

FOR FURTHER INFORMATION: Cynthia P. Johnson, Esq., Office of the General Counsel, U.S. International Trade Commission, telephone (202) 205-3098.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on a complaint by Corning, Inc. ("Corning") alleging that Chromatic Technologies, Inc., ("CTI") and Plasma Optical Fibre, B.V. ("POF") had violated section 337 of the Tariff Act of 1930 by importing into the United States, selling for importation, and/or selling in the United States after importation certain coated optical waveguide fibers that infringe claim 1 of Corning's U.S. Letters Patent 4,792,347. On July 17, 1998, the Commission determined not to review an ID adding Yangtze Optical Fiber and Cable Company, Ltd. ("YOFC") as a respondent.

On August 21, 1998, complainant Corning and respondents CTI, POF, and YOFC filed a joint motion to terminate the investigation by consent order. The Commission investigative attorney stated she would support the joint motion if an executed copy of the consent order stipulation was filed. An executed copy of the consent order stipulation was later filed.

On September 10, 1998, the presiding administrative law judge ("ALJ") issued an ID (Order No. 9) terminating the investigation on the basis of the proposed consent order. No party petitioned for review of the ID.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and Commission rule 210.42, 19 CFR 210.42. Copies of the ALJ's ID and all other nonconfidential 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, S.W., Washington, D.C. 20436, telephone 202-205-2000. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>).

By order of the Commission.

Issued: October 6, 1998.

Donna R. Koehnke,

Secretary.

[FR Doc. 98-27683 Filed 10-14-98; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 701-TA-383 (Preliminary) and Investigation No. 731-TA-805 (Preliminary)]

Elastic Rubber Tape From India

Determination

On the basis of the record¹ developed in the subject investigations, the United States International Trade Commission determines,² pursuant to section 703(a) and 733(a) of the Tariff Act of 1930 (19 U.S.C. § 1671b(a) and 1673b(a)), that there is a reasonable indication that an industry in the United States is threatened with material injury by reason of imports from India of elastic rubber tape, provided for in subheading 4008.21.00 of the Harmonized Tariff Schedule of the United States, that are alleged to be subsidized by the Government of India and sold in the United States at less than fair value (LTFV).

Commencement of Final Phase Investigations

Pursuant to section 207.18 of the Commission's rules, the Commission also gives notice of the commencement of the final phase of its investigations. The Commission will issue a final phase notice of scheduling which will be published in the **Federal Register** as provided in section 207.21 of the Commission's rules upon notice from the Department of Commerce (Commerce) of an affirmative preliminary determination in the investigations under section 703(b) or 733(b) of the Act, or, if the preliminary determination is negative, upon notice of an affirmative final determination in these investigations under section 705(a) or 735(a) of the Act. Parties that filed entries of appearance in the preliminary phase of the investigations need not enter a separate appearance for the final phase of the investigations. Industrial users, and, if the merchandise under investigation is sold at the retail level, representative consumer organizations have the right to appear as parties in Commission antidumping and countervailing duty investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations.

¹ The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 C.F.R. § 207.2(f)).

² Commissioner Askey dissenting.

Background

On August 18, 1998, a petition was filed with the Commission and the Department of Commerce by Fulflex, Inc., Middletown, RI; and two subsidiaries of M-Tec Corp., Elastomer Technologies Group, Inc., Stuart, VA, and RM Engineered Products, Inc., North Charleston, SC, alleging that an industry in the United States is materially injured and threatened with material injury by reason of subsidized and LTFV imports of elastic rubber tape from India. Accordingly, effective August 18, 1998, the Commission instituted countervailing duty investigation No. 701-TA-383 (Preliminary) and antidumping investigation No. 731-TA-805 (Preliminary).

Notice of the institution of the Commission's investigations and of a public conference to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of August 25, 1998 (63 FR 45255). The conference was held in Washington, DC, on September 8, 1998, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determination in these investigations to the Secretary of Commerce on October 2, 1998. The views of the Commission are contained in USITC Publication 3133 (October 1998), entitled "Elastic Rubber Tape from India: Investigation No. 701-TA-383 (Preliminary) and Investigation No. 731-TA-805 (Preliminary)."

Issued: October 5, 1998.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 98-27682 Filed 10-14-98; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

Import Investigations; Five Year Reviews Termination

Steel Jacks from Canada (AA1921-49 (Review))
Fish Netting of Manmade Fiber From Japan (AA1921-85 (Review))
Large Power Transformers From France, Italy, and Japan (AA1921-86-88 (Review))
Bicycle Speedometers From Japan (AA1921-98 (Review))
Canned Bartlett Pears From Australia (AA1921-110 (Review))

AGENCY: United States International Trade Commission.

