

Ecology will be a joint lead with Reclamation in the preparation of this Environmental Impact Statement. Ecology has indicated that under SEPA they will evaluate a range of alternatives that include both storage, the subject of the Yakima River Basin Water Storage Feasibility Study, and non-storage components. As a result the jointly prepared EIS will provide NEPA coverage for storage alternatives that Reclamation may consider as part of the Yakima River Basin Water Storage Feasibility Study as well as SEPA coverage for a broader range of alternatives that Ecology may consider.

The alternatives being investigated by Reclamation include additional storage of Yakima River water, as well as water exchanges with the Columbia River. The in-basin alternatives would entail diverting excess water flows from the Yakima River after all water rights and fish target flows are met. Previous Yakima River Basin investigations, such as the Yakima River Basin Water Enhancement Program and the Watershed Management Plan for the Yakima River Basin, are being used to develop in-basin water storage alternatives.

The water exchange alternatives would involve new storage and the pumping of water from the Columbia River. The Black Rock Dam and Reservoir alternative would pump 3,500 or 6,000 cfs from above Priest Rapids to a reservoir east of the city of Yakima which would then be delivered to irrigation districts downstream of the city. Deliveries from Black Rock Reservoir would offset existing diversions from the Yakima River. Those foregone diversions would be used to improve flows for anadromous fish and provide additional supplies in drought years to existing irrigators beyond what would otherwise have been available. Water stored as part of the project would not be used to expand irrigation in the Yakima Basin. An alternative which would pump water from the mouth of the Yakima River would involve a storage reservoir in the Yakima Basin to re-regulate irrigation flow releases for the benefit of instream flows and a water exchange to reduce some Yakima River diversions.

Other combinations of storage and pumping of water from the Columbia River for delivery by exchange to the Yakima River Basin may be identified during the public scoping process.

Reclamation plans to conduct public scoping meetings to solicit input on the alternatives to augment water supplies in the Yakima River and impacts associated with those alternatives. Reclamation will summarize comments

received during the scoping meetings and letters received during the scoping period, identified under the Dates section, into a scoping summary document which will be provided to those who submitted comments. The scoping summary will also be available to others upon request.

If you wish to comment, you may mail us your comments as indicated under the Addresses section. Our practice is to make comments, including names, home addresses, home phone numbers, and e-mail addresses of respondents, available for public review. Individual respondents may request that we withhold their names and/or home addresses, etc., but if you wish us to consider withholding this information you must state this prominently at the beginning of your comments. In addition, you must present a rationale for withholding this information. This rationale must demonstrate that disclosure would constitute a clearly unwarranted invasion of privacy. Unsupported assertions will not meet this burden. In the absence of exceptional, documentable circumstances, this information will be released. We will always make submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

**Kathryn A. Marshall,**

*Acting Regional Director, Pacific Northwest Region.*

[FR Doc. E6-22386 Filed 12-28-06; 8:45 am]

**BILLING CODE 4310-MN-P**

## **INTERNATIONAL TRADE COMMISSION**

**[Investigation Nos. 701-TA-444-446 (Preliminary) and 731-TA-1107-1109 (Preliminary)]**

### **Coated Free Sheet Paper From China, Indonesia, and Korea**

#### **Determinations**

On the basis of the record<sup>1</sup> developed in the subject investigations, the United States International Trade Commission (Commission) determines, pursuant to sections 703(a) and 733(a) of the Tariff Act of 1930 (19 U.S.C. 1671b(a) and 1673b(a)) (the Act), that there is a reasonable indication that an industry in the United States is materially injured by reason of imports from

China, Indonesia, or Korea of coated free sheet paper,<sup>2</sup> provided for in subheadings 4810.13.19, 4810.13.20, 4810.13.50, 4810.13.70, 4810.14.19, 4810.14.20, 4810.14.50, 4810.14.70, 4810.19.19, and 4810.19.20 of the Harmonized Tariff Schedule of the United States, that are alleged to be subsidized or sold in the United States at less than fair value (LTFV).

