

# Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Environmental Impact Statement for the South Lindenberg Timber Sale(s), Tongass National Forest, Alaska

AGENCY: USDA, Forest Service.

ACTION: Revised Notice of Intent to prepare an environmental impact statement (revises previous NOI, page 38557 in the 7/19/93 **Federal Register**).

**SUMMARY:** The proposed action is to harvest approximately 40 million board feet of timber and build the associated road system. The existing Tonka log transfer facility would be used. The study area is located southwest of Petersburg, Alaska, on Kupreanof Island. It encompasses approximately 65,000 acres at elevations ranging from sea level to 3,000 feet. The area includes VCU's 437 and 439 and portions of 447 and 448. This includes townships 58, 59, 60, and 61 south, and ranges 77, 78, and 79 east, Copper River Meridian.

**DATES:** Additional comments concerning the proposal to harvest timber in the South Lindenberg study area should be received in writing by March 15, 1995. Send requests for further information or written comments to Jim Thompson, Planning Team Leader, USDA Forest Service, P.O. Box 1328, Petersburg, AK, 99833 (907) 772-3871.

#### SUPPLEMENTARY INFORMATION:

##### 1. Purpose and Scope of the Decision

The purpose of the project is to provide approximately 40 million board feet of timber for harvest according to direction described in the Tongass Land Management Plan, to meet the Federal obligation to make timber volume available for harvest by timber operators, and to improve the timber productivity of the project area by harvesting mature stands of timber and

replacing them with faster growing stands of second-growth timber.

The decision to be made is whether to make timber available for harvest and improve timber productivity in the South Lindenberg Study Area while also providing a combination of recreation, fish, water, and wildlife for the resource uses of society now and into the future. This decision will be made by Abigail R. Kimbell, Forest Supervisor of the Stikine Area.

If timber is made available for harvest, the Forest Supervisor will also decide (a) the volume of timber to make available, (b) the location and design of the timber harvest units and log transfer facilities, (c) the location and design of associated mainline and local road corridors, and (d) appropriate mitigation measures for all alternatives in the project area.

##### 1a. Public Involvement Process

A public scoping letter was sent to all persons who indicated an interest in the project by responding to the Stikine Area Project Schedule, or who otherwise notified the Stikine Area that they were interested in the South Lindenberg Timber Harvest project. Public meetings were held to gather additional information from interested persons.

##### 1b. Alternatives

Alternatives will include the no action alternative, and are likely to include three to five action alternatives, all of which will harvest approximately 40 million board feet of timber. The alternatives will vary according to the location of units, for example one alternative may spread harvest units evenly through the study area while another may concentrate the harvest in a portion of the study area. The road systems will vary with each alternative accordingly.

##### 1c. Significant Issues

1. Timber Management. How will long-term forest health and productivity be affected by harvesting and the specific harvest treatments proposed for the South Lindenberg area?

2. Harvest Economics. Will action alternatives within the study area include timber harvest that is profitable and meet economic criteria on the Tongass National Forest?

3. Soils. To what degree will soil erosion and sedimentation increase as a

result of harvest activities and the construction of roads in the South Lindenberg area?

4. Watersheds. To what degree will timber harvesting affect the hydrologic balance and water quality of streams in the South Lindenberg study area?

5. Fisheries. What effects will timber harvest and road construction have on habitats used by trout and salmon?

6. Wildlife. What effects will timber harvest and related activities have on wildlife habitat?

7. Threatened and Endangered Species. To what extent will harvesting and road construction result in impacts to any populations of threatened or endangered species?

8. Biodiversity. To what extent will timber harvesting associated with the South Lindenberg Sale affect the biodiversity and old growth structure of Kupreanof Island?

9. Subsistence. To what extent will each alternative affect subsistence resources and use within the study area?

10. Recreation. What effect will each alternative have on recreational opportunities?

11. Visual Appearance. To what extent will each alternative influence the landscape character of the study area, and to what extent will harvest designs be mitigated to protect visual quality?

## 2. Expected Time for Completion

A draft Environmental Impact Statement is projected for issuance approximately March 1995. Issuance of the Final Environmental Impact Statement is projected for August 1995.

## 3. Comments

Interested publics are invited to comment.

The comment period on the draft environmental impact statement will be 45 days from the date of the Environmental Protection Agency's notice of availability appears in the **Federal Register**. The Forest Service believes, at this early stage, it is important to give reviewers notice of several court rulings related to public participation in the environmental review process.

First, reviewers of draft environmental impact statements must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewer's position and

contentions. *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553, (1978).

Also, environmental objections that could be raised at the draft environmental impact statement stage but are not raised until after completion of the final environmental impact statement may be waived or dismissed by the courts. *City of Angoon v. Hodel*, 803 F.2d 1016, 1022, (9th Cir. 1986) and *Wisconsin Heritages, Inc., v. Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980).

Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the Draft EIS comment period so that substantive comments and objections are made available to the Forest Service at a time when it can meaningfully consider them and respond to them in the final environmental impact statement.

To assist the Forest Service in identifying and considering issues and concerns on the proposed actions, comments on the draft environmental impact statement should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft statement. Comments may also address the adequacy of the draft environmental impact statement or the merits of the alternatives formulated and discussed in the statement. Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.

The responsible official for the decision is Abigail R. Kimbell, Stikine Area Forest Supervisor, Petersburg, Alaska.

Written comments and suggestions concerning the analysis and Environmental Impact Statement should be sent to Jim Thompson, ID Team Leader, P.O. Box 1328, Petersburg, AK, 99833, (907) 772-3871.

Dated: January 12, 1995.

**Abigail R. Kimbell,**

*Forest Supervisor.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-357-809]

#### Notice of Preliminary Determination of Sales at Less Than Fair Value: Small Diameter Circular Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe From Argentina

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**EFFECTIVE DATE:** January 27, 1995.

**FOR FURTHER INFORMATION CONTACT:**

Irene Darzenta or Kate Johnson, Office of Antidumping Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone (202) 482-6320 or (202) 482-4929.

#### Preliminary Determination

The Department of Commerce (the Department) preliminarily determines that small diameter circular seamless carbon and alloy steel standard, line, and pressure pipe (seamless pipe) from Argentina is being, or is likely to be, sold in the United States at less than fair value, as provided in section 733 of the Tariff Act of 1930, as amended (the Act). The estimated margins are shown in the "Suspension of Liquidation" section of this notice.

#### Case History

Since the notice of initiation on July 13, 1994 (59 FR 37025, July 20, 1994), the following events have occurred.

On July 18, 1994, Siderca Corporation of Houston, Texas, an importer of the subject merchandise from Argentina, challenged the standing of petitioner for a considerable portion of the subject merchandise on the ground that petitioner is not an "interested party." On September 1, 1994, Siderca submitted a letter clarifying its July 18, 1994, submission.

On August 8, 1994, the U.S. International Trade Commission (ITC) issued an affirmative preliminary injury determination (USITC Publication 2734, August 1994).

On August 19, 1994, we sent a questionnaire to Siderca S.A.I.C. (Siderca), the only named respondent in this investigation. On September 12, 1994, Siderca informed the Department that it would not be responding to the questionnaire.

On October 21 and 31, 1994, (respectively) both petitioner and respondent provided comment and rebuttal on the issue of class or kind of

merchandise<sup>1</sup> in response to the Department's request for comments in the notice of initiation. Petitioner submitted additional comments on November 17, 1994.

On October 27, 1994, the Department received a request from petitioner to postpone the preliminary determination until January 19, 1995. On November 18, 1994, we published in the **Federal Register** (59 FR 59748), a notice announcing the postponement of the preliminary determination until not later than January 19, 1995, pursuant to petitioner's request, in accordance with 19 C.F.R. 353.15 (c) and (d).

#### Scope of Investigation

For purposes of this investigation, seamless pipes are seamless carbon and alloy (other than stainless) steel pipes, of circular cross-section, not more than 114.3mm (4.5 inches) in outside diameter, regardless of wall thickness, manufacturing process (hot-finished or cold-drawn), end finish (plain end, bevelled end, upset end, threaded, or threaded and coupled), or surface finish. These pipes are commonly known as standard pipe, line pipe or pressure pipe, depending upon the application. They may also be used in structural applications.

The seamless pipes subject to these investigations are currently classifiable under subheadings 7304.10.10.20, 7304.10.50.20, 7304.31.60.50, 7304.39.00.16, 7304.39.00.20, 7304.39.00.24, 7304.39.00.28, 7304.39.00.32, 7304.51.50.05, 7304.51.50.60, 7304.59.60.00, 7304.59.80.10, 7304.59.80.15, 7304.59.80.20, and 7304.59.80.25 of the Harmonized Tariff Schedule of the United States (HTSUS).

The following information further defines the scope of this investigation, which covers pipes meeting the physical parameters described above:

**Specifications, Characteristics and Uses:** Seamless pressure pipes are intended for the conveyance of water, steam, petrochemicals, chemicals, oil products, natural gas and other liquids and gasses in industrial piping systems. They may carry these substances at elevated pressures and temperatures and may be subject to the application of external heat. Seamless carbon steel pressure pipe meeting the American

<sup>1</sup> In its October 21, 1994, submission, respondent argued that the subject merchandise constitutes two classes or kind of merchandise—less than or equal to 2 inches and greater than 2 inches. Based on this allegation, it contended that the petitioner lacked standing to initiate an investigation with regard to seamless pipe and tube between 2 3/8 and 4.5 inches in outside diameter because it does not produce such merchandise. (See "Standing" section of this notice.)