

Canada asserts on these grounds that Section 129(c)(1) is inconsistent with Articles VI:2, VI:3 and VI:6(a) of the GATT 1994; Articles 10, 19.4, 21.1, 32.1 and 32.5 of the SCM Agreement; and Articles 1, 9.3, 11.1, 18.1 and 18.4 of the AD Agreement. Canada further claims that:

Article 18.4 of the AD Agreement, Article 32.5 of the SCM Agreement and Article XVI:4 of the Marrakesh Agreement Establishing the World Trade Organization ("WTO Agreement") require a Member to bring its laws, regulations and administrative procedures into conformity with its WTO obligations. The DSU . . . provides that a Member found in breach of its WTO obligations is to comply immediately or, where that is not practicable, within the reasonable period of time as determined under Article 21.3. With respect to determinations made after the date fixed for compliance and insofar as such determinations affect entries prior to that date, section 129(c)(1) precludes the United States from complying with a DSB ruling. This prevents rather than ensures compliance by the United States with its WTO obligations.

On these grounds, Canada asserts that Section 129(c)(1) is consistent with Article 18.4 of the AD Agreement; Article 32.5 of the SCM Agreement; Article XVI:4 of the WTO Agreement; and DSU Articles 3.2, 3.7, 19.1, 21.1, and 21.3.

Public Comment: Requirement for Submissions

Interested persons are invited to submit written comments concerning the issues raised in the dispute. Comments must be in English and provided in fifteen copies. A person requesting that information contained in a comment submitted by that person be treated as confidential business information must certify that such information is business confidential and would not customarily be released to the public by the commenter. Confidential business information must be clearly marked "BUSINESS CONFIDENTIAL" in a contrasting color ink at the top of each page of each copy.

Information or advice contained in a comment submitted, other than business confidential information, may be determined by USTR to be confidential in accordance with section 135(g)(2) of the Trade Act of 1974 (19 U.S.C. 2155(g)(2)). If the submitter believes that information or advice may qualify as such, the submitter—

(1) Must so designate the information or advice;

(2) Must clearly mark the material as "SUBMITTED IN CONFIDENCE" in a contrasting color ink at the top of each page of each copy; and

(3) Is encouraged to provide a non-confidential summary of the information or advice.

Pursuant to section 127(e) of the URAA (19 U.S.C. 3537(e)), USTR will maintain a file on this dispute settlement proceeding, accessible to the public, in the USTR Reading Room, which is located at 1724 "F" St., N.W., Washington, DC 20508. The public file will include a listing of any comments received by USTR from the public with respect to the dispute; if a dispute settlement panel is convened, the U.S. submissions to that panel, the submissions, or non-confidential summaries of submissions, to the panel received from other participants in the dispute, as well as the report of the panel; and, if applicable, the report of the Appellate Body. An appointment to review the public file (Docket WTO/DS-221, Section 129(c)(1) dispute) may be made by calling Brenda Webb, (202) 395-6186. The USTR Reading Room is open to the public from 9:30 a.m. to 12 noon and 1 p.m. to 4 p.m., Monday through Friday.

A. Jane Bradley,

Assistant United States Trade Representative for Monitoring and Enforcement.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Public Notice for Waiver of Aeronautical Land-Use Assurance; Toledo Express Airport; Toledo, OH

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of intent of waiver with respect to land.

SUMMARY: The Federal Aviation Administration (FAA) is considering a proposal to change a portion of airport land from aeronautical use to non-aeronautical use and to authorize the sale of the airport property. The proposal consists of fourteen parcels of land totaling approximately 58.64 acres for industrial land use. Current use and present condition is vacant grassland. There are no impacts to the airport by allowing the airport to dispose of this property. The land was acquired under FAA Project No(s). AIP-3-39-0077-1190, AIP-3-39-0077-1692, AIP-3-39-0077-2293, AIP-3-39-0077-2594, and AIP-3-39-0077-2794. Approval does not constitute a commitment by the FAA to financially assist in the sale of the subject airport property nor a determination that all measures covered

by the program are eligible for Airport Improvement Program funding from the FAA. The disposition of proceeds from the sale of the airport property will be in accordance with the FAA's Policy and Procedures Concerning the Use of Airport Revenue, published in the **Federal Register** on February 16, 1999. This proposal is for approximately 58.640 acres in total.