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 affirmative preliminary determinations in the investigations under sections 703(b) and 733(b) of the Act, or, if the preliminary determinations are negative, upon notice of affirmative final determinations in those investigations under sections 705(a) and 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 October 31, 2006, a petition was filed with the Commission and Commerce by New Page Corp., Dayton, OH, alleging that an industry in the United States is materially injured or threatened with material injury by reason of subsidized and LTFV imports of coated free sheet paper from China, Indonesia, and Korea. Accordingly, effective October 31, 2006, the Commission instituted countervailing duty investigations Nos. 701-TA-444-446 (Preliminary) and antidumping duty investigations Nos. 731-TA-1107-1109 (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

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

<sup>2</sup> Chairman Daniel R. Pearson dissenting. Commissioner Jennifer A. Hillman did not participate in these investigations.

of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of November 6, 2006 (71 FR 64983). The conference was held in Washington, DC, on November 21, 2006, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determinations in these investigations to the Secretary of Commerce on December 15, 2006. The views of the Commission are contained in USITC Publication 3900 (December 2006), entitled Coated Free Sheet Paper from China, Indonesia, and Korea: Investigation Nos. 701-TA-444-446 (Preliminary) and 731-TA-1107-1109 (Preliminary).

Issued: December 26, 2006.

By order of the Commission.

**Marilyn R. Abbott**

*Secretary to the Commission.*

[FR Doc. E6-22419 Filed 12-28-06; 8:45 am]

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## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-552]

### In the Matter of Certain Flash Memory Devices, and Components Thereof, and Products Containing Such Devices and Components; Notice of Commission Decision Not to Review the Administrative Law Judge's Final Initial Determination That There is No Violation of Section 337; Termination of Investigation

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the United States International Trade Commission has determined not to review an initial determination ("ID") issued by the presiding administrative law judge ("ALJ") finding no violation of section 337 of the Tariff Act of 1930, as amended, and to terminate the investigation.

**FOR FURTHER INFORMATION CONTACT:** Jean Jackson, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-3104. 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 November 4, 2005, based on a complaint filed by Toshiba Corporation of Tokyo, Japan ("Toshiba") under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337. 70 FR 67192-193 (November 4, 2005). The complainant alleged violations of section 337 in the importation and sale of certain flash memory devices and components thereof, and products containing such devices and components, by reason of infringement of claims 1-4 of U.S. Patent No. 5,150,178 ("the '178 patent"); claims 1, 6 and 7 of U.S. Patent No. 5,270,969 ("the '969 patent"); and claims 1 and 4 of U.S. Patent No. 5,517,449 ("the '449 patent"). The complainant named Hynix Semiconductor of Ischon-si, Republic of Korea, and Hynix Semiconductor America, Inc. of San Jose, California (collectively "Hynix") as respondents.

On November 21, 2005, Toshiba moved for leave to amend the complaint to add claim 5 of the '178 patent. On December 2, 2005, the ALJ issued an ID (Order No. 4) granting the motion to amend the complaint. The Commission determined not to review this ID.

An evidentiary hearing was held from July 5, 2006, through July 13, 2006. On November 6, 2006, the ALJ issued his final ID and recommended determination on remedy and bonding. The ALJ concluded that there was no violation of section 337. Specifically, he found that the asserted claims of the '178, '969, and '449 patents are not infringed and are not valid, and that there is no domestic industry involving the three patents.

On November 17, 2006, complainant Toshiba, the Commission investigative attorney, and respondent Hynix petitioned for review of various portions of the final ID. On November 28, 2006, all parties filed responses to the petitions for review.

Having examined the record of this investigation, including the ALJ's final ID, the petitions for review, and the responses thereto, the Commission has determined not to review the ALJ's ID, and has terminated the 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 in section 210.42-45 of the Commission's Rules of Practice and Procedure (19 CFR 210.42-45).

Issued: December 22, 2006.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 06-9916 Filed 12-28-06; 8:45 am]

BILLING CODE 7020-02-M

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Partial Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA")

Consistent with Section 122(d) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9622(d), and 28 CFR 50.7, notice is hereby given that on December 14, 2006, a proposed Partial Consent Decree with Colgate-Palmolive Company in *United States v. American Cyanamid, et al.*, Nos. 1:02-CV-109-1 and 1:03-CV-122-3 (M.D. Ga.), was lodged with the United States District Court for the Middle District of Georgia.

In this action, the United States seeks to recover from various defendants, pursuant to Sections 107 and 113(g)(2) of CERCLA, 42 U.S.C. 9607 and 9613(g)(2), the costs incurred and to be incurred by the United States in responding to the release and/or threatened release of hazardous substances at and from the Stoller Chemical Company/Pelham Phosphate Company Site ("Site") in Pelham, Mitchell County, Georgia. Under the proposed Partial Consent Decree, Defendant Colgate-Palmolive Company will pay \$2,850,000 to the Hazardous Substances Superfund in reimbursement of the costs incurred by 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 Partial Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. American Cyanamid, et al.*, (M.D. Ga.) (Partial Consent Decree with Colgate-Palmolive Company, DOJ Ref. No. 9011-3-07602).

The Partial Consent Decree may be examined at the Office of the United