

frozen,⁴ provided for in subheading 2009.70.00 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 Investigation

Pursuant to section 207.18 of the Commission's rules, the Commission also gives notice of the commencement of the final phase of its investigation. The Commission will issue a final phase notice of scheduling which will be published in the **Federal Register** as provided in § 207.21 of the Commission's rules upon notice from the Department of Commerce (Commerce) of an affirmative preliminary determination in the investigation under section 733(b) of the Act, or, if the preliminary determination is negative, upon notice of an affirmative final determination in that investigation under section 735(a) of the Act. Parties that filed entries of appearance in the preliminary phase of the investigation need not enter a separate appearance for the final phase of the investigation. 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 investigation.

Background

On June 7, 1999, a petition was filed with the Commission and Commerce by counsel on behalf of Coloma Frozen Foods, Inc., Coloma, MI; Green Valley Packers, Arvin, CA; Knouse Foods Cooperative, Inc., Peach Glen, PA; Mason County Fruit Packers, Ludington, MI; and Tree Top, Inc., Selah, WA., alleging that an industry in the United States is materially injured by reason of LTFV imports of non-frozen concentrated apple juice from China. Accordingly, effective June 7, 1999, the Commission instituted antidumping investigation No. 731-TA-841 (Preliminary).

Notice of the institution of the Commission's investigation 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 June 16, 1999 (64 FR 32256). The conference was held in Washington, DC, on June 28, 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 July 22, 1999. The views of the Commission are contained in USITC Publication 3216 (July 1999), entitled Certain Non-frozen Concentrated Apple Juice from China: Investigation No. 731-TA-841 (Preliminary).

By order of the Commission.

Issued: July 23, 1999.

Donna R. Koehnke,
Secretary.

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INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 701-TA-380-382 (Final) and 731-TA-797-804 (Final)]

Certain Stainless Steel Sheet and Strip From France, Germany, Italy, Japan, The Republic of Korea, Mexico, Taiwan, and The United Kingdom

Determinations

On the basis of the record¹ developed in the subject investigations, the United States International Trade Commission determines, pursuant to section 705(b) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)) (the Act), that an industry in the United States is materially injured by reason of imports from France, Italy, and the Republic of Korea (Korea) of certain stainless steel sheet and strip² that have been found by the Department of Commerce to be subsidized by the Governments of France, Italy, and Korea.³ The Commission also determines, pursuant to section 735(b) of the Act (19 U.S.C. 1673d(b)), that an industry in the United States is materially injured by reason of imports from France, Germany, Italy, Japan, Korea, Mexico, Taiwan, and the United

Kingdom of certain stainless steel sheet and strip that have been found by the Department of Commerce to be sold in the United States at less than fair value (LTFV).³ The Commission further determines that critical circumstances do not exist with respect to imports of subject merchandise from Nisshin Steel Co. Ltd., Nippon Yakin Kogyo, Nippon Metal Industries, and Nippon Steel Corp. of Japan and Taihan of Korea.⁴

Background

The Commission instituted these investigations effective June 10, 1998, following receipt of a petition filed with the Commission and the Department of Commerce by Allegheny Ludlum Corporation, Pittsburgh, PA; Armco, Inc.,⁵ Pittsburgh, PA; J&L Specialty Steel, Inc.,⁶ Pittsburgh, PA; Washington Steel Division of Bethlehem Steel Corporation, Washington, PA; the United Steelworkers of America, AFL-CIO/CLC; Butler Armco Independent Union; and Zanesville Armco Independent Organization, Inc. The final phase of the investigation was scheduled by the Commission following notification of a preliminary determination by the Department of Commerce that imports of certain stainless steel sheet and strip from France, Italy, and Korea were being subsidized within the meaning of section 703(b) of the Act (19 U.S.C. 1671b(b)) and that imports of certain stainless steel sheet and strip from France, Germany, Italy, Japan, Korea, Mexico, Taiwan, and the United Kingdom 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 investigation 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 January 14, 1999 (64 FR 2504). The hearing was held in Washington, DC, on May 25, 1999, and all persons who requested the

⁴ Commerce made affirmative determinations of critical circumstances with respect to these companies and negative determinations with respect to all other producers in Japan and Korea and all producers in Germany, Italy, and Taiwan. Critical circumstances were not alleged with respect to imports from France, Mexico, and the United Kingdom.

⁵ Armco, Inc., Butler Armco Independent Union, and Zanesville Armco Independent Organization, Inc. are not petitioners in the antidumping investigation relating to Mexico.

⁶ J&L Specialty Steel, Inc. is not a petitioner in the countervailing duty and antidumping investigations relating to France.

⁴ For purposes of this investigation, non-frozen concentrated apple juice is defined as having a Brix value of 40 or greater, whether or not containing added sugar or other sweetening matter, not fortified with vitamins or minerals, unfermented and not containing added spirits.

