

operating criteria and procedures; and (3) must not conflict with applicable court decrees.

Reclamation has a contract with the Truckee-Carson Irrigation District to operate and maintain the Newlands Project Works. There is no intention to address operation and maintenance of Project Works through this RMP process.

The Newlands Project RMP should achieve the following:

1. Identify issues and set forth goals and procedures for managing and administering resources on public lands.
2. Establish use levels and types of development that protect resources and are compatible with the uses of the public within legal and policy constraints; minimize conflicts among users.
3. Provide a flexible tool for land managers to assist in the proper administration, day-to-day operation, development, and management of public lands.
4. Provide a tool to aid in setting funding and staffing levels.

If special assistance is required at the scoping meetings, please contact Terri Edwards at 775-884-8353 or via e-mail at [tedwards@mp.usbr.gov](mailto:tedwards@mp.usbr.gov). Please notify Ms. Edwards as far in advance of the meetings as possible to enable Reclamation to secure the needed services. If a request cannot be honored, the requestor will be notified. A telephone device for the hearing impaired (TDD) is available at 916-978-5608.

Before including your name, address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: August 7, 2007.

**Michael Nepstad,**

*Acting Regional Environmental Officer, Mid-Pacific Region.*

[FR Doc. E7-15988 Filed 8-14-07; 8:45 am]

**BILLING CODE 4310-MN-P**

## INTERNATIONAL TRADE COMMISSION

### Notice of Commission Determination To Institute Advisory Opinion Proceedings; in the Matter of Certain Laser Bar Code Scanners and Scan Engines, Components Thereof, and Products Containing Same; Investigation No. 337-TA-551

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to institute an advisory opinion proceeding in the above-captioned investigation.

**FOR FURTHER INFORMATION CONTACT:** Paul M. Bartkowski, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 708-5432. 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:** This investigation was instituted on October 26, 2005, based on a complaint filed by Symbol Technologies Inc. ("Symbol") of Holtsville, New York. The complaint, as amended, alleged violations of Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain laser bar code scanners or scan engines, components thereof, or products containing the same, by reason of infringement of various claims of United States Patent Nos. 5,457,308 ("the '308 patent"); 5,545,889 ("the '889 patent"); 6,220,514 ("the '514 patent"); 5,262,627 ("the '627 patent"); and 5,917,173 ("the '173 patent"). The complaint named two respondents: Metro Technologies Co., Ltd. of Suzhou, China, and Metrologic Instruments, Inc. of Blackwood, New Jersey (collectively, "Metrologic").

On January 29, 2007, the ALJ issued an initial determination ("ID") finding a violation of section 337 in the importation of certain laser bar code scanners and scan engines, components thereof, and products containing the same, in connection with certain asserted claims. The ID also issued monetary sanctions against Respondents for discovery abuses. Complainant, Respondents, and the Commission investigative attorney ("IA") each filed petitions for review of the ID on February 8, 2007. They each filed responses to each other's petitions on February 16, 2007.

The Commission determined to review the following issues: (1) The construction of the limitation "single, unitary, flexural component" in the '173 patent, and related issues of infringement, domestic industry, and validity; (2) the construction of the limitation "oscillatory support means" in the '627 patent, and related issues of infringement, domestic industry, and validity; (3) the construction of claims in the '889 patent containing "central area" limitations, and related issues of infringement, domestic industry, and validity; (4) the construction of the "scan fragment" limitation in the asserted claims of the '308 patent; and (5) the construction of the term "plurality" in the asserted claims of the '308 patent.

On May 30, 2007, the Commission determined to make the following modifications to the claim constructions set forth in the final ID: (1) In the '173 patent, the "single, unitary, flexural component" must include "portions integral with each other;" (2) in the '627 patent, the "oscillatory support means" must oscillate; (3) the limitations in the '889 patent containing requirements that the folding mirror be "near" or "adjacent" the central area of the collecting mirror allow for the folding mirror to be positioned close to, and either in front of or behind, the central area of the collecting mirror, but do not allow it to be mounted to the collecting mirror outside of the central area; (4) "scan fragment," as used in the '308 patent, means "a scan that reads less than all of a bar code symbol and that would have been discarded before the advent of scan-stitching techniques;" and (5) the term "plurality" in the '308 patent means "two or more."

