

Department of Justice, Washington, DC 20044-7611, and should refer to *United States and the State of Wisconsin v. NCR Corporation and Sonoco-U.S. Mills, Inc.*, Civil Action No. 06-CV-00484 (E.D. Wis.) and D.J. Ref. No. 90-11-2-1045/5.

The Consent Decree may be examined at: (1) The offices of the United States Attorney, 517 E. Wisconsin Avenue, Room 530, Milwaukee, Wisconsin; and (2) the offices of the U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, 14th Floor, Chicago, Illinois. 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/open.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 by faxing or e-mailing a request to Tonia Fleetwood (tonia.fleetwood@usdoj.gov), fax no. (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 \$36.00 (144 pages at 25 cents per page reproduction cost) payable to the U.S. Treasury. For a copy of the Consent Decree alone, without appendices, please enclose a check in the amount of \$19.25 (77 pages at 25 cents per page reproduction cost) payable to the U.S. Treasury.

William D. Brighton,

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

[FR Doc. 06-3939 Filed 4-25-06; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Air Act

Notice is hereby given that on April 17, 2006, a proposed consent decree in *United States of America v. Valero Terrestrial Corporation and Solid Waste Services, Inc.*, Civil Action No. 05:06-CR-43, was lodged with the United States District Court for the Northern District of West Virginia.

In this action the United States sought civil penalties for alleged violations of the Clean Air Act at the Brooke County Sanitary Landfill, located in Brooke County, West Virginia. The complaint alleged that Valero Terrestrial Corporation and Solid Waste Services, Inc. violated the New Source Performance Standards of the Clean Air Act, 42 U.S.C. 7411, and their

implementing regulations, including the New Source Performance Standards for Solid Waste Landfills, 40 CFR part 60 subpart WWW, by failing to install the appropriate control technology and by failing to conduct an initial performance test and routine monitoring. The complaint also alleged that Valero Terrestrial Corporation violated an operating permit issued by the State of West Virginia pursuant to Title V of the Clean Air Act, 42 U.S.C. 7661-7661f. Under the terms of the proposed consent decree, Valero Terrestrial Corporation and Solid Waste Services, Inc. will pay a civil penalty of \$300,000.00 plus interest.

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, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States of America v. Valero Terrestrial Corporation and Solid Waste Services, Inc.*, D. J. Ref. No. 90-5-2-1-08262.

The proposed Consent Decree may be examined at the Office of the United States Attorney for the Northern District of West Virginia, U.S. Courthouse and Federal Building, 1125 Chapline Street, Suite 3000, Wheeling, WV 26003 and at U.S. EPA Region III, 1650 Arch Street, Philadelphia, PA 19103-2029. During the public comment period, the proposed consent decree may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.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), fax no. (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 \$4.75 (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.

Robert Brook,

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

[FR Doc. 06-3937 Filed 4-25-06; 8:45 am]

BILLING CODE 4410-15-M

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Determinations Under the African Growth and Opportunity Act

AGENCY: Office of the United States Trade Representative.

ACTION: Notice.

SUMMARY: The United States Trade Representative (USTR) has determined that the Republic of Chad has adopted an effective visa system and related procedures to prevent unlawful transshipment and the use of counterfeit documents in connection with shipments of textile and apparel articles and has implemented and follows, or is making substantial progress toward implementing and following, the customs procedures required by the African Growth and Opportunity Act (AGOA). Therefore, imports of eligible products from Chad qualify for the textile and apparel benefits provided under the AGOA.

DATES: Effective April 26, 2006.

FOR FURTHER INFORMATION CONTACT: William Jackson, Director for African Affairs, Office of the United States Trade Representative, (202) 395-9514.

SUPPLEMENTARY INFORMATION: The AGOA (Title I of the Trade and Development Act of 2000, Pub. L. No. 106-200) provides preferential tariff treatment for imports of certain textile and apparel products of beneficiary sub-Saharan African countries. The textile and apparel trade benefits under the AGOA are available to imports of eligible products from countries that the President designates as beneficiary sub-Saharan African countries, provided that these countries: (1) Have adopted an effective visa system and related procedures to prevent unlawful transshipment and the use of counterfeit documents; and (2) have implemented and follow, or are making substantial progress toward implementing and following, certain customs procedures that assist U.S. Customs and Border Protection in verifying the origin of the products.

In Proclamation 7350 (Oct. 2, 2000), the President designated Chad a beneficiary sub-Saharan African country. Proclamation 7350 delegated to the USTR the authority to determine whether designated countries have met the two requirements described above. The President directed the USTR to announce any such determinations in the **Federal Register** and to implement them through modifications of the Harmonized Tariff Schedule of the United States (HTS). Based on actions that the Government of Chad has taken,

I have determined that Chad has satisfied these two requirements.

Accordingly, pursuant to the authority vested in the USTR by Proclamation 7350, U.S. note 7(a) to subchapter II of chapter 98 of the HTS and U.S. note 1 to subchapter XIX of chapter 98 of the HTS are each modified by inserting Chad in alphabetical sequence in the list of countries. The foregoing modifications to the HTS are effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after the date of publication of this notice. Importers claiming preferential tariff treatment under the AGOA for entries of textile and apparel articles should ensure that those entries meet the applicable visa requirements. *See Visa Requirements Under the African Growth and Opportunity Act*, 66 FR 7837 (2001).

