

2. *Duty Exemptions on Imports of Machinery Under IPA Section 28*
3. *Exemptions from VAT Under Section 21(4) of the VAT Act*
4. *Corporate Income Tax Exemptions Under IPA Section 31*
5. *Additional Tax Deductions Under IPA Section 35*
6. *IPA Subsidies for Construction of SSI's On-Site Power Plant*
7. *IPA Subsidies for Building and Operating the Prachuab Port*
8. *SSI Debt Restructuring*
9. *LPN Debt Restructuring*
10. *Loans from the Industrial Finance Corporation of Thailand (IFCT) and the Thai Export-Import Bank*
11. *Other Loans and Loan Guarantees from Banks Owned, Controlled, or Influenced by the RTG*
12. *Export Packing Credits*
13. *Pre-shipment Finance Facilities*
14. *Export Insurance Program*
15. *Trust Receipt Financing for Raw Materials*
16. *Tax Certificates for Export*
17. *Import Duty Exemptions for Industrial Estates*
18. *Export Processing Zone Incentives*
19. *Provision of Water Infrastructure for Less Than Adequate Remuneration*
20. *Provision of Electricity for Less Than Adequate Remuneration*

Creditworthiness

Petitioners allege that both Sahaviriya Steel Industries Pcl (SSI) and LPN Plate Mill Pcl. (LPN) have been uncreditworthy since 1996. Our review of the information provided by the petitioners indicates that SSI was able to issue debentures to the public in 1995, and it was not until 1996 that these debentures lost their value. While SSI's financial ratios were very weak in 1995, it was not until the end of 1996 that the company's ratios indicated that they were in serious financial difficulty and would have trouble meeting their debt obligations; in fact, SSI defaulted on its convertible bond issue in July 1998. The company continued to experience serious financial difficulties through at least the third quarter of 1999. As such, we will examine whether SSI was uncreditworthy from 1997 through 1999. With respect to LPN, we have examined the ratios based on information submitted by petitioners and we consider that the company's financial position, while deteriorating, was not critical until 1996. While petitioners were unable to obtain financial statements for the years after 1997, other evidence provided by the petitioners indicates that LPN continued to experience financial difficulties through the third quarter of 1999. Thus, we will examine whether LPN was

uncreditworthy from 1997 through 1999.

We are not including in our investigation the following programs alleged to be benefitting producers and exporters of the subject merchandise in Thailand:

1. *Fuel subsidies for SSI.* Petitioners allege that the preliminary plans for the Steel Based Industrial Estate, where SSI is located, called for it to build a power plant on site to supply its steel mills. This plan called for SSI to start a "special purpose joint venture" to build the plant and receive Board of Investment (BoI) incentives similar to its other companies. Petitioners further allege that SSI was going to obtain fuel from PTT, Thailand's national oil company. Petitioners contend that PTT was going to provide SSI with fuel at international prices well below those available to other Thai producers. The Sahaviriya Power Plant Report that petitioners reference states "that it will be critical to insure that they (PTT) provide competitive pricing in the same fashion that they do to EGAT." Although petitioners have alleged that "competitive" pricing constitutes a benefit, they have provided no information to support their allegation that the fuel is provided for less than adequate remuneration in accordance with section 771(5)(E)(iv) of the Act. *Steel Scrap Export restrictions.*

Petitioners allege that Thailand imposes an export duty on scrap iron and steel. Petitioners claim that a financial contribution and benefit would be conferred under such export restrictions because, by the RTG's prevention of scrap exports, Thai steelmakers would gain a supply of low-priced steel scrap, an input in the steelmaking process. Petitioners contend that such a program would satisfy specificity requirements because steel producers are the primary users of steel scrap. We note that although economic theory would indicate that steel scrap export restrictions in Thailand might artificially lower domestic steel scrap prices, the Department requires information demonstrating that the restrictions had a downward pressure on steel scrap prices in order to meet the threshold of initiation. The petitioners did not provide sufficient information to support their allegation that the export restraints have "led directly to a discernible lowering of input costs." See Statement of Administrative Action ("SAA") accompanying the URAA, H.R. Doc. No. 103-316, at 257.