¹ The record is defined in § 207.2(f) of the Commission's rules of practice and procedure (19 CFR 207.2(f)).

² The merchandise subject to these investigations is stainless steel sheet and strip in coils and is currently classified in the following subheadings of the Harmonized Tariff Schedule of the United States (HTS): 7219.13.00, 7219.14.00, 7219.32.00, 7219.33.00, 7219.34.00, 7219.35.00, 7219.90.00, 7220.12.10, 7220.12.50, 7220.20.10, 7220.20.60, 7220.20.70, 7220.20.80, 7220.20.90, and 7220.90.00.

³ Commissioner Askey dissenting.

opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determinations in these investigations to the Secretary of Commerce on July 19, 1999. The views of the Commission are contained in USITC Publication 3208 (July 1999), entitled Certain Stainless Steel Sheet and Strip From France, Germany, Italy, Japan, The Republic of Korea, Mexico, Taiwan, and The United Kingdom: Investigations Nos. 701-TA-380-382 and 731-TA-797-804 (Final).

Issued: July 20, 1999.

By order of the Commission.

Donna R. Koehnke,
Secretary.

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-539-A (Final)]

Uranium From Kazakhstan

Determination

On the basis of the record¹ developed in the subject investigation, the United States International Trade Commission 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 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 Kazakhstan of uranium, provided for in subheadings 2612.10.10, 2844.10.10, 2844.10.20, 2844.10.50, and 2844.20.00 of the Harmonized Tariff Schedule of the United States, 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 this investigation effective November 8, 1991, following receipt of a petition filed with the Commission and the Department of Commerce by the Ad Hoc Committee of Domestic Uranium Producers and the Oil, Chemical and Atomic Workers International Union (which has since become the Paper, Allied-Industrial-Chemical Union (PACE)). The Commission's investigation was suspended on October 21, 1992, following Commerce's notification that it was entering into a suspension agreement with Kazakhstan.

The final phase of the investigation was continued on January 15, 1999, when Commerce notified the Commission that it was resuming its antidumping investigation with respect to Kazakhstan as a result of the Government of Kazakhstan's termination of its suspension agreement. Notice of the scheduling of the Commission's investigation 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 March 3, 1999 (64 FR 10317). The hearing was held in Washington, DC, on June 9, 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 July 23, 1999. The views of the Commission are contained in USITC Publication 3213 (July 1999), entitled "Uranium from Kazakhstan: Investigation No. 731-TA-539-A (Final)."

Issued: July 23, 1999.

By order of the Commission.

Donna R. Koehnke,
Secretary.

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA") and the Resource Conservation and Recovery Act ("RCRA")

Under 28 CFR 50.7, notice is hereby given that on July 6, 1999, a proposed consent decree in *United States v. Burgess Brothers, Inc.*, 2:99 Civil Action No. 194, was lodged with the United States District Court for the District of Vermont.

The proposed consent decree is a Remedial Design/Remedial Action ("RD/RA") consent decree under Sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, and Section 7003 of RCRA, 42 U.S.C. 9673, for implementation of the remedy selected by the United States Environmental Protection Agency ("EPA") in the Record of Decision ("ROD") issued September 25, 1998, for reimbursement of certain past response costs, for reimbursement of future oversight and response costs, and for payment of

natural resource damages related to the Burgess Brothers Superfund Site between Bennington and Woolford, Vermont. The proposed consent decree requires three defendants—Burgess Brothers, Inc., operator at the Site, Eveready Battery Company, a generator of wastes at the Site, and Clyde Burgess, Jr., the owner of the Site, to perform the cleanup of the Site as selected by the September 25, 1998 ROD, pay the United States \$374,143.51 in unreimbursed past response costs incurred by EPA, reimburse all future response and oversight costs incurred by EPA and future response and oversight costs up to \$90,000 incurred by the State of Vermont, and pay the United States \$100,000 in natural resource damages for restoration of wetlands 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 consent decree. 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. Burgess Brothers, Inc.*, D.J. Ref. 90-11-3-1454. Commenters may request an opportunity for a public meeting in the affected area, in accordance with Section 7003(d) of RCRA, 42 U.S.C. 6973(d).

The consent decree may be examined at the Office of the United States Attorney, District of Vermont, 11 Elmwood Avenue, Burlington, VT 05402, at U.S. EPA Region I, One Congress Street, Suite 1100, Boston, MA 02114, and at the Consent Decree Library, 1120 G Street, N.W., 3rd Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 3rd Floor, Washington, D.C. 20005. In requesting a copy, please enclose a check in the amount of \$62.50 (25 cents per page reproduction cost) payable to the Consent Decree Library. In requesting a copy exclusive of exhibits and defendants' signatures, please enclose a check in the amount of \$10.75 (25 cents per page reproduction cost) payable to the Consent Decree Library.

Joel M. Gross,

Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.
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¹ The record is defined in § 207.2(f) of the Commission's rules of practice and procedure (19 CFR 207.2(f)).