In accordance with section 47107(h) of title 49, United States Code, this notice is required to be published in the **Federal Register** 30 days before modifying the land-use assurance that requires the property to be used for an aeronautical purpose. The proposed land will be used for warehousing and light commercial/industrial use, which will provide additional jobs and in economically challenged area and enhance the aesthetics of the surrounding community.

The proceeds from the sale of the land will be used for airport improvements and operation expenses at Toledo Express Airport.

DATES: Comments must be received on or before September 7, 2001.

FOR FURTHER INFORMATION CONTACT: Mr. Lawrence C. King, Federal Aviation Administration, Great Lakes Region, Detroit Airports District Office, DET ADO-670.2, Willow Run Airport, East, 8820 Beck Road, Belleville, Michigan 48111, (734) 487-7293. Documents reflecting this FAA action may be reviewed at this same location or at Toledo Express Airport, Toledo, Ohio.

SUPPLEMENTARY INFORMATION: Following is a legal description of the property located in Lucas County, Ohio and described as follows:

A parcel of land being part of the Southeast quarter of the Southwest quarter of Section 9, also being all of Rosonowski Addition Plat 1 (Plat Volume 94, Page 76), all of Original Lot 3 and part of Original Lots 6 and 7, in Section 16, all in Town 7 North, Range 9 East, Swanton Township, Lucas County, Ohio, and being more particularly described as follows:

Commencing at a found iron bolt at the Northwest corner of said Original Lot 3 also being the intersection of the centerline of Sager Road (right-of-way varies) and Wilkins Road (60 foot right-of-way), said point also being the TRUE POINT OF BEGINNING of the parcel herein described;

Thence North 00° 05' 55" East on the centerline of Wilkins Road, also being the West line of the Southeast quarter of the Southwest quarter of Section 9, a distance of 300.00 feet to the intersection with a line drawn 300.00 feet Northerly of and parallel to the

South line of the Southeast quarter of the Southwest quarter of Section 9, also being the centerline of Sager Road as it now exists;

Thence South 89° 44' 06" East, on said line being 300.00 feet Northerly of and parallel to the South line of the Southeast quarter of the Southwest quarter of Section 9, a distance of 275.00 feet to the intersection with a line drawn 275.00 feet Easterly of and parallel to the West line of the Southeast quarter of the Southwest quarter of Section 9, also being the centerline of Wilkins Road;

Thence North 00° 05' 55" East, on said line 275.00 feet Easterly of and parallel to the West line of the Southeast quarter of the Southwest quarter of Section 9, a distance of 194.01 feet to the intersection with the Southwesterly right-of-way line of the U.S. 20A (right-of-way varies);

Thence on the Southwesterly right-of-way line of U.S. 20A the following six calls:

On an arc to the left, a distance of 829.46 feet to a point, said arc having a radius of 1487.40 feet, a central angle of 31° 57' 05", and a chord bearing of South 54° 47' 13" East, 818.76 feet;

South 00° 15' 54" West, a distance of 25.00 feet to a point;

South 89° 44' 06" East, a distance of 147.82 feet to a point;

South 00° 15' 54" West, a distance of 30.00 feet to a point;

South 84° 17' 41" East, a distance of 158.21 feet to a point;

North 86° 01' 58" East, a distance of 67.81 feet to the intersection with the East line of said Original Lot 3;

Thence South 00° 51' 16" West, on the East line of Original Lot 3, a distance of 1289.57 feet to a Northeast corner of Original Lot 7;

Thence South 00° 51' 16" West, on the East line of Original Lot 7, a distance of 443.19 feet to the intersection with the South line of the North one-third of Original Lot 7;

Thence North 89° 45' 41" West, on said South line of the North one-third of Original Lot 6, and Original Lot 7, Section 16, a distance of 1319.70 feet to the intersection of the West line of Original Lot 6, also being the center line of Wilkins Road;

Thence North 00° 54' 28" East, on the West line of Original Lot 6 and the centerline of Wilkins Road, a distance of 443.35 feet to the Southwest corner of Original Lot 3;

Thence North 00° 54' 28" East, on the West line of Original Lot 3, and the centerline of Wilkins Road, a distance of 1330.04 feet to the TRUE POINT OF BEGINNING of the parcel herein described, said parcel containing 58.640

acres of land, more or less, subject to all easements, zoning restrictions of record and legal highways.

