

FOR FURTHER INFORMATION CONTACT: Tim Yaworski, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3096. 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>).

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on May 13, 1998, based on a complaint filed by Oak Technology, Inc. ("Oak") of Sunnyvale, California. 63 Fed. Reg. 26625. Four firms were named as respondents, including United Microelectronics Corporation ("UMC") of Hsinchu, Taiwan. On May 10, 1999, the presiding ALJ issued an ID (Order No. 15) terminating UMC from the investigation on the grounds that its importation and sale of accused CD-ROM controllers are licensed by complainant Oak. On May 12, 1999, the ALJ issued his final ID in which he found that there is no violation of section 337 of the Tariff Act of 1930 in the instant investigation. The Commission has extended the deadline for determining whether to review Order No. 15 to coincide with the deadline (June 28, 1999) for determining whether to review the ALJ's final ID.

This action is taken under the authority of section 337 of the Tariff Act of 1930, 19 U.S.C. § 1337, and section 210.42(h)(3) of the Commission Rules of Practice and Procedure, 19 C.F.R. § 210.42(h)(3).

Copies of the nonconfidential versions of Order No. 15, the final ID, and all other 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.

By order of the Commission.

Issued: May 21, 1999.

Donna R. Koehnke,
Secretary.

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INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 731-TA-825-826 (Preliminary)]

Certain Polyester Staple Fiber From Korea and Taiwan

Determinations

On the basis of the record¹ developed in the subject investigations, the United States International Trade Commission determines, pursuant to section 733(a) of the Tariff Act of 1930 (19 U.S.C. § 1673b(a)), that there is a reasonable indication that an industry in the United States is materially injured by reason of imports from Korea and Taiwan of certain polyester staple fiber, provided for in subheading 5503.20.00 of the Harmonized Tariff Schedule of the United States, that are alleged to be 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 that 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 of affirmative preliminary determinations in the investigations under section 733(b) of the Act, or, if the preliminary determinations are negative, upon notice of affirmative final determinations in those investigations under section 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.

Background

On April 2, 1999, a petition was filed with the Commission and the Department of Commerce by E.I. DuPont de Nemours, Wilmington, DE; Arteva Specialties, S.a.r.l. d/b/a KoSa,

Spartanburg, SC; NanYa Plastics Corp., America, Lake City, SC; Wellman, Inc., Shrewsbury, NJ; and Intercontinental Polymers, Inc., Charlotte, NC alleging that an industry in the United States is materially injured by reason of LTFV imports of polyester staple fiber from Korea and Taiwan.² Accordingly, effective April 2, 1999, the Commission instituted antidumping investigations Nos. 731-TA-825-826 (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 April 9, 1999 (64 F.R. 17414). The conference was held in Washington, DC, on April 22, 1999, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determination in this investigation to the Secretary of Commerce on May 14, 1999. The views of the Commission are contained in USITC Publication 3197 (May, 1999), entitled Certain Polyester Staple Fiber from Korea and Taiwan: Investigations Nos. 731-TA-825-826 (Preliminary).

By order of the Commission.

Issued: May 18, 1999.

Donna R. Koehnke,
Secretary.

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INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 731-TA-781-786 (Final)]

Stainless Steel Round Wire From Canada, India, Japan, The Republic of Korea, Spain, and Taiwan

Determinations

On the basis of the record¹ developed in the subject investigations, the United States International Trade Commission unanimously determines, pursuant to section 735(b) of the Tariff Act of 1930 (19 U.S.C. § 1673d(b)) (the Act), that an industry in the United States is not

² NanYa Plastics was not a petitioner in the investigation involving Taiwan. In a letter dated May 4, 1999, NanYa Plastics also withdrew as a petitioner in the investigation involving Korea. In the same letter, DuPont withdrew as a petitioner in the investigation involving Taiwan.

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

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materially injured or threatened with material injury, and the establishment of an industry in the United States is not materially retarded, by reason of imports from Canada, India, Japan, Korea, Spain, and Taiwan of stainless steel round wire² that have been found by the Department of Commerce to be sold in the United States at less than fair value (LTFV).

Background

The Commission instituted these investigations effective November 16, 1998, following receipt of a petition filed with the Commission and the Department of Commerce by ACS Industries, Inc., Woonsocket, RI; Al Tech Specialty Steel Corp., Dunkirk, NY; Branford Wire & Manufacturing Co., Mountain Home, NC; Carpenter Technology Corp., Reading, PA; Handy & Harman Specialty Wire Group, Cockeysville, MD; Industrial Alloys, Inc., Pomona, CA; Loos & Co., Inc., Pomfret, CT; Sandvik Steel Co., Clarks Summit, PA; Sumiden Wire Products Corp., Dickson, TN; and Techalloy Co., Inc., Mahwah, NJ. The final phase of these investigations was scheduled by the Commission following notification of preliminary determinations by the Department of Commerce that imports of stainless steel round wire from Canada, India, Japan, Korea, Spain, and Taiwan were being sold at LTFV within the meaning of section 733(b) of the Act (19 U.S.C. § 1673b(b)). Notice of the scheduling of the Commission's investigations and of a public hearing 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 December 2, 1998 (63 FR 66577). The hearing was held in Washington, DC, on April 6, 1999, and all persons who requested the opportunity were permitted to appear in person or by counsel.

