

by the Department of Commerce to be subsidized by the Government of Venezuela and sold in the United States at less than fair value (LTFV).

The Commission's determinations in the reconsideration proceedings render the changed circumstances investigations that relate to the original determinations moot. Accordingly, the United States International Trade Commission hereby terminates investigations Nos. 751-TA-21-27 concerning ferrosilicon from Brazil, China, Kazakhstan, Russia, Ukraine, and Venezuela.

Background

On April 24, 1998, the Commission received a request to review its affirmative determination as it applied to imports of ferrosilicon from Brazil (the request)² in light of changed circumstances, pursuant to section 751(b) of the Act. The request was filed by counsel on behalf of Associação Brasileira dos Produtores de Ferroligas e de Silício Metálico (ABRAFE), Companhia Brasileira Carbureto de Cálcio (CBCC), Companhia de Ferroligas de Bahia (FERBASA), Nova Era Silicon S/A, Italmagnesio S/A-Indústria e Comércio, Rima Industrial S/A, and Companhia Ferroligas Minas Gerais (Minasligas).

Pursuant to section 207.45(b) of the Commission's Rules of Practice and Procedure,³ the Commission published a notice in the **Federal Register** on May 20, 1998,⁴ requesting comments as to whether the alleged changed circumstances warranted the institution of review investigations. The Commission received comments in support of the request from C.V.G. Venezolana de Ferrosilício C.A. (Fesilven), a Venezuelan producer of ferrosilicon; General Motors Corp., a purchaser of ferrosilicon; and the Governments of Brazil and Kazakhstan. Comments in opposition to the request were received from counsel on behalf of AIMCOR, American Alloys, Inc., Elkem Metals Co., and SKW Metals & Alloys, Inc., U.S. producers of ferrosilicon. After reviewing these comments, the Commission determined on July 28, 1998, that certain of the alleged changed circumstances were sufficient to warrant review investigations.⁵ Among the

issues that were briefed by the parties to the investigations was the fact that, between 1995 and 1997, two members of the domestic industry pleaded guilty to conspiring to fix prices of commodity ferrosilicon products during the periods of the Commission's original investigations, and a third member, and an officer of that member, were convicted of conspiring to fix prices of commodity ferrosilicon products during the periods of the Commission's original investigations.

On May 21, 1999, the Commission suspended investigations Nos. 751-TA-21-27, and instituted proceedings to reconsider its determinations in countervailing duty investigation No. 303-TA-23 (Final) concerning ferrosilicon from Venezuela and antidumping investigations Nos. 731-TA-566-570 and 731-TA-641 (Final) concerning ferrosilicon from Brazil, China, Kazakhstan, Russia, Ukraine, and Venezuela.⁶

The Commission transmitted its determination in these investigations to the Secretary of Commerce on August 24, 1999. The views of the Commission are contained in USITC Publication 3218 (August 1999), entitled Ferrosilicon from Brazil, China, Kazakhstan, Russia, Ukraine, and Venezuela: Investigations Nos. 303-TA-23, 731-TA-566-570, and 731-TA-641 (Reconsideration).

By order of the Commission.

Issued: August 25, 1999.

Donna R. Koehnke,

Secretary.

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INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 701-TA-401 (Preliminary) and 731-TA-852-855 (Preliminary)]

Certain Structural Steel Beams From Germany, Japan, Korea, and Spain

Determinations

On the basis of the record¹ developed in the subject investigations, the United States International Trade Commission determines, pursuant to section 703(a) of the Tariff Act of 1930 (19 U.S.C. 1671b(a)), that there is a reasonable indication that an industry in the United States is threatened with

material injury by reason of imports from Korea of certain structural steel beams,² provided for in subheadings 7216.32.00, 7216.33.00, 7216.50.00, 7216.61.00, 7216.69.00, 7216.91.00, 7216.99.00, 7228.70.30, and 7228.70.60 of the Harmonized Tariff Schedule of the United States, that are alleged to be subsidized by the Government of Korea.

The Commission further determines, pursuant to section 733(a) of the Tariff Act of 1930 (19 U.S.C. 1673b(a)), that there is a reasonable indication that an industry in the United States is threatened with material injury by reason of imports from Japan and Korea of certain structural steel beams,³ provided for in subheadings 7216.32.00, 7216.33.00, 7216.50.00, 7216.61.00, 7216.69.00, 7216.91.00, 7216.99.00, 7228.70.30, and 7228.70.60 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).

The Commission further determines, pursuant to section 733(a) of the Tariff Act of 1930 (19 U.S.C. 1673b(a)), that there is no reasonable indication that an industry in the United States is materially injured or threatened with material injury, or that the establishment of an industry in the United States is materially retarded, by reason of imports from Germany and Spain of certain structural steel beams,⁴ provided for in subheadings 7216.32.00, 7216.33.00, 7216.50.00, 7216.61.00, 7216.69.00, 7216.91.00, 7216.99.00, 7228.70.30, and 7228.70.60 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at LTFV.

