

## INTERNATIONAL BOUNDARY AND WATER COMMISSION; UNITED STATES AND MEXICO

### United States Section; Notice of Availability of a Final Environmental Assessment and Finding of No Significant Impact for Alternatives for Improved Flood Control of the Hidalgo Protective Levee System, in the Lower Rio Grande Flood Control Project, Located in Hidalgo County, TX.

**AGENCY:** United States Section, International Boundary and Water Commission (USIBWC), United States and Mexico.

**ACTION:** Notice of Availability of Final Environmental Assessment (EA) and Finding of No Significant Impact (FONSI).

**SUMMARY:** Pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Final Regulations (40 CFR Parts 1500 through 1508); and the USIBWC's Operational Procedures for Implementing Section 102 of NEPA, published in the **Federal Register** September 2, 1981, (46 FR 44083); the USIBWC hereby gives notice that the Final Environmental Assessment and Finding of No Significant Impact for *Alternatives for Improved Flood Control of the Hidalgo Protective Levee System*, in the Lower Rio Grande Flood Control Project, located in Hidalgo County, Texas are available. A notice of finding of no significant impact dated June 30, 2005, provided a thirty (30) day comment period before making the finding final. The Notice was published in the **Federal Register** on July 8, 2005 (70 FR 39527).

**FOR FURTHER INFORMATION CONTACT:** Gilbert Anaya, Environmental Management Division; United States Section, International Boundary and Water Commission; 4171 N. Mesa, C-100; El Paso, Texas 79902. Telephone: (915) 832-4703, e-mail: [gilbertanaya@ibwc.state.gov](mailto:gilbertanaya@ibwc.state.gov).

#### SUPPLEMENTARY INFORMATION:

##### Proposed Action

The USIBWC is considering alternatives to raise the Hidalgo Protective Levee System. The proposed action will take place in two construction phases, each covering separate geographic reaches of the Hidalgo Protective Levee System. Phase 1 encompasses the upstream 3.3-mile reach of the levee system, from the Hidalgo Levee junction with the LRGFCP Main Floodway, to the west margin of the Hidalgo-Reynosa

International Bridge. Phase 2, for subsequent implementation, covers the 1.2-mile downstream reach starting at the international bridge. The phased construction approach responds to the likely availability of early funding for Phase 1, the upstream reach of the project.

In-place increase of levee height under the *Phase 1 Footprint Expansion Alternative* is the Proposed Action for Phase 1 of the project. This alternative will increase flood containment capacity by raising the height of the existing compacted earthen levee to meet the freeboard requirement indicated by the hydraulic model. Soil borrow easements will be used to secure levee material.

Partial rerouting of the 1.2-mile downstream reach of the levee system under the *Partial Levee Rerouting Alternative* is the Phase 2 Proposed Action. Levee rerouting is proposed to eliminate the need for construction of a floodwall in front of the Hidalgo Historic Pumphouse, a resource included in the National Register of Historic Places (NRHP). A new levee segment, approximately 0.7 mile in length, will be built along the south margin of the pumphouse intake channel, and the channel will be crossed to tie the new structure to the existing levee system. Floodwall placement will be required along the Hidalgo-Reynosa International Bridge.

Alternatives under consideration to improve the Hidalgo Protective Levee System will expand the levee footprint by lateral extension of the structure. Levee footprint increases toward the riverside could potentially extend into floodplain areas designated by the U.S. Fish and Wildlife Service as part of the Lower Rio Grande Valley (LRGV) National Wildlife Refuge System. Footprint increases toward the levee landside could extend beyond the USIBWC right-of-way.

##### Alternatives Considered

###### *Phase 1 Alternative*

A *Phase 1 No Action Alternative* was evaluated for the 3.3-mile upstream reach of the levee system. This alternative would retain the existing configuration of the Hidalgo Protective Levee System, as designed over 30 years ago, and the current level of protection currently associated with this system. Under severe storm events, current containment capacity will be insufficient to fully control Rio Grande flooding with risks to personal safety and property.

##### Phase 2 Alternatives

A *Phase 2 No Action Alternative* and two action alternatives to the Proposed Action were evaluated for Phase 2 of the levee system improvement project: the *Footprint Expansion Alternative*, and the *No-Footprint Expansion Alternative*.

Under the *Phase 2 No Action Alternative*, the existing Hidalgo Protective Levee System would be retained in its current configuration along levee miles 3.3 to 4.5.