²For purposes of these investigations, Commerce has defined the subject stainless steel round wire (SSRW) as "any cold-formed (i.e., cold-drawn, cold-rolled) stainless steel product of a cylindrical contour, sold in coils or spools, and not over 0.703 inch (18 mm) in maximum solid cross-sectional dimension. SSRW is made of iron-based alloys containing, by weight, 1.2 percent or less of carbon and 10.5 percent or more of chromium, with or without other elements. Metallic coatings, such as nickel and copper coatings, may be applied." (See e.g., Final Determination of Sales at Less Than Fair Value—Stainless Steel Round Wire from Japan (64 FR 17318, Apr. 9, 1999).)

These products, if imported are currently covered by statistical reporting numbers 7223.00.1015, 7223.00.1030, 7223.00.1045, 7223.00.1060, and 7223.00.1075 of the Harmonized Tariff Schedule of the United States (HTS).

The Commission transmitted its determinations in these investigations to the Secretary of Commerce on May 18, 1999. The views of the Commission are contained in USITC Publication 3194 (May 1999), entitled Stainless Steel Round Wire from Canada, India, Japan, Korea, Spain, and Taiwan: Investigations Nos. 731-TA-781-786 (Final).

Issued: May 19, 1999.

By order of the Commission.

Donna R. Koehnke,

Secretary.

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DEPARTMENT OF JUSTICE

Lodging of Consent Decrees Under the Comprehensive Environmental Response, Compensation and Liability Act 42 U.S.C. 9601, et seq.

Notice is hereby given that on May 14, 1999 two proposed Consent Decrees ("Decrees") in *United States v. Gencorp, Inc., et al* Civil Action No. 5:89-CV-1866, were lodged with the United States District Court for the Northern District of Ohio. 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., seeking (i) reimbursement of costs incurred in response to the release or threat of release of hazardous substances from the Fields Brook Superfund Site in Ashtabula, Ohio; and (ii) recovery of damages for injury to, destruction of, or loss of natural resources at the Site.

The proposed Consent Decrees resolve certain claims against: Ashta Chemicals, Inc.; Archer Daniels Midland Company (ADM); Bee Jay Excavating, Inc. (f/k/a/ Brenkus Excavating, Inc.); C.H. Heist Corp.; Cabot Corporation; Consolidated Rail Corporation; Detrex Corporation; Elkem Metals Company L.P.; First Energy Corp.; GenCorp Inc.; Greenleaf Motor Express, Inc.; Koski Construction Co.; Luntz Services Corporation (f/k/a Luntz Corporation); Mallinckrodt, Inc. (f/k/a International Minerals and Chemicals Corporation); Millennium Inorganic Chemicals, Inc. (f/k/a SCM Corporation and SCM Chemicals Inc.); Millennium Petrochemicals, Inc.; Motta's Body & Frame Shop, Inc.; Occidental Chemical Corporation; Ohio Power Company; Olin Corporation; Plasticolors, Inc.; Reserve Environmental Services Inc.; RMI Titanium Company; The Sherwin-Williams Company; Union Carbide

Corporation; and Viacom International (f/k/a Paramount Communications Inc.).

The proposed Consent Decrees would resolve claims asserted by the United States under Sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, against 26 current or former owners or operators of industrial facilities from which there have been releases or threatened releases of hazardous substances at the Fields Brook site (the "Site") in Ashtabula, Ohio. The Decrees also resolve claims asserted and that could have been asserted against certain Federal Agencies that owned or operated facilities at the Site.

Pursuant to the first proposed consent decrees (the "RD/RA Decree"), a group of Settling Defendants will implement EPA's selected remedies for two operable units, known as the Sediment Operable Unit (SOU) and the Floodplains/Wetlands Area Operable Unit (FWA). The estimated cost of this remaining Site work is approximately \$30 million. In addition, this consent decrees provide for various Settling Defendants and Settling Federal Agencies to pay all costs to be incurred by EPA in overseeing implementation of the SOU and FWA work (estimated at \$1 million), and to pay approximately \$2.4 million in unreimbursed response costs of the United States at this Site. This proposed decree also provides for recovery of \$840,000 in damages for injuries to natural resources at the Site.

The second proposed consent decree will settle the claims asserted against ADM at the Site. Pursuant to this decree (the "ADM Decree"), ADM will pay \$700,000 in unreimbursed response costs of the United States at the Site and the recovery of \$10,000 in damages for injury to natural resources 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, D.C. 20530, and should refer to, *United States v. GenCorp Inc. et al*, Civil Action No. 5:89-CV-1866 and D.J. Ref. #90-11-2-210A and 90-11-2-210C.

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 U.S. EPA Region V, 77 West Jackson Boulevard, Chicago, IL 60604 and at the Consent Decree Library, 1120 G Street, N.W., 3rd Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the Decrees may be obtained in person or by mail from the