

organizational development; management and labor strategies; transfer of technology; transportation; and facilitating the formation of shippers' associations.

Export Markets

The Export Markets include all parts of the world except the United States (the fifty states of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands). The proposed Export Trade Certificate of Review would extend antitrust protection to ITG to conduct the following export trade activities:

1. Provide and/or arrange for the provision of Export Trade Facilitation Services;
2. Engage in promotion and marketing activities and collect and distribute information on trade opportunities in the Export Market;
3. Enter into exclusive and/or non-exclusive agreements with distributors, foreign buyers, and/or sales representatives in Export Markets;
4. Enter into exclusive or non-exclusive sales agreements with Suppliers, Export Intermediaries, or other persons for the sale of Products and Services in Export Markets;
5. Enter into exclusive or non-exclusive agreements with Suppliers, Export Intermediaries, or other persons for licensing Technology Rights in Export Markets;
6. Allocate sales, export orders and/or divide Export Markets among Suppliers, Export Intermediaries, or other persons for the sale of Products and Services;
7. Allocate the licensing of Technology Rights in Export Markets among Suppliers, Export Intermediaries, or other persons;
8. Establish the price of Products and Services for sale in Export Markets;
9. Establish the fee for licensing of Technology Rights in Export Markets; and
10. Negotiate, enter into, and/or manage licensing agreements for the export of Technology Rights.

Terms and Conditions of Certificate

1. In engaging in Export Trade Activities and Methods of Operation, ITG will not intentionally disclose, directly or indirectly, to any Supplier any information about any other Supplier's costs, production, capacity, inventories, domestic prices, domestic sales, or U.S. business plans, strategies, or methods that is not already generally available to the trade or public.

2. ITG will comply with requests made by the Secretary of Commerce on behalf of the Secretary or the Attorney General for information or documents relevant to conduct under the Certificate. The Secretary of Commerce will request such information or documents when either the Attorney General or the Secretary of Commerce believes that the information or documents are required to determine that the Export Trade, Export Trade Activities and Methods of Operation of a person protected by this Certificate of Review continue to comply with the standards of section 303(a) of the Act.

Definitions

1. "Export Intermediary" means a person who acts as a distributor, sales representative, sales or marketing agent, or broker, or who performs similar functions, including providing or arranging for the provision of Export Trade Facilitation Services.

2. "Supplier" means a person who produces, provides, or sells a Product and/or Service.

Dated: July 9, 2001.

Vanessa M. Bachman,
*Acting Director, Office of Export Trading
Company Affairs.*

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COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Denial of Short Supply Request under the United States - Caribbean Basin Trade Partnership Act (CBTPA)

July 6, 2001.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Denial of request alleging that microfilament fabric of continuous polyester and nylon filaments with average size of 0.02 to 0.8 decitex cannot be supplied by the domestic industry in commercial quantities in a timely manner.

FOR FURTHER INFORMATION CONTACT:

Janet E. Heinzen or Lori Mennitt, International Trade Specialists, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-3400.

SUPPLEMENTARY INFORMATION:

Authority: Section 213(b)(2)(A)(v)(II) of the Caribbean Basin Economic Recovery Act, as added by Section 211(a) of the CBTPA; Section 6 of Executive Order No. 13191 of January 17, 2001.

Summary

On May 8, 2001 the Chairman of CITA received a petition on behalf of Freudenberg Nonwovens Group alleging that microfilament fabric of continuous polyester and nylon filaments with average size of 0.02 to 0.8 decitex, classified in subheading 5603.11.0090, 5603.12.0090, 5603.13.0090 or 5603.14.9090 of the Harmonized Tariff Schedule of the United States (HTSUS), cannot be supplied by the domestic industry in commercial quantities in a timely manner. It requested that apparel articles of such fabric be eligible for preferential treatment under the CBTPA. As a result, CITA published a Federal Register Notice (66 FR 13912) requesting public comments on the petition. These comments were due May 30, 2001. Based on its review of the petition, public comments received, and other information obtained, CITA is denying Freudenberg's petition.

Background

The CBTPA provides for quota- and duty-free treatment for qualifying textile and apparel products. Such treatment is generally limited to products manufactured from yarns or fabrics formed in the United States or a beneficiary country. The CBTPA also provides for quota- and duty-free treatment for apparel articles that are both cut (or knit-to-shape) and sewn or otherwise assembled in one or more CBTPA beneficiary countries from fabric or yarn that is not formed in the United States or a CBTPA beneficiary country, if it has been determined that such fabric or yarn cannot be supplied by the domestic industry in commercial quantities in a timely manner. In Executive Order No. 13191, the President delegated to CITA the authority to determine whether yarns or fabrics cannot be supplied by the domestic industry in commercial quantities in a timely manner under the CBTPA. On March 6, 2001, CITA published procedures that it will follow in considering requests. (66 FR 13502).

On May 8, 2001 the Chairman of CITA received a petition on behalf of Freudenberg Nonwovens Group alleging that microfilament fabric of continuous polyester and nylon filaments with average size of 0.02 to 0.8 decitex, classified in subheadings 5603.11.0090, 5603.12.0090, 5603.13.0090 or 5603.14.9090 of the Harmonized Tariff Schedule of the United States (HTSUS), cannot be supplied by the domestic industry in commercial quantities in a timely manner. It requested that apparel articles of such fabric be eligible for preferential treatment under the CBTPA.