Under the *Phase 2 Footprint Expansion Alternative*, height of the existing levee would be increased with the associated lateral expansion of the footprint. Placement of floodwalls would be required at two segments where retaining walls are currently present: along the two spans of the Hidalgo-Reynosa International Bridge, and along the Hidalgo Historic Pumphouse.

Under the *No-Footprint Expansion Alternative*, a mechanically stabilized earth structure along the levee crown would eliminate the need for an expanded earthen levee and footprint expansion. Floodwall placement would be required both at the Hidalgo Historic Pumphouse and along the two spans of the Hidalgo-Reynosa International Bridge.

##### Availability

Single hard copies of the Final Environmental Assessment and final Finding of No Significant Impact may be obtained by request at the above address. Electronic copies may also be obtained from the USIBWC Home Page at <http://www.ibwc.state.gov>.

Dated: October 24, 2005.

**Susan Daniel,**

*General Counsel.*

[FR Doc. 05-22089 Filed 11-3-05; 8:45 am]

**BILLING CODE 7010-01-P**

## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-552]

### Certain Flash Memory Devices and Components Thereof, and Products Containing Such Devices and Components; 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 September 29, 2005, under section 337 of the Tariff Act of 1930, as amended,

19 U.S.C. 1337, on behalf of Toshiba Corporation of Tokyo, Japan. A supplemental letter was filed on October 20, 2005. The complaint alleges violations of section 337 in the importation into the United States, the sale for importation, and the sale within the United States after importation 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, claims 1 and 6–7 of U.S. Patent No. 5,270,969, and claims 1 and 4 of U.S. Patent No. 5,517,449. The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainant requests that the Commission institute an investigation and, after the investigation, issue a permanent exclusion order and permanent cease and desist orders.

**ADDRESSES:** The complaint, except for any confidential information contained therein, is 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:** Bryan F. Moore, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone 202–205–2767.

**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 (2005).

**Scope of Investigation:** Having considered the complaint, the U.S. International Trade Commission, on October 31, 2005, *Ordered That*—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine 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 flash memory devices or components thereof, or products containing such devices or components, by reason of infringement of one or more of claims 1–4 of U.S. Patent No. 5,150,178, claims 1 and 6–7 of U.S. Patent No. 5,270,969, and claims 1 and 4 of U.S. Patent No. 5,517,449, and whether an industry in the United States exists as required by subsection (a)(2) of section 337.

(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 complainant is: Toshiba Corporation, 1–1 Shibaura 1–Chome, Minato-KU, Tokyo 105–8001, Japan.

(b) The respondents are the following companies alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Hynix Semiconductor, San 136–1, Ami-Ri Bubal-eub, 1chon-si, Kyoungki-do, Korea.

Hynix Semiconductor America, Inc., 3101 North First Street, San Jose, California 95134.

(c) Bryan F. Moore, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Suite 401, Washington, DC 20436, who shall be the Commission investigative attorney, party to this investigation; and

(3) For the investigation so instituted, the Honorable Paul J. Luckern is designated as the presiding administrative law judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents 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 a 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 a final determination containing such findings, and may result in the issuance of a limited exclusion order or cease and desist order or both directed against the respondent.

Issued: October 31, 2005.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 05–22017 Filed 11–3–05; 8:45 am]

**BILLING CODE 7020–02–P**

## INTERNATIONAL TRADE COMMISSION

**[Investigation Nos. 701–TA–401 (Review) and 731–TA–853 and 854 (Review)]**

### Structural Steel Beams from Japan and Korea

**AGENCY:** United States International Trade Commission.

**ACTION:** Revised schedule for the subject reviews.

**DATES:** Effective October 19, 2005.

**FOR FURTHER INFORMATION CONTACT:** Joann Tortorice (202–205–3032) or Douglas Corkran (202–205–3057), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter 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>). The public record for these reviews may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

**SUPPLEMENTARY INFORMATION:** Effective September 9, 2005, the Commission established a schedule for the conduct of the subject reviews (70 FR 54962, September 19, 2005). Subsequently, counsel for domestic interested parties requested that the Commission extend the date for filing prehearing briefs by two business days to alleviate the hardship placed on administrative personnel.<sup>1</sup> Counsel suggested no other

<sup>1</sup> Letter to the Secretary of the Commission from Wiley Rein & Fielding, on behalf of Nucor Corp., Nucor-Yamato Steel Co., Steel Dynamics, Inc., and