These changes did not affect the ALJ's findings on validity, infringement, or domestic industry. The Commission therefore affirmed those findings, as well as his finding of a violation of section 337 by Metrologic with regard to claim 48 of the '627 patent and claims 17 and 18 of the '173 patent. Consistent

with its determination of violation, the Commission issued a Limited Exclusion Order and Cease and Desist Order related to claim 48 of the '627 patent and claims 17 and 18 of the '173 patent.

On June 18, 2007, Metrologic filed a request for an advisory opinion under Commission Rule 210.79 (19 CFR 210.79) that would declare that its new scan module does not infringe claim 17 or 18 of the '173 patent and claim 48 of the '627 patent, and therefore is not covered by the Commission's Limited Exclusion Order or Cease and Desist Order issued on May 30, 2007. Metrologic further requested that the Commission conduct all proceedings related to the advisory opinion in an expedited manner and on summary determination based upon the evidence presented in its request without formal hearing or discovery.

The Commission has examined Metrologic's request for an advisory opinion and has determined that it complies with the requirements for institution of an advisory opinion proceeding under Commission Rule 210.79(a). Accordingly, the Commission has determined to institute an advisory opinion proceeding. The Commission directs Symbol and the IA to state their views regarding whether they oppose Metrologic's request for an advisory opinion that the new scan module is not covered by the Limited Exclusion Order or Cease and Desist Order, and if so, whether they believe the matter should be referred to the ALJ.

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 210.79(a) of the Commission's Rules of Practice and Procedure (19 CFR 210.79(a)).

Issued: August 10, 2007.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E7-15977 Filed 8-14-07; 8:45 am]

BILLING CODE 7020-02-P

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response Compensation and Liability Act

Notice is hereby given that a proposed consent decree in *United States v. Alder-Gold Copper Company*, Civil Action No. 2:07-CV-00255-EFS, was lodged on August 3, 2007 with the United States District Court for the Eastern District of Washington. The

United States filed this action pursuant to the Comprehensive Environmental Response, Compensation and Liability Act seeking clean up of groundwater contamination and recovery of costs incurred at the Alder Mill Site in Okanogan County, Washington.

The Consent Decree resolves the United States' claims by requiring the defendant Alder-Gold Copper Company to sell three parcels of land and pay a portion of the proceeds of the sale to the United States to reimburse the United States for its costs in cleaning up the Site. The United States estimates that the Consent Decree will result in the payment of between \$200,000 and \$300,000 to the Superfund.

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, Environment and Natural Resources Division, and either e-mailed to [pubcomment-ess.enrd@usdoj.gov](mailto:pubcomment-ess.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Alder-Gold Copper Company*, DOJ Ref #90-11-3-08880.

The proposed consent decree may be examined at the office of the United States Attorney, 920 W. Riverside Ave, Suite 340, Spokane, Washington 99201, and at the Region X Office of the Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington 98101. During the public comment period, the proposed consent decree may also be examined on the Department of Justice Web site, at [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy of the proposed consent decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax number (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$20.25 (or \$4.75, for a copy that omits the exhibits and signature pages) (25 cents per page reproduction cost) payable to the U.S. Treasury or, if by e-mail or fax, forward a check in that

amount to the Consent Decree Library at the stated address.

**W. Benjamin Fisherow,**

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

[FR Doc. 07-3998 Filed 8-14-07; 8:45 am]

BILLING CODE 4410-15-M

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act

In accordance with Department of Justice policy, notice is hereby given that on July 30, 2007, a proposed consent decree ("Consent Decree") in *United States v. ArvinMeritor, Inc.*, Civil Action No. 1:07-cv-00735-GJQ, was lodged with the United States District Court for the Western District of Michigan.

The Consent Decree would resolve claims against the sole defendant—ArvinMeritor, Inc.—for (i) Unreimbursed past response costs incurred by the United States related to removal and remedial actions at the Rockwell International Superfund Site ("Site") in Allegan, Michigan in exchange for a payment of \$3,475,000. The Consent Decree would also require ArvinMeritor to pay the United States' future response costs related to 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, Environment and Natural Resources Division, and either e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box No. 7611, Washington, DC 20044-7611, and should refer to *United States v. ArvinMeritor, Inc.*, Civil Action No. 1:07-cv-00735-GJQ, D.J. Ref. 90-11-3-08013.

The Consent Decree may be examined at the Office of the United States Attorney for the Western District of Michigan, 330 Ionia Avenue, NW., Suite 501, Grand Rapids, Michigan 49503, and at U.S. EPA Region 5, 77 W. Jackson Blvd., Chicago, Illinois 60604-4590. During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site, [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, or