The bearings used herein are for the purpose of describing angles only and are not referenced to true or magnetic North.

Issued in Belleville, Michigan, June 15, 2001.

Irene R. Porter,

Manager, Detroit Airports District Office, Great Lakes Region.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Public Notice for Waiver of Aeronautical Land-Use Assurance, Grosse Ile Municipal Airport, Grosse Ile, MI

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of intent of waiver with respect to land.

SUMMARY: The Federal Aviation Administration (FAA) is considering a proposal to change a portion of the airport land from aeronautical use to non-aeronautical use. The proposal consists of two parcels of land; one 1.412 acre parcel designated as Building Parcel and one parcel designated as Grazing Parcel, together totaling approximately 7.539 acres. Current use and present condition is vacant grassland. There are no impacts to the airport by allowing the airport to lease the property. The land was acquired as part of transferred surplus property formerly known as the Naval Air Station, Grosse Ile; Quitclaim Deed dated December 3, 1970. Approval does not constitute a commitment by the FAA to financially assist in the lease of the subject airport property nor a determination that all measures covered by the program are eligible for Airport Improvement Program funding from the FAA. The disposition of proceeds from the lease of the airport property will be in accordance with the FAA Policy and Procedures Concerning the Use of Airport Revenue, published in the Federal Register on February 16, 1999. This proposal is for approximately 7.539 acres in total.

In accordance with section 47107(h) of title 49, United States Code, this notice is required to be published in the **Federal Register** 30 days before modifying the land-use assurance that requires the property to be used for an aeronautical purpose. The proposed

land will be leased (Building Parcel) to allow for the construction of a 5,000 square foot barn facility solely for the purpose of breeding and raising of alpacas and related purposes and to (Grazing Parcel) allowing for the grazing of alpacas. The proposed land is South of Groh Road and West of East River Road. The proposed building and other structures will not exceed Part 77 standards. The proposed property location does not impact current safety areas or future airport development. The proceeds from the lease of land will be used for airport improvements and operation expenses at Grosse Ile Municipal Airport.

DATES: Comments must be received on or before September 7, 2001.

FOR FURTHER INFORMATION CONTACT: Mr. Gary Migut, Federal Aviation Administration, Great Lakes Region, Detroit Airports District Office, DET ADO-650.2, Willow Run Airport, East, 8820 Beck Road, Belleville, Michigan 48111, (734) 487-7278. Documents reflecting this FAA action may be reviewed at this same location or at Grosse Ile Municipal Airport, Grosse Ile, Michigan.

SUPPLEMENTARY INFORMATION: Following are legal descriptions of the property:

Building Parcel. Commencing at a monument in a monument box at the intersection of the North line of Private Claim 554 and the centerline of East River Road, thence Due West along the said North Line 1234.34 feet and Due South 75.00 feet to the Point of Beginning, proceeding thence Due East 240.62 feet, thence Due South 255.62 feet, thence Due West 240.62 feet, thence Due North 255.62 feet to the Point of Beginning, containing 1.412 acres.

Grazing Parcel. Commencing at a monument in a monument box at the intersection of the North line of Private Claim 554 and the centerline of East River Road, thence Due West along said North Line 1234.34 feet and Due South 330.62 feet to the Point of Beginning, proceeding thence Due East 240.62 feet, thence Due North 255.62 feet, thence Due East 290.00 feet, thence South 24 Degrees 37 Minutes 36 Seconds West 530.03 feet, thence South 16 Degrees 51 Minutes 00 Seconds West 223.39 feet, thence Due West 180.00 feet, thence South 56 Degrees 36 Minutes 05 Seconds West 218.00 feet, thence Due West 178.00 feet, thence North 28 Degrees 04 Minutes 21 Seconds East 340.00 feet, thence North 59 Degrees 58 Minutes 54 Seconds East 155.91 feet, thence Due North 182.00 feet to the Point of Beginning, containing 6.127 acres.