

Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; Pokagon Band of Potawatomi Indians of Michigan and Indiana; Quapaw Tribe of Indians, Oklahoma; Thlopthlocco Tribal Town, Oklahoma; United Keetoowah Band of Cherokee Indians in Oklahoma; and Wichita and Affiliated Tribes (Wichita, Keechi, Waco & Tawakonie), Oklahoma that this notice has been published.

Dated: August 14, 2009

**Sherry Hutt,**

Manager, National NAGPRA Program.

[FR Doc. E9-22217 Filed 9-14-09; 8:45 am]

**BILLING CODE 4312-50-S**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-556 (Remand)]

### In the Matter of Certain High-Brightness Light-Emitting Diodes and Products Containing Same; Notice of a Commission Determination Not To Review an Initial Determination Terminating the Investigation

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination ("ID") (Order No. 5) of the presiding administrative law judge ("ALJ") terminating the above-captioned investigation under section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) based on withdrawal of the complaint.

#### FOR FURTHER INFORMATION CONTACT:

Clint Gerdine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 708-2310. 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:** The Commission instituted this investigation on December 8, 2005, based on a complaint filed by Lumileds Lighting U.S., LLC of San Jose, California. 70 FR 73026. The complaint, as amended and supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 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 high-brightness light emitting diodes and products containing same by reason of infringement of claims 1 and 6 of U.S. Patent No. 5,008,718, claims 1-3, 8-9, 16, 18, and 23-28 of U.S. Patent No. 5,376,580, and claims 12-16 of U.S. Patent No. 5,502,316. The complaint further alleged the existence of a domestic industry. The Commission's notice of investigation named Epistar Corporation of Hsinchu, Taiwan, and United Epitaxy Company of Hsinchu, Taiwan as respondents. Subsequently, respondents merged under the name Epistar Corporation ("Epistar").

The Commission terminated this investigation on May 9, 2007, finding a violation of section 337 and issuing a limited exclusion order directed to Epistar. Epistar appealed the Commission's determination to the U.S. of Appeals for the Federal Circuit. The Court issued its opinion on May 22, 2009, affirming in part, reversing in part, and remanding the investigation to the Commission. *See Epistar Corp. v. United States Int'l Trade Comm'n*, 566 F.3d 1321 (Fed. Cir. 2009).

On August 5, 2009, complainant moved to withdraw its complaint and terminate the investigation in its entirety.

The ALJ issued the subject ID on August 18, 2009, granting the motion for termination of the investigation. No party petitioned for review of the ID pursuant to 19 CFR 210.43(a), and the Commission found no basis for ordering a review on its own initiative pursuant to 19 CFR 210.44. The Commission has determined not to review the ID, and accordingly the investigation is terminated.

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 sections 210.21 and 210.42(h), (i) of the Commission's Rules of Practice and Procedure, 19 CFR 210.21, 210.42(h), (i).

Issued: September 2, 2009.

By order of the Commission.

**Marilyn R. Abbott,**

Secretary to the Commission.

[FR Doc. E9-22131 Filed 9-14-09; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree under the Clean Water Act and the Oil Pollution Act

Notice is hereby given that on August 19, 2009, a proposed Consent Decree in *United States of America and the State of Indiana v. Countrymark Cooperative LLP*, Civil Action No. 1:09-cv-1018, was lodged with the United States District Court for the Southern District of Indiana.

In this action the United States, on behalf of the United States Department of Interior, the United States Fish and Wildlife Service, and the United States Coast Guard; and the State of Indiana, on behalf of the Indiana Department of Environmental Management and the Indiana Department of Natural Resources, sought damages under the Clean Water Act, 33 U.S.C. 1251 *et seq.*, and the Oil Pollution Act, 33 U.S.C. 2701 *et seq.*, for injury to, destruction of, or loss of natural resources resulting from a 2003 oil spill in the Wabash River floodplain near Griffin, Indiana (the "Spill"). The Consent Decree resolves the claims of the United States and State of Indiana against Countrymark Cooperative in connection with the Spill. The Consent Decree provides that Countrymark Cooperative shall: (1) Undertake restoration activities at a nearby park; (2) reimburse a total of \$22,800.12 in damage assessment costs; and (3) pay the future costs of overseeing the restoration work.

The U.S. 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 7611, U.S. Department of Justice, Washington, DC 20044-7611. In either case, the comments should refer to *United States of America and the State of Indiana v. Countrymark Cooperative LLP*, Civil Action No. 1:09-cv-1018, D.J. Ref. 90-5-1-1-08445.

During the comment period, the Consent Decree may be examined at the Office of the United States Attorney, Southern District of Indiana, 10 W. Market Street, Suite 2100, Indianapolis, Indiana 46204-3048, and at the offices of the U.S. Department of the Solicitor, Three Parkway Center, Room 385, Pittsburgh, PA 15220. The Consent Decree, may also be examined on the following Department of Justice Web site, <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 by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto: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 \$11.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Maureen Katz,**

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

[FR Doc. E9-22061 Filed 9-14-09; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

[OMB Number 1117-0034]

#### Agency Information Collection

**Activities: Proposed Collection;**

**Comments Requested: Collection of Laboratory Analysis Data on Drug Samples Tested by Non-Federal (State and Local Government) Crime Laboratories**

**ACTION:** 60-Day notice of information collection under review

The Department of Justice (DOJ), Drug Enforcement Administration (DEA), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted until November 16, 2009. This process is conducted in accordance with 5 CFR 1320.10.

If you have comments, especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Mark W. Caverly, Chief, Liaison and Policy Section, Drug Enforcement Administration, Office of Diversion Control, 8701 Morrisette Drive, Springfield, VA 22152.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

#### Overview of This Information Collection

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Collection of Laboratory Analysis Data on Drug Samples Tested by Non-Federal (State and Local Government) Crime Laboratories.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:*

*Form Number:* None.

Office of Diversion Control, Drug Enforcement Administration, U.S. Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:*

*Primary:* State, local or Tribal Government.

*Other:* None.

*Abstract:* Information is needed from State and local laboratories to provide DEA with additional analyzed drug information for the National Forensic Laboratory Information System.

(5) An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond: It is estimated that there are one hundred fifty (150) total respondents for this information collection. One hundred twenty (120) respond monthly at .16 hour (10 minutes) for each response and thirty (30) respond quarterly at .16 hour (10 minutes) for each response, for a total number of 1,560 respondents.

(6) An estimate of the total public burden (in hours) associated with the collection: It is estimated that there are

259 annual burden hours associated with this collection.

*If additional information is required contact:* Lynn Bryant, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Patrick Henry Building, Suite 1600, 601 D Street, NW., Washington, DC 20530.

Dated: September 9, 2009.

**Lynn Bryant,**

*Department Clearance Officer, PRA, U.S. Department of Justice.*

[FR Doc. E9-22123 Filed 9-14-09; 8:45 am]

BILLING CODE 4410-09-P

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review: Comment Request

September 9, 2009.

The Department of Labor (DOL) hereby announces the submission of the following public information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35). A copy of this ICR, with applicable supporting documentation; including among other things a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the RegInfo.gov website at <http://www.reginfo.gov/public/do/PRAMain> or by contacting Darrin King on 202-693-4129 (this is not a toll-free number)/e-mail: [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

Interested parties are encouraged to send comments to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Department of Labor—ETA, Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: 202-395-7316/Fax: 202-395-5806 (these are not toll-free numbers), E-mail: [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov) within 30 days from the date of this publication in the **Federal Register**. In order to ensure the appropriate consideration, comments should reference the OMB Control Number (see below).

The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;