

Alternatives to these actions were rejected because selling or not developing the subject properties with federally listed species present was not economically feasible.

Dated: July 8, 1995.

Nancy M. Kaufman,

Regional Director, Region 2, Albuquerque, New Mexico.

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INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 701-TA-363-364 and 731-TA-711-717 (Final)]

Oil Country Tubular Goods (OCTG) from Argentina, Austria, Italy, Japan, Korea, Mexico, and Spain

Determinations

On the basis of the record¹ developed in the subject investigations, the Commission determines, pursuant to sections 705(b) and 735(b) of the Tariff Act of 1930 (19 U.S.C. § 1671d(b) and 1673d(b), respectively), that an industry in the United States is materially injured, or threatened with material injury, by reason of imports of OCTG² from the following countries that have been found by the Department of Commerce (Commerce) to be subsidized and/or sold in the United States at less than fair value (LTFV):

Country	OCTG excluding drill pipe ¹	Drill pipe ²
Argentina ...	731-TA-711 ³	731-TA-711
Italy	701-TA-364 ⁴ & 731-TA-713 ⁴	
Japan	731-TA-714 ⁵	731-TA-714
Korea	731-TA-715 ³	
Mexico	731-TA-716 ³	731-TA-716

¹ These determinations are based on findings of material injury.

² These determinations are based on findings of threat of material injury (Chairman Watson and Commissioner Crawford finding material injury).

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

² OCTG are hollow steel products of circular cross-section. These products include oil well casing, tubing, and drill pipe, of iron (other than cast iron) or steel (both carbon and alloy), whether or not conforming to API or non-API specifications, whether finished or unfinished (including green tubes and limited service OCTG products). These investigations do not cover casing, tubing, or drill pipe containing 10.5 percent or more of chromium. OCTG other than drill pipe are provided for in subheadings 7304.20 (excluding subheadings 7304.20.70 and 7304.20.80), 7305.20, and 7306.20 of the Harmonized Tariff Schedule of the United States; drill pipe is provided for in subheadings 7304.20.70 and 7304.20.80.

³ Chairman Watson and Commissioner Crawford dissenting.

⁴ Chairman Watson, Vice Chairman Nuzum, and Commissioner Crawford dissenting.

⁵ Chairman Watson dissenting.

The Commission further determines that an industry in the United States is not materially injured or threatened with material injury, and that the establishment of an industry in the United States is not materially retarded, by reason of imports of OCTG from the following countries that have been found by Commerce to be subsidized and/or sold in the United States at LTFV:

Country	OCTG excluding drill pipe	Drill pipe
Austria	701-TA-363 ¹ & 731-TA-712 ¹ .	701-TA-363 & 731-TA-712
Italy	701-TA-364 & 731-TA-713
Korea	731-TA-715
Spain	731-TA-717 ¹	731-TA-717

¹ Commissioners Newquist and Bragg dissenting.

Background

The Commission instituted these investigations effective December 2, 1994; January 24, 1995; February 2, 1995; and June 20, 1995, following determinations by Commerce that imports of OCTG from Austria and Italy were being subsidized within the meaning of section 703(b) of the Tariff Act of 1930 (19 U.S.C. § 1671b(b)) and that imports of OCTG from Argentina, Austria, Italy, Japan, Korea, Mexico, and Spain were being sold at LTFV within the meaning of section 733(b) of the Tariff Act of 1930 (19 U.S.C. § 1673b(b)). The petitions for these investigations were filed on June 30, 1994, prior to the effective date of the Uruguay Round Agreements Act. Thus, these investigations were subject to the substantive and procedural rules of the Tariff Act of 1930 as it existed prior to the Uruguay Round Agreements Act.³

Notices of the institution of the Commission's investigations and of a public hearing 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 notices in the **Federal Register** of January 12, 1995; February 23, 1995; and June 23, 1995. (60 FR 2983; 60 FR 10107; and 60 FR 32708). The hearing was held in Washington, DC, on June 27, 1995, and all persons

³ See P.L. 103-465, approved December 8, 1994, 108 Stat. 4809, at § 291.

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 2, 1995. The views of the Commission are contained in USITC Publication 2911 (August 1995), entitled "OIL COUNTRY TUBULAR GOODS FROM ARGENTINA, AUSTRIA, ITALY, JAPAN, KOREA, MEXICO, AND SPAIN: Investigations Nos. 701-TA-363 and 364 (Final) and Investigations Nos. 731-TA-711-717 (Final)."

Issued: August 3, 1995.

By order of the Commission.

Donna R. Koehnke,

Secretary.

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INTERSTATE COMMERCE COMMISSION

[Finance Docket No. 32746]

Consolidated Rail Corporation—Trackage Rights Exemption—Norfolk and Western Railway Company

Norfolk and Western Railway Company (NW) has agreed to grant local trackage rights to Consolidated Rail Corporation (Conrail) as follows: over a line of railroad between the NW/Conrail property line at the connection track in the southeast quadrant between the tracks of Conrail and NW at or near NW's milepost D113.9 at Butler, IN and the northernmost connection to the industrial trackage of Steel Dynamics, Inc. (SDI), in Wilmington Township, DeKalb County, IN, at or near NW's milepost 118.4, a distance of approximately 5 miles. The proposed transaction will allow Conrail to better serve its customer, SDI.¹ The trackage rights will be effective on such date as the parties may agree in writing, but not sooner than seven days after the filing date of this notice.

This notice is filed under 49 CFR 1180.2(d)(7). If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction. Pleadings must be filed with the Commission and served on: John J. Paylor, 2001 Market St., 16A, P.O. Box 41416, Philadelphia, PA 19101-1416.

¹ Conrail is restricted to using the trackage rights to provide local rail service to SDI only.