Rob Portman,

United States Trade Representative.

[FR Doc. E6-6224 Filed 4-25-06; 8:45 am]

BILLING CODE 3190-W6-P

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. WTO/DS-338]

WTO Dispute Settlement Proceeding Regarding Canada—Provisional Antidumping and Countervailing Duties on Grain Corn From the United States

AGENCY: Office of the United States Trade Representative.

ACTION: Notice; request for comments.

SUMMARY: The Office of the United States Trade Representative (USTR) is providing notice that on March 17, 2006, in accordance with the *Marrakesh Agreement Establishing the World Trade Organization* ("WTO Agreement"), the United States requested consultations regarding Canada's provisional antidumping and countervailing duties on imports of unprocessed grain corn from the United States. That request may be found at <http://www.wto.org> contained in a document designated as WT/DS338/1. USTR invites written comments from the public concerning the issues raised in this dispute.

DATES: Although USTR will accept any comments received during the course of the consultations, comments should be submitted on or before May 12, 2006 to be assured of timely consideration by USTR.

ADDRESSES: Comments should be submitted (i) electronically, to FR0614@ustr.gov, with "Canada Corn Preliminary Injury (DS338)" in the

subject line, or (ii) by fax, to Sandy McKinzy at (202) 395-3640, with a confirmation copy sent electronically to the electronic mail address above, in accordance with the requirements for submission set out below.

FOR FURTHER INFORMATION CONTACT:

David Yocis, Assistant General Counsel, Office of the United States Trade Representative, 600 17th Street, NW., Washington, DC 20508, (202) 395-6150.

SUPPLEMENTARY INFORMATION: Section 127(b) of the Uruguay Round Agreements Act (URAA) (19 U.S.C. 3537(b)(1)) requires that notice and opportunity for comment be provided after the United States submits or receives a request for the establishment of a WTO dispute settlement panel. In an effort to provide additional opportunity for comment, USTR is providing notice that consultations have been requested pursuant to the WTO *Understanding on Rules and Procedures Governing the Settlement of Disputes* ("DSU"). If such consultations should fail to resolve the matter and a dispute settlement panel is established pursuant to the DSU, such panel, which would hold its meetings in Geneva, Switzerland, would be expected to issue a report on its findings and recommendations within nine months after it is established.

Major Issues Raised by the United States

On March 17, 2006, the United States requested consultations regarding Canada's provisional antidumping and countervailing duties on unprocessed grain corn from the United States and certain related measures. Those measures include:

- The imposition of provisional antidumping and countervailing duties on imports of unprocessed grain corn from the United States on December 15, 2005 (Canada Gazette, Part I, Vol. 153, No. 53, p. 4321, published December 31, 2005), including the preliminary determination of injury by the Canadian International Trade Tribunal (CITT) on November 15, 2005 (Canada Gazette, Part I, Vol. 153, No. 48, p. 3891, published November 26, 2005) and the accompanying Statement of Reasons, released on November 30, 2005 and available on the CITT's Web site at [ftp://ftp.citt-tcce.gc.ca/doc/english/Dumping/PreInq/determin/pi2f001_e.pdf](http://ftp.citt-tcce.gc.ca/doc/english/Dumping/PreInq/determin/pi2f001_e.pdf); and
- The Special Import Measures Act, R.S. 1985, c. S-15, and any amendments, implementing measures, and related measures.

In its preliminary injury determination, the CITT did not address

or otherwise refer to certain factors mandated by the WTO agreements, such as the volume of imports, the price of imports, and the impact of imports on the domestic industry. In addition, the CITT expressly decided not to analyze the evidence before it with respect to causation, including the causal link between imports and injury and injury caused by factors other than imports. Instead, the CITT decision is based entirely on a supposed correlation between past injury to the Canadian domestic industry with past and projected future declines in the U.S. domestic price of grain corn, rather than the mandatory factors in the agreements. Further, the Special Import Measures Act would appear to require the imposition of antidumping and countervailing duties upon a CITT finding that the "dumping and subsidizing" of subject goods, including alleged effects of subsidies on the domestic prices of those goods in the market of the dumping or subsidizing country, have injured Canada's domestic industry, even in the absence of any finding of injury caused by dumped or subsidized imports as provided for in the WTO agreements.

USTR believes these measures are inconsistent with Canada's obligations under Articles 1, 3, and 7 of the *Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994* ("AD Agreement"), Articles 10, 15, and 17 of the *Agreement on Subsidies and Countervailing Measures* ("SCM Agreement"), and Article VI of the *General Agreement on Tariffs and Trade 1994*.

Public Comment: Requirements for Submissions

Interested persons are invited to submit written comments concerning the issues raised in the dispute. Comments should be submitted (i) electronically, to FR0614@ustr.gov, with "Canada Corn Preliminary Injury (DS338)" in the subject line, or (ii) by fax, to Sandy McKinzy at (202) 395-3640, with a confirmation copy sent electronically to the electronic mail address above.

USTR encourages the submission of documents in Adobe PDF format as attachments to an electronic mail. Interested persons who make submissions by electronic mail should not provide separate cover letters; information that might appear in a cover letter should be included in the submission itself. Similarly, to the extent possible, any attachments to the submission should be included in the same file as the submission itself, and not as separate files.