

forest headquarters in Salmon, Idaho, between representatives of the Salmon-Challis National Forest, Formation, and state and federal regulatory agencies in recognition of the Idaho Joint Review Process (JRP).

A public scoping meeting was conducted on July 20th in Salmon, Idaho. Notices of the meeting were placed in the paper of Record for Salmon and Challis, the Recorder Herald and Challis Messenger. Comments from the public and other agencies will be used to prepare the Draft EIS. A public scoping meeting is also scheduled for October 11th in Salmon, Idaho. Meeting times and place will be placed in the papers of Record for the Salmon and Challis, the Recorder Herald and Challis Messenger. The public is encouraged to visit with Forest Service officials at any time during the analysis and prior to the decision.

The scoping process to date has identified the following primary issues:

1. What is the potential for development of acid mine drainage and mobilization of heavy metals from geologic materials exposed by the proposed mining activities.

2. How would proposed mine facilities and activities prevent, control or treat ARD? What are the long-term maintenance requirements of these facilities along with their predicted long-term viability and stability?

3. What is the potential for adverse impacts to water quality downstream of project facilities from the proposed mining activities, including accidental spills of hazardous materials along the transportation route, and how would water quality be maintained and beneficial uses protected?

4. Would special status fish species and their habitat (threatened, endangered, sensitive) or species whose populations or habitat are present be adversely affected by the proposed mining activities?

5. What is the relationship between this project and the current program to remediate the environmental damage at the Blackbird Mine and to re-establish an anadromous fishery in Panther Creek?

6. Would surface water and groundwater quality monitoring be adequate to detect and allow for the correction of any water quality problems resulting from the proposed mining activities?

7. What is the relationship of the aquifer systems between the proposed project and surrounding areas, particularly the Blackbird Mine and receiving streams? What is the existing quality of groundwater in the project

area and how would the project affect existing groundwater quality?

8. In recognition of the Clear Creek wildfire of the summer of 2000, what are the potential effects on water quality from accelerated erosion and sedimentation, in consideration of surface disturbance associated with the proposed mining operations?

9. Initial agency review identified specific issues regarding opportunities to reduce the number of waste rock facilities, consolidation of potentially acid generating material into separate locations, and lining of the tailings and water management reservoir.

10. The water balance and geochemical aspect of the operation will receive a critical review and will include consideration of the option for land application for water management purposes.

11. Opportunities exist to place a transportation system on the project site, which meets Forest guidelines, and to reclaim existing access not meeting standards.

This list may be verified, expanded, or modified based on additional scoping for this proposal.

In order to implement the project, the proponent, Formation, must obtain approval or conduct consultation with several other federal, state, and local regulatory agencies. These agencies include: U.S. Fish and Wildlife Service, National Marine Fisheries Service, Environmental Protection Agency, Army Corps of Engineers, Idaho Department of Environmental Quality, Idaho Department of Water Resources, Idaho State Historic Preservation Officer and Lemhi County, Idaho.

The Salmon-Challis National Forest is the lead agency in the preparation of this EIS. The Idaho Department of Environmental Quality is a cooperating agency. (Other state or federal agencies may be identified as cooperating agencies as a result of the scoping process).

The Draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and available for public review in February 2002. At that time, the EPA will publish a Notice of Availability of the Draft EIS in the **Federal Register**. The comment period on the Draft EIS will be 45 days from the date the EPA's notice of availability appears in the **Federal Register**. It is very important that those interested in this proposal participate at that time. To be most helpful, comments on the Draft EIS should be as specific as possible. The Final EIS is anticipated to be completed by July 2002.

The Forest Service believes, at this 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 that 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, ind. 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 45-day 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 action, comments should be as specific as possible. 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.

I am the responsible official for this Environmental Impact Statement. My address is Salmon-Challis National Forest, 50 Hwy 93 South, Calmon, Idaho 83467.

Dated: September 4, 2001.

**George Matejko**,

*Forest Supervisor, Salmon-Challis National Forest.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-867]

#### **Automotive Replacement Glass Windshields From the People's Republic of China: Postponement of Preliminary Determination of Antidumping Duty Investigation**

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

**ACTION:** Notice of postponement of preliminary determination of antidumping duty investigation.

**EFFECTIVE DATE:** September 10, 2001.

**FOR FURTHER INFORMATION CONTACT:** Rick Johnson at (202) 482-3818; Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.

#### Statutory Time Limits

Section 733(b)(1)(A) of the Tariff Act of 1930, as amended (the Act), requires the Department of Commerce (the Department) to issue the preliminary determination of an antidumping duty investigation within 140 days after the date of initiation. However, if petitioner makes a timely request for an extension of the period within which the determination must be made, section 733(c)(1)(A) of the Act allows the Department to extend the time limit for the preliminary determination until not later than 190 days after the date of initiation.

#### Background

On March 20, 2001, the Department initiated the above-referenced investigation. See *Notice of Initiation of Antidumping Duty Investigation: Automotive Replacement Glass Windshields from the People's Republic of China*, 66 FR 16651 (March 27, 2001). On July 17, 2001, the Department postponed the deadline for the preliminary determination to August 31, 2001, pursuant to section 733(c)(1)(B) of the Act. See *Automotive Replacement Glass Windshields from the People's Republic of China: Postponement of Preliminary Determination of Antidumping Duty Investigation*, 66 FR 38256 (July 23, 2001) ("*Postponement Notice*").

#### Postponement of Preliminary Determination

On August 29, 2001, petitioners made a timely request for a 10-day extension of the period within which the determination must be made in accordance with section 733(c)(1)(A) of the Act. Petitioners noted that the parties in this investigation have made a number of submissions concerning issues which could have a significant impact on the results of the preliminary determination. Further, petitioners noted that the Department's original extension indicated that this investigation involves a "novel product with complex issues related to the \* \* \* appropriate criteria used to define individual models for margin comparison purposes", among other

factors. See *Postponement Notice* at 38257. Furthermore, petitioners note that since the original extension of the preliminary determination, petitioners have made an allegation of critical circumstances that it must address in the preliminary determination. Therefore, based on petitioners' timely request for an extension in accordance with section 733(c)(1)(A) of the Act, the Department is postponing the deadline for issuing this determination until September 10, 2001.

Dated: August 31, 2001.

**Bernard T. Carreau,**

*Acting Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-557-805]

#### Extruded Rubber Thread From