

Secretary will make BPI gathered in the final phase of these investigations available to authorized applicants under the APO issued in the investigations, provided that the application is made no later than 21 days prior to the hearing date specified in this notice. Authorized applicants must represent interested parties, as defined by 19 U.S.C. 1677(9), who are parties to the investigations. A party granted access to BPI in the preliminary phase of the investigations need not reapply for such access. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Staff report.—The prehearing staff report in the final phase of these investigations will be placed in the nonpublic record on September 7, 2022, and a public version will be issued thereafter, pursuant to § 207.22 of the Commission's rules.

Hearing.—The Commission will hold a hearing in connection with the final phase of these investigations beginning at 9:30 a.m. on September 22, 2022. Information about the place and form of the hearing, including about how to participate in and/or view the hearing, will be posted on the Commission's website at <https://www.usitc.gov/calendarpad/calendar.html>. Interested parties should check the Commission's website periodically for updates. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before September 15, 2022. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and make oral presentations should attend a prehearing conference to be held at 9:30 a.m. on September 21, 2022. Oral testimony and written materials to be submitted at the public hearing are governed by sections 201.6(b)(2), 201.13(f), and 207.24 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony *in camera* no later than 7 business days prior to the date of the hearing.

Written submissions.—Each party who is an interested party shall submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of § 207.23 of the Commission's rules; the deadline for filing is September 14, 2022. Parties may also file written testimony in connection with their presentation at the hearing, as provided in § 207.24 of the Commission's rules, and posthearing briefs, which must conform with the

provisions of § 207.25 of the Commission's rules. The deadline for filing posthearing briefs is September 29, 2022. In addition, any person who has not entered an appearance as a party to the investigations may submit a written statement of information pertinent to the subject of the investigations, including statements of support or opposition to the petition, on or before September 29, 2022. On October 19, 2022, the Commission will make available to parties all information on which they have not had an opportunity to comment. Parties may submit final comments on this information on or before October 21, 2022, but such final comments must not contain new factual information and must otherwise comply with § 207.30 of the Commission's rules. All written submissions must conform with the provisions of § 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of §§ 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's *Handbook on Filing Procedures*, available on the Commission's website at https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf, elaborates upon the Commission's procedures with respect to filings.

Additional written submissions to the Commission, including requests pursuant to § 201.12 of the Commission's rules, shall not be accepted unless good cause is shown for accepting such submissions, or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with §§ 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigations must be served on all other parties to the investigations (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Authority: These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.21 of the Commission's rules.

By order of the Commission.

Issued: June 6, 2022.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2022-12448 Filed 6-8-22; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1223]

Certain Shingled Solar Modules, Components Thereof, and Methods for Manufacturing the Same; Notice of a Final Determination Granting a Joint Motion To Terminate the Investigation Based on Settlement; Termination of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to grant a joint motion to terminate the above-captioned investigation in its entirety based on settlement. The investigation is hereby terminated.

FOR FURTHER INFORMATION CONTACT:

Megan M. Valentine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708-2301. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal, telephone (202) 205-1810.

SUPPLEMENTARY INFORMATION: On

October 21, 2020, the Commission instituted this investigation based on a complaint filed by The Solaria Corporation ("Solaria") of Fremont, California. 85 FR 67010-11 (Oct. 21, 2020). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), based on the importation into the United States, the sale for importation, or the sale within the United States after importation of certain shingled solar modules, components thereof, and methods for manufacturing the same by reason of infringement of certain claims of U.S. Patent Nos. 10,522,707 ("the '707 patent"), 10,763,388 ("the '388 patent"), and 10,651,333 ("the '333 patent"). *Id.* at 67011. The complaint further alleges that a domestic industry ("DI") exists. *Id.* The notice of investigation named Canadian Solar Inc. of Guelph, Ontario, Canada and Canadian Solar (USA) Inc.

of Walnut Creek, California (collectively, “Canadian Solar”) as the respondents. *Id.* The Office of Unfair Import Investigations is not named as a party. *Id.*

On July 15, 2021, the Commission terminated the investigation as to the ’707 patent based on Solaria’s withdrawal of the allegations in the complaint as to that patent. Order No. 9 (June 28, 2021), *unreviewed by* Comm’n Notice (July 15, 2021). On October 13, 2021, the Commission terminated the investigation as to certain claims of the ’333 patent and the ’388 patent based on Solaria’s withdrawal of the allegations in the complaint as to those claims. Order No. 13 (Sept. 14, 2021), *unreviewed by* Comm’n Notice (Oct. 13, 2021).

