for Transport Containers, Components Thereof, and Methods of Using Same; Notice of Investigation

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

**ACTION:** Institution of investigation  
pursuant to 19 U.S.C. 1337.

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on November 24, 2009 under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Matthew Bullock of McLean, Virginia and Walnut Industries, Inc. of Bensalem, Pennsylvania. Supplements to the complaint were filed on December 9 and 11, 2009. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain restraining systems for transport containers and components thereof by reason of (1) infringement of certain claims of U.S. Patent Nos. 6,089,802; 6,227,779; and 6,981,827; (2) infringement of U.S. Copyright Registration Nos. TX-6-990-095 and TX-6-996-765; and (3) false advertising and misrepresentation. The complaint further alleges that an industry in the United States exists as required by subsections (a)(1)(A) and (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after the investigation, issue an

exclusion order and a cease and desist order.

**ADDRESSES:** The complaint and supplements, except for any confidential information contained therein, are 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., Room 112, Washington, DC 20436, telephone 202-205-2000. Hearing impaired individuals 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 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>.

**FOR FURTHER INFORMATION CONTACT:**

Kecia J. Reynolds, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2580.

**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 (2009).

**Scope of Investigation:** Having considered the complaint, the U.S. International Trade Commission, on December 22, 2009, *ordered that*—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine:

(a) 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 restraining systems for transport containers or components thereof that infringe one or more of claims 1, 15, 16, and 22 of U.S. Patent No. 6,089,802; claims 1 and 7 of U.S. Patent No. 6,227,779; and claims 1, 5, 7, and 12 of U.S. Patent No. 6,981,827, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(b) 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 restraining systems for transport containers or components thereof by

reason of infringement of U.S. Copyright Registration No. TX-6-990-095 or U.S. Copyright Registration No. TX-6-996-765, and whether an industry in the United States exists as required by subsection (a)(2) of section 337; and

(c) whether there is a violation of subsection (a)(1)(A) 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 restraining systems for transport containers or components thereof by reason of false advertising and misrepresentation, the threat or effect of which is to destroy or substantially injure an industry in the United States.

(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 complainants are:  
Matthew Bullock, 6314 Georgetown  
Pike, McLean, VA 22101,  
Walnut Industries, Inc., 1356 Adams  
Road, Bensalem, PA 19020.

(b) The respondent is the following entity alleged to be in violation of section 337, and is the party upon which the complaint is to be served:  
Qingdao Auront Industry & Trade Co.,  
Ltd., Columbia Village, Shazikou,  
Laoshan District, Qingdao 266102,  
Shandong, China.

(c) The Commission investigative attorney, party to this investigation, is Kecia J. Reynolds, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Suite 401, Washington, DC 20436; and

(3) For the investigation so instituted, the Honorable 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 respondent 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 the 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 22, 2009.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E9-30756 Filed 12-28-09; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of the "Cinergy" Proposed Partial Consent Decree under the Clean Air Act

Pursuant to 28 CFR 50.7, notice is hereby given that on December 22, 2009, a proposed partial Consent Decree ("Consent Decree") in *United States of America, et al. v. Cinergy Corporation, et al.*, Civil Action No. 1:99-cv-01693-LJM-JMS, was lodged with the United States District Court for the Southern District of Indiana.

In this civil enforcement action under the Federal Clean Air Act ("Act"), PSI Energy, Inc. (now Duke Energy Indiana ("Duke")), was found to have modified Units 1 and 3 at the Gallagher Generating Station ("Gallagher") in New Albany, Indiana in violation of the sulfur dioxide ("SO<sub>2</sub>") New Source Review requirements of the Act. The Consent Decree lodged with the Court requires Duke to reduce SO<sub>2</sub> emissions from Gallagher Units 1 and 3, culminating in the repowering or shutdown of the units. The Decree further requires substantial reductions in SO<sub>2</sub> emissions from Units 2 and 4 at Gallagher. Other relief includes \$6.25 million in environmental mitigation projects and a \$1.75 million civil penalty. The States of Connecticut, New Jersey, and New York have joined the settlement as co-plaintiffs, as have two citizens groups, Hoosier Environmental Council and Ohio Environmental Council.

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 of America, et al. v. Cinergy Corporation, et al.*, D.J. Ref. 90-5-2-1-06965.

The Consent Decree may be examined at the Office of the United States Attorney for the Southern District of Indiana, located at 10 West Market Street, Suite 2100, Indianapolis, Indiana 46204-3048; or at U.S. EPA Region 5, 77 W. Jackson Blvd., Chicago, Illinois 60604-4590. 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](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 \$17.75 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Maureen M. Katz,**

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

[FR Doc. E9-30723 Filed 12-28-09; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of the "Cinergy" Proposed Partial Consent Decree Under the Clean Air Act

Pursuant to 28 CFR 50.7, notice is hereby given that on December 22, 2009, a proposed partial Consent Decree ("Consent Decree") in *United States of America, et al. v. Cinergy Corporation, et al.*, Civil Action No. 1:99-cv-01693-LJM-JMS, was lodged with the United States District Court for the Southern District of Indiana.

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shutdown of the units. The Decree further requires substantial reductions in SO<sub>2</sub> emissions from Units 2 and 4 at Gallagher. Other relief includes \$6.25 million in environmental mitigation projects and a \$1.75 million civil penalty. The States of Connecticut, New Jersey, and New York have joined the settlement as co-plaintiffs, as have two citizens groups, Hoosier Environmental Council and Ohio Environmental Council.

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**Maureen M. Katz,**

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

[FR Doc. E9-30634 Filed 12-28-09; 8:45 am]

**BILLING CODE 4410-15-P**