Commencement of Final Phase Investigations

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

² Vice Chairman Marcia E. Miller makes a negative determination on allegedly subsidized imports from Korea. Commissioner Carol T. Crawford makes an affirmative determination that there is a reasonable indication that an industry in the United States is materially injured by reason of allegedly subsidized imports from Korea.

³ Vice Chairman Marcia E. Miller makes a negative determination on imports from Japan and Korea allegedly sold at LTFV. Commissioner Carol T. Crawford makes an affirmative determination that there is a reasonable indication that an industry in the United States is materially injured by imports from Japan and Korea allegedly sold at LTFV.

⁴ Chairman Lynn M. Bragg and Commissioner Carol T. Crawford dissenting.

² The request concerned only imports from Brazil. However, as the alleged changed circumstances predominantly relate to the domestic industry, the Commission solicited comments on the possibility of self-initiating reviews of the outstanding orders on imports from China, Kazakhstan, Russia, Ukraine, and Venezuela.

³ 19 CFR 207.45(b).

⁴ 63 FR 27747.

⁵ See 63 FR 40314-15.

⁶ 64 FR 28212, May 25, 1999. Chairman Bragg dissenting.

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

the Department of Commerce (Commerce) of affirmative preliminary determinations in these 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 the 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 July 7, 1999, a petition was filed with the Commission and the Department of Commerce by Northwestern Steel & Wire Co., Sterling, IL; Nucor-Yamato Steel Co., Blytheville, AR; TXI-Chaparral Steel Co., Midlothian, TX; and The United Steelworkers of America AFL-CIO, Pittsburgh, PA, alleging that an industry in the United States is materially injured or threatened with material injury by reason of subsidized imports of certain structural steel beams from Korea and alleging that an industry in the United States is materially injured or threatened with material injury by reason of LTFV imports of certain structural steel beams from Germany, Japan, Korea, and Spain. Accordingly, effective July 7, 1999, the Commission instituted countervailing duty investigation No. 701-TA-401 (Preliminary) and antidumping investigations Nos. 731-TA-852-855 (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 of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of July 16, 1999 (64 FR 38476). The conference was held in Washington, DC, on July 28, 1999, 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 August 23, 1999. The views of the Commission

are contained in USITC Publication 3225 (September 1999), entitled Certain Structural Steel Beams from Germany, Japan, Korea, and Spain: Investigations Nos. 701-TA-401 (Preliminary) and 731-TA-852-855 (Preliminary).

By order of the Commission.

Issued: August 26, 1999.

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

Notice is hereby given that on August 2, 1999, a proposed Consent Decree in *United States v. Aiken County Forfeited Land Commission and Aiken County, South Carolina*, Civil Action No. 1:99-0264-08 was lodged with the United States District Court for the District of South Carolina.

In this action the United States sought the recovery of past costs incurred in response to releases and threatened releases of hazardous substances at the Clearwater Finishing Superfund Site in Clearwater, Aiken County, South Carolina. The Consent Decree represents a settlement with two of the potential responsible parties listed in the Amended Complaint for violations of Section 107 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9607. Under the Consent Decree, the Aiken County Forfeited Land Commission and Aiken County, South Carolina has agreed to pay the United States \$250,000.00. This Consent Decree represents the third settlement to be lodged with the Court regarding the Clearwater Finishing Superfund Site. The United States has incurred approximately \$1,182,000.00. The Amended Complaint names two additional parties.

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, DC 20530, and should refer to *United States v. Aiken County Forfeited Land Commission and Aiken County, South Carolina*, D.J. Ref. Number 90-11-3-06135.

The proposed Consent Decree may be examined at the Office of the United States Attorney, for the District of South Carolina, First Union Building, 1441 Main Street, Suite 500, Columbia, South Carolina 29201, at U.S. EPA Region IV, 61 Forsyth Street, Atlanta, Georgia 30303, and at the Consent Decree Library, 1120 G Street, NW, 3rd Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW, 3rd Floor, Washington, DC 20005. In requesting a copy, please enclose a check in the amount of \$4.75 (25 cents per page reproduction cost) payable to the Consent Decree Library.

Walker Smith,

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

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DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant To The National Cooperative Research and Production Act of 1993—EMTEC: Enabling Technologies For Lean Manufacturing of Hardened Steel Components

Notice is hereby given that, on July 20, 1999, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), EMTEC: Enabling Technologies For Lean Manufacturing of Hardened Steel Components has file written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to Section 6(b) of the Act, the identities of the parties are Delphi Automotive Systems, Dayton, OH; Torrington Company, Norcross, GA; Valenite, Madison Heights, MI; Third Wave, Minneapolis, MN; Saginaw Machine Systems, Inc., Saginaw, MI; Masco Tech, Royal Oak, MI; The George Woodruff School of Mechanical Engineering/Georgia Institute of Technology, Atlanta, GA; Ohio State University, Columbus, OH; and Edison Materials Technology Center (EMTEC), Kettering, OH. The nature and objectives of the venture are to conduct research on Enabling