On October 22, 2021, the presiding chief administrative law judge (“CALJ”) issued a final initial determination (“FID”) on violation, finding a violation of section 337 with respect to the ’388 and ’333 patents. The FID also included the CALJ’s recommended determination on remedy and bonding.

On November 5, 2021, Canadian Solar filed a petition for review of certain aspects of the FID on violation. On November 15, 2021, Solaria filed a response to Canadian Solar’s petition.

On November 22, 2021, Canadian Solar filed a notice of supplemental authority to inform the Commission that a claim construction order issued in a related district court litigation involving the same parties and patents at issue in this investigation.

On November 23, 2021, Canadian Solar filed a submission on the public interest pursuant to Commission Rule 210.50(a)(4) (19 CFR 210.50(a)(4)). The Commission did not receive a public interest submission from Solaria. The Commission also did not receive any submissions on the public interest from members of the public in response to the Commission’s **Federal Register** notice. 86 FR 62845–46 (Nov. 12, 2021).

On February 4, 2022, the Commission determined to review the FID in part and to remand the FID in part to the CALJ to address, in the first instance, Canadian Solar’s on-sale bar defenses as to the asserted claims of the ’333 patent. 87 FR 7867–70 (Feb. 10, 2022).

On February 18, 2022, Solaria and Canadian Solar each filed initial briefs on the issues under review, as well as the issues of remedy, the public interest, and bonding. On March 4, 2022, Solaria and Canadian Solar each filed reply briefs.

On March 4, 2022, the CALJ issued a remand initial determination (“RID”) finding that Canadian Solar failed to show, by clear and convincing evidence,

that the asserted claims of the ’333 patent are anticipated under the on-sale bar of 35 U.S.C. 102.

On March 16, 2022, Canadian Solar filed a petition for review of the RID. On March 23, 2022, Solaria filed a response to Canadian Solar’s petition. On April 20, 2022, the Commission determined to extend the deadline for determining whether to review the RID until June 6, 2022.

On June 3, 2022, the parties filed a joint motion to terminate the investigation based on settlement.

The Commission has determined to grant the joint motion to terminate the investigation. The Commission finds that, consistent with Commission Rule 210.21(b)(1) (19 CFR 210.21(b)(1)), the Moving Parties attached a copy of the signed settlement and license agreement between the parties (the “Settlement Agreement”) as Exhibit A, with a redacted version of the Settlement Agreement attached as Exhibit B. The Moving Parties submit that the Settlement Agreement resolves all of the issues in dispute in this Investigation. Mot. at 1–2. In further compliance with Commission Rule 210.21(b)(1), the Motion contains a statement that “there are no other agreements, written or oral, express or implied, between the Private Parties concerning the subject matter of this Investigation.” Mot. at 2. The Commission finds that termination of this investigation by settlement will not adversely affect the public interest. See 19 CFR 210.50(b)(2).

This investigation is hereby terminated.

The Commission vote for this determination took place on June 6, 2022.

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 Part 210 of the Commission’s Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: June 6, 2022.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2022–12451 Filed 6–8–22; 8:45 am]

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DEPARTMENT OF JUSTICE

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

On June 3, 2022, the Department of Justice lodged a proposed consent

decree with the United States District Court for the District of Delaware in the lawsuit entitled *United States and the State of Delaware v. Hercules LLC, et al.*, Civil Action No. 1:22–cv–00731–UNA.

The United States and the State of Delaware filed this lawsuit under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). The complaint names 22 companies as defendants in connection with the alleged releases of hazardous substances at the Delaware Sand and Gravel Superfund Site (the “Site”) in New Castle, Delaware. Under the consent decree, a group of defendants will perform the remedial action that EPA selected for the Site at an estimated cost of \$46.1 million. The defendants will also pay all EPA future response costs after the first \$800,000, which is the amount of a credit allowed defendants consistent with EPA’s Orphan Share Policy, which reflects the fact that some otherwise liable parties at the Site are now defunct. In return, the United States and Delaware agree not to sue the defendants under sections 106 and 107 of CERCLA or under section 7003 of the Resource Conservation and Recovery Act.

The publication of this notice opens a period for public comment on the consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States and the State of Delaware v. Hercules LLC, et al.*, D.J. Ref. No. 90–11–2–298/1. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By email	<i>pubcomment-ees.enrd@usdoj.gov.</i>
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Under section 7003(d) of RCRA, a commenter may request an opportunity for a public meeting in the affected area.

During the public comment period, the consent decree may be examined and downloaded at this Justice Department website: <https://www.justice.gov/enrd/consent-decrees>. We will provide a paper copy of the consent decree without the exhibits upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.