CITA solicited public comments regarding this request (66 FR 26841, published on May 15, 2001) particularly with respect to whether this fabric can be supplied by the domestic industry in commercial quantities in a timely manner.

On the basis of the petition, public comments received and other information obtained, CITA has determined that microfilament fabrics of continuous polyester and nylon filaments of 0.02 to 0.8 decitex are produced in commercial quantities in the United States and are readily available from U.S. producers. The Freudenberg product has unique features that are not duplicated by domestically produced nonwoven fabrics. However, the product that is the subject of the petition (microfilament fabrics of continuous polyester and nylon filaments in sizes 0.02 to 0.8 decitex) encompasses a wide range of nonwoven fabrics, including those produced in the United States.

Based on its review of the petition, public comments received, and other information obtained, CITA is denying Freudenberg's petition. Freudenberg did not establish that microfilament fabrics of continuous polyester and nylon filaments in sizes 0.02 to 0.8 decitex cannot be supplied by the domestic industry in commercial quantities in a timely manner.

D. Michael Hutchinson,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 01-17437 Filed 7-11-01; 8:45 am]

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DEPARTMENT OF ENERGY

Notice of Intent To Prepare a Programmatic Environmental Impact Statement on the, Disposition of Scrap Metals and Announcement of Public Scoping Meetings

AGENCY: Department of Energy.

ACTION: Notice of intent to prepare a Programmatic Environmental Impact Statement.

SUMMARY: This notice announces the Department of Energy's (DOE's) intention to prepare a Programmatic Environmental Impact Statement (PEIS), under the National Environmental Policy Act, on the policy alternatives for the disposition of DOE scrap metals that may have residual surface radioactivity. The primary metals to be considered in the analysis are carbon steel and stainless steel. Other metals [e.g., copper, aluminum, lead, and precious

metals (silver, gold, platinum)], which exist in smaller quantities, will also be addressed in the PEIS. The disposition alternatives to be analyzed include: continuation of the suspension on unrestricted release of scrap metals from DOE radiological areas for recycling; unrestricted release of scrap metals for recycling under existing DOE requirements; unrestricted release of scrap metals for recycling under alternative requirements; and no unrestricted release for recycling of scrap metals with any potential for residual surface radioactivity.

DATES: The public scoping period begins with publication of this Notice and concludes September 10, 2001. DOE invites Federal agencies, Native American tribes, state and local governments, and members of the public to comment on the scope of this PEIS. DOE will consider all comments received by the close of the scoping period and will consider comments received after that date to the extent practicable. DOE will conduct public scoping meetings to assist in defining the appropriate scope of the PEIS, including the alternatives and significant environmental issues to be considered. See **SUPPLEMENTARY INFORMATION** under Public Scoping Process for meeting locations.

ADDRESSES: Comments on the scope of the PEIS may be mailed to the address below or sent by facsimile or electronic mail. Written comments may be mailed to the following address: Kenneth G. Picha, Jr., Office of Technical Program Integration, EM-22, Attn: Metals Disposition PEIS, Office of Environmental Management, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585-0113.

Otherwise, send comments via facsimile to Metals Disposition PEIS at 301-903-9770 or send electronic mail to *Metals.Disposition.PEIS@em.doe.gov*. See **SUPPLEMENTARY INFORMATION** under Public Scoping Process for meeting locations.

FOR FURTHER INFORMATION CONTACT: To request further information about this PEIS, the public scoping meetings, or to be placed on the PEIS distribution list, use any of the methods listed under **ADDRESSES** above. For background documents in hard copy related to this PEIS contact the DOE Center for Environmental Management Information at 800-736-3282. For general information concerning the DOE National Environmental Policy Act (NEPA) process, contact: Carol Borgstrom, Director, Office of NEPA Policy and Compliance (EH-42), U.S.

Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585-0119, Telephone: 202-586-4600, Voice Mail: 800-472-2756, Facsimile: 202-586-7031.

Additional NEPA information is also available on the DOE website: <http://tis.eh.doe.gov/nepa/>.

SUPPLEMENTARY INFORMATION:

Definitions

For purposes of this Notice, the following terms are defined:

Continued Radiological Control: The disposition of surplus and scrap metals for subsequent reuse or recycle in a government or commercial radiological application. Such reuse or recycle activities would be conducted under established agency-to-agency protocols, Nuclear Regulatory Commission (NRC) licenses, or NRC Agreement State licenses.

DOE Radiological Area: An area, designated under 10 CFR Part 835, for which DOE requires specific measures to be taken, such as access control and monitoring, to protect DOE workers from radiological hazards. A radiological area may or may not contain radioactive materials. An example of a radiological area that does not contain radioactive material is an area that contains only devices that produce radiation, such as X-ray machines, but which are not themselves radioactive and are unable to make other materials radioactive.

Recycle: The series of activities, including collection, separation, and processing, by which products or other materials are recovered from the solid waste stream for use in the form of raw materials in the manufacture of new products. (Executive Order 13101)

Residual Radioactivity: Any radioactivity that is in or on soil, air, equipment, or structures as a consequence of past operations or activities at a DOE site. (Residual radioactivity does not include background radioactivity.)

Restricted Release: The release of scrap metals from DOE radiological control for a limited, specifically-stated application, subject to restrictions on use implemented by a designated party or through a specific process. An example would be the release of scrap steel specifically for use in making radioactive waste storage containers.

Reuse: The subsequent use of a surplus item in its original form for the same or similar purpose.

Scrap metal: Surplus metal that has no value except for its basic material content. Scrap metal could include items such as furniture and equipment