ACTION: Termination of five-year reviews.

SUMMARY: On July 6, 1998, the Department of Commerce and the Commission began the subject five-year reviews to determine whether revocation of the existing antidumping duty orders would be likely to lead to continuation or recurrence of dumping and material injury to a domestic industry (63 FR 36389). On October 5, 1998, the Department of Commerce notified the Commission that it was revoking the orders in the subject reviews because no domestic interested party responded to its notice of initiation by the applicable deadline (63 FR 54441, October 9, 1998). Accordingly, pursuant to section 207.69 of the Commission's Rules of Practice and Procedure (19 CFR § 207.69), the subject reviews are terminated.

EFFECTIVE DATE: October 5, 1998.

FOR FURTHER INFORMATION CONTACT: Vera Libeau (202-205-3176), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. 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 (<http://www.usitc.gov>).

Authority: These reviews are being terminated under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.69 of the Commission's rules (19 CFR 207.69).

Issued: October 9, 1998.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 98-27684 Filed 10-14-98; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decrees Under the Comprehensive Environmental Response, Compensation and Liability Act; Akzo Coatings, Inc., et al.

Notice is hereby given that on September 30, 1998 three proposed Consent Decrees ("Decrees") in *United*

States v. Akzo Coatings, Inc., et al, Civil Action No. 98-WM-2109, were lodged with the United States District Court for the District of Colorado. The United States filed this action pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9601, et seq., to recover the past response costs incurred at or in connection with the Chemical Handling Site in Jefferson County, Colorado.

The proposed Consent Decrees resolve claims against: Akzo Nobel Coatings, Inc., Alaska Railroad Corporation, Allied Barrel & Container, Inc., Alumax Mill Products, Inc., Eaton Corporation, Elamex S.A. De C.V., Honeywell, Inc., Kawneer Company, Inc., Landstar Ligon, Inc., Louisiana-Pacific Corporation, Microsemi Corporation—Colorado, No-Putts, Inc. Pel-Freez Rabbit Meat, Inc., Rock-Tenn Company, Rock-Tenn Company of Arkansas, Todd Shipyards Corporation, Western Forge Corporation, and Weyerhaeuser Company, Inc. This proposed Consent Decrees recover response costs of \$1,542,848.91. The Decrees also settle potential claims against the United States at the Site.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Decrees. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer, to *United States v. Akzo Coatings, Inc., et al*, Civil Action No. 98-WM-2109, and D.J. Ref. #90-7-1-666/1.

The Decrees may be examined at the United States Department of Justice, Environment and Natural Resources Division, Denver Field Office, 999 18th Street, North Tower Suite 945, Denver, Colorado, 80202 and the U.S. EPA Region VIII, 999 18th Street, Superfund Records Center, Suite 500, Denver, CO 80202, and at the Consent Decree Library, 1120 G Street, N.W., 3rd Floor, Washington, DC 20005, (202) 624-0892. A copy of the Decrees may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW., 3rd Floor, Washington, DC 20005. In requesting a copy, please enclose a check in the amount of \$18.75 for the Decrees (25 cents per page reproduction

cost) payable to the Consent Decree Library.

Walker B. Smith,

Deputy Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 98-27692 Filed 10-14-98; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Clean Air Act; Calaveras Cement Co.

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States v. Calaveras Cement Company*, No. CIVF-97-5418-OWW, was lodged on October 1, 1998 with the United States District Court for Eastern District of California.

The consent decree settles claims for civil penalties and injunctive relief against Calaveras Cement Company ("Calaveras") under the Clean Air Act. The complaint alleges: (1) that Calaveras violated the Prevention of Significant Deterioration ("PSD") regulations, 40 CFR 52.21, as incorporated in the applicable State Implementation Plan ("SIP"), by failing to undergo PSD review prior to obtaining an Authority to Construct permit for a "major modification" of its facility, (2) that, in the alternative, Calaveras violated the emissions limits for nitrogen oxides ("NO_x") in an permit issued by the Kern County Air Pollution Control District for a minor modification, (3) that Calaveras violated Subpart F of the New Source Performance Standards ("NSPS"), 40 CFR Part 60, by failing to submit timely continuous emissions monitoring ("CEM") data for emissions from its kiln and clinker cooler and by exceeding the emissions limits for particulate matter on three occasions, and (4) that Calaveras violated Subpart Y (as well as Subpart A) of the NSPS, 40 C.F.R. Part 60, by failing to conduct a timely performance test on its coal preparation plant.

Pursuant to the consent decree Calaveras will pay a civil penalty of \$222,000 and will operate under interim emission limits set forth in the consent decree until Calaveras' application for a federally approved permit has been resolved.

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