Distribution of Copies of the Petitions

In accordance with section 702(b)(4)(A)(i) of the Act, copies of the

public version of the petition have been provided to the representatives of Argentina, India, Indonesia, South Africa, and Thailand. We will attempt to provide copies of the public version of the petition to all the exporters named in the petition, as provided for under section 351.203(c)(2) of the Department's regulations.

ITC Notification

Pursuant to section 702(d) of the Act, we have notified the ITC of these initiations.

Preliminary Determination by the ITC

The ITC will determine by December 28, 2000, whether there is a reasonable indication that an industry in the United States is materially injured, or is threatened with material injury, by reason of imports of certain hot-rolled carbon steel flat products from Argentina, India, Indonesia, South Africa, and Thailand. A negative ITC determination for any country will result in the investigation being terminated with respect to that country; otherwise, the investigations will proceed according to statutory and regulatory time limits.

This notice is published pursuant to section 777(i) of the Act.

Dated: December 4, 2000.

Troy H. Cribb,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 120400C]

Availability of a Draft Environmental Assessment/Finding of No Significant Impact and Receipt of an Application for an Incidental Take Permit (1272)

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration, Commerce.

ACTION: Notice of availability.

SUMMARY: NMFS received an application for an incidental take permit (Permit) from the Oregon Department of Fish and Wildlife (ODFW) and the Washington Department of Fish and Wildlife (WDFW) pursuant to the Endangered Species Act of 1973, as amended (ESA). As required by the ESA, ODFW and WDFW have also prepared a conservation plan (Plan)

designed to minimize and mitigate any such take of endangered or threatened species. The Permit application is for the incidental take of ESA-listed adult and juvenile salmonids associated with otherwise lawful sport and commercial fisheries on non-listed species in the lower and middle Columbia River and its tributaries in the Pacific Northwest. The duration of the proposed Permit and Plan is 1 year. The Permit application includes the proposed Plan submitted by ODFW and WDFW. NMFS also announces the availability of a draft Environmental Assessment (EA) for the Permit application. NMFS is furnishing this notice in order to allow other agencies and the public an opportunity to review and comment on these documents. All comments received will become part of the public record and will be available for review.

DATES: Written comments from interested parties on the Permit application, Plan, and draft EA must be received at the appropriate address or fax number no later than 5 p.m. Pacific standard time on January 11, 2001.

ADDRESSES: Written comments on the application, Plan, or draft EA should be sent to Enrique Patino, Sustainable Fisheries Division, F/NWR2, 7600 Sand point Way NE, Seattle, WA, 98115-0070. Comments may also be sent via fax to 206-526-6736. Comments will not be accepted if submitted via e-mail or the internet. Requests for copies of the Permit application, Plan, and draft EA should be directed to the Sustainable Fisheries Division (SFD), F/NWR2, 7600 Sand point Way NE, Seattle, WA, 98115-0070. Comments received will also be available for public inspection, by appointment, during normal business hours by calling 206-526-4655.

FOR FURTHER INFORMATION CONTACT: Enrique Patino, Seattle, WA (ph: 206-526-4655, fax: 206-526-6736, e-mail: Enrique.Patino@noaa.gov).

SUPPLEMENTARY INFORMATION: Section 9 of the ESA and Federal regulations prohibit the "taking" of a species listed as endangered or threatened. The term "take" is defined under the ESA to mean harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. NMFS may issue permits, under limited circumstances, to take listed species incidental to, and not the purpose of, otherwise lawful activities. NMFS regulations governing permits for threatened and endangered species are promulgated at 50 CFR 222.307.

Species Covered in This Notice

The following species and evolutionarily significant units (ESU's)

are included in the Plan and Permit application:

Fish

Chinook salmon (*Oncorhynchus tshawytscha*): threatened Snake River (SnR) spring, threatened (SnR) summer, endangered Upper Columbia river spring (UCR), threatened Upper Willamette River spring (UWR) (LCR), threatened lower Columbia River spring (LCR).

Steelhead (*O. mykiss*): threatened SnR, endangered naturally produced and artificially propagated UCR, threatened middle Columbia River (MCR), threatened LCR, threatened Upper Willamette River (UWR).

