

States International Trade Commission (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 France of sodium metal, provided for in subheading 2805.11.00 of the Harmonized Tariff Schedule of the United States, that have been found by the Department of Commerce (Commerce) to be sold in the United States at less than fair value (LTFV).

Background

The Commission instituted this investigation effective October 23, 2007, following receipt of a petition filed with the Commission and Commerce by E.I. du Pont de Nemours and Co., Wilmington, DE. The final phase of the investigation was scheduled by the Commission following notification of a preliminary determination by Commerce that imports of sodium metal from France 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 final phase 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 June 11, 2008 (73 FR 33115). The hearing was held in Washington, DC, on October 14, 2008, 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 November 24, 2008. The views of the Commission are contained in USITC Publication 4045 (November 2008), entitled sodium metal from France: Investigation No. 731-TA-1135 (Final).

Issued: November 25, 2008.

By order of the Commission.

William R. Bishop,

Acting Secretary to the Commission.

[FR Doc. E8-28529 Filed 12-1-08; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF JUSTICE

Notice of Proposed Consent Decree and Proposed Order on Consent Under the Comprehensive Environmental Response, Compensation, and Liability Act

Notice is hereby given that on November 24, 2008, a proposed Consent Decree in *United States v. Wilhelm Enterprises Corp., et al.*, Civil Action No. 1:08-cv-00840, was lodged with the United States District Court for the Western District of New York, and that on November 4, 2008, a proposed Administrative Order on Consent ("AOC") was executed in connection with the Peter Cooper Landfill Superfund Site ("Site"), in the Village of Gowanda ("Village"), Cattaraugus County, New York.

The proposed Consent Decree will settle the United States' claims on behalf of the U.S. Environmental Protection Agency ("EPA") against 19 defendants, pursuant to Sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9606 and 9607, with respect to the Site. The Site is on the National Priorities List established pursuant to Section 105(a) of CERCLA, 42 U.S.C. 9605(a). The defendants include: Wilhelm Enterprises Corporation; New York State Electric & Gas Corporation; Jimcar Development, Inc.; James Dill; Brown Shoe Company, Inc.; Seton Company; GST AutoLeather; Prime Tanning Company, Inc.; Viad Corporation; ConAgra Grocery Products Company, Inc.; Leucadia National Corporation; Beggs & Cobb Corporation; Wolverine Worldwide, Inc.; Genesco, Inc.; Albert Trostel & Sons Co.; Blackhawk Leather Ltd.; Eagle Ottawa, LLC; S.B. Foot Tanning Company; and Horween Leather Company ("Settling Defendants"). Pursuant to the Consent Decree, Settling Defendants will pay a total of \$1,374,000 in past costs and interest for reimbursement of the United States' response costs for the Site. In addition, 15 of the Settling Defendants will finance and perform the remedy selected by EPA for the Site, estimated to cost \$2,680,000.

The Department of Justice will receive comments relating to the proposed Consent Decree for a period of 30 days from the date of this publication. Comments on the Consent Decree should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either emailed to pubcomment-ees.enrd@usdoj.gov or mailed to P.O. Box 7611, U.S. Department of Justice,

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-1135 (Final)]

Sodium Metal from France

Determination

On the basis of the record¹ developed in the subject investigation, the United

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