Sockeye Salmon (*Oncorhynchus nerka*): endangered SnR.

To date, protective regulations for threatened LCR chinook salmon under section 4(d) of the ESA have not been promulgated by NMFS. This notice of receipt of an application requesting takes of this species is issued as a precaution in the event that NMFS issues protective regulations that prohibit takes of threatened LCR chinook salmon. The initiation of a 30-day public comment period on the application, including its proposed takes of threatened LCR chinook salmon does not presuppose the contents of the eventual protective regulations.

Background

Winter/spring/summer (w/s/s) season fisheries in the Columbia River have been managed since 1996 under provisions of the 1996-1998 Management Agreement for Upper Columbia River Spring Chinook, Summer Chinook and Sockeye. The Management Agreement modified provisions of the Columbia River Fish Management Plan (CRFMP) to include additional provisions for newly listed species. The CRFMP, and thus the associated Management Agreement, expired by their own terms on December 31, 1998, but were extended by agreement of the parties and court order through July 31, 1999. Since NMFS was a signatory party to the CRFMP, and approval of the CRFMP was a Federal action subject to ESA section 7 consultation, incidental take associated with the ODFW and WDFW fisheries was authorized in biological opinions issued on the CRFMP. NMFS has advised the states that, with the expiration of the CRFMP, and absent any subsequent agreement among the parties to *U.S.v. Oregon*, there is no longer a Federal action that provides a nexus for ESA section 7 consultation. Because the immediate prospects for reaching an agreement remain

uncertain, ODFW and WDFW have applied for a 1-year ESA section 10(a)(1)(B) permit for incidental takes of ESA-listed adult and juvenile salmonids associated with sport and commercial fisheries during the w/s/s season 2001 on non-listed species in the lower and middle Columbia River and its tributaries in the Pacific Northwest.

Conservation Plan

The Conservation Plan prepared by ODFW and WDFW describes measures designed to monitor, minimize, and mitigate the incidental takes of ESA-listed anadromous salmonids associated with some or all of the following fisheries which are expected to occur from January 1 through July 31, 2001, with approximate dates as specified:

Winter commercial sturgeon fishery: January and February 2001.

Winter commercial salmon fishery: February through April 2001.

Spring chinook commercial fishery - Select Areas: April through June 2001.

Smelt commercial fishery/test fishery: December 1 through March 31, 2001.

Anchovy and herring commercial bait fishery: Year round.

Shad commercial fishery - Area 2S: Mid-May through early August 2001.

Shad commercial fishery - Washougal Reef: May and June 2001.

Sockeye commercial fishery: June and July 2001.

Spring chinook sport fishery - mainstem Columbia River: January 1 through March 31, 2001.

Spring chinook sport fishery - Select Areas: Year round.

Steelhead/trout sport fishery - mainstem Columbia River: May 16 to October 31 below the I-5 Bridge and from June 16 to December 31 above the I-5 Bridge up to the Highway 395 Bridge at Pasco, Washington

Spring chinook/steelhead sport fishery - Ringold: January 1 through March 31, 2001.

Smelt recreational fishery

Shad recreational fishery: Late May and early July 2001.

Sockeye recreational fishery: June and July 2001.

Sturgeon recreational fishery: March through July 2001.

Warmwater recreational fishery: Year round

Spring chinook test fishery - Corbett: April 2001.

Sturgeon tagging stock assessment project: May through July 2001.

Spring chinook Indian subsistence fishery - Wanapum Tribe: May through July 2001.

ESA-listed fish incidental mortalities associated with the ODFW and WDFW fishery programs are requested at levels

specified in the Permit application. ODFW/WDFW are proposing to limit state in-river fisheries such that the incidental impacts on ESA-listed salmonids will be minimized. Seven alternatives for the ODFW and WDFW fisheries were provided in the Plan, including: (1) historic baseline; (2) Columbia River Fish Management Plan; (3) Willamette subbasin Plan; (4) Willamette spring Chinook fishery Management and evaluation Plan; (5) 1996-99 Management agreement Limits; (6) 1996-99 Actual Harvest Rates; and (7) No action.

Environmental Assessment/Finding of No Significant Impact

The EA package includes a draft EA and a draft Finding of No Significant Impact (FONSI) which concludes that issuing the incidental take permit is not a major Federal action significantly affecting the quality of the human environment, within the meaning of section 102(2)(C) of the National Environmental Policy Act (NEPA) of 1969, as amended. Two Federal action alternatives have been analyzed in the EA, including: (1) the no action alternative; and (2) issue a permit with conditions.

This notice is provided pursuant to section 10 of the ESA and the NEPA regulations (40 CFR 1506.6). NMFS will evaluate the application, associated documents, and comments submitted thereon to determine whether the application meets the requirements of the NEPA regulations and section 10(a) of the ESA. If it is determined that the requirements are met, a permit will be issued for incidental takes of ESA-listed anadromous salmonids under the jurisdiction of NMFS. The final NEPA and permit determinations will not be completed until after the end of the 30-day comment period and will fully consider all public comments received during the comment period. NMFS will publish a record of its final action in the **Federal Register**.

Dated: December 7, 2000.

Wanda L. Cain,

Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[Docket No. 000803225-0326-02; I.D. 062900B]

RIN 0648-AO34

American Shad; Interstate Fishery Management Plans; Cancellation of Moratorium

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of determination of compliance; cancellation of moratorium.

SUMMARY: The Secretary of Commerce (Secretary) announces the cancellation of the Federal moratorium on fishing for American shad in the coastal waters of the State of South Carolina that would have been implemented on January 5, 2001. The Secretary has canceled the moratorium as required by the Atlantic Coastal Fisheries Cooperative Management Act (Act), based on his determination that the State of South Carolina is now in compliance with the Atlantic States Marine Fisheries Commission's (Commission) Interstate Fishery Management Plan (ISFMP) for Shad and River Herring, after the Commission had notified the Secretary that it was withdrawing its determination of noncompliance.

DATES: Effective December 12, 2000.

FOR FURTHER INFORMATION CONTACT:

Richard H. Schaefer, Chief, Staff Office for Intergovernmental and Recreational Fisheries, NMFS, 301-427-2014.

SUPPLEMENTARY INFORMATION:

Background

On August 16, 2000, NMFS published a document in the **Federal Register** (65 FR 49969) announcing the Secretary's determination that the State of South Carolina was not in compliance with the Commission's ISFMP for Shad and River Herring for not implementing and enforcing the 10-fish creel limit contained in the ISFMP for American shad. In the document a moratorium was declared on fishing for American shad in South Carolina state waters that would be made effective on January 5, 2001, if South Carolina was not found to be in compliance by December 15, 2000. Details were provided in the August 16, 2000, **Federal Register** document and are not repeated here.

The Act specifies that, if, after a moratorium is declared with respect to a State, the Secretary is notified by the Commission that it is withdrawing the

determination of noncompliance, the Secretary shall immediately determine whether the State is in compliance with the applicable plan. If the State is determined to be in compliance, the moratorium shall be terminated.

Activities Pursuant to the Act

On November 7, 2000, the Secretary received a letter from the Commission prepared pursuant to the Act. The Commission's letter, dated November 6, 2000, stated that the State of South Carolina had taken corrective action to comply with the Commission's ISFMP for Shad and River Herring, and, therefore, the Commission was withdrawing its determination of noncompliance.

Cancellation of the Moratorium

Based on the Commission's November 6, 2000, letter, information received from the State of South Carolina, and the Secretary's review of South Carolina's revised regulations, the Secretary concurs with the Commission's determination that South Carolina is now in compliance with the Commission's ISFMP for Shad and River Herring. The State has adopted a creel limit of 10 American shad in all watersheds except one. In that one watershed the 10-fish creel compliance requirement has been met through the imposition of management measures that provide conservation equivalency. Therefore, the moratorium on fishing for American shad in South Carolina waters is canceled.

Dated: December 6, 2000.

William T. Hogarth,

Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 00-31626 Filed 12-11-00; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[Docket No. 001027300-0300-01]

RIN 0648-ZA96

The Argo Project: Global Ocean Observations for Understanding and Prediction of Climate Variability

AGENCY: Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration, Department of Commerce.

ACTION: Notice of request for proposals.

SUMMARY: The purpose of this notice is to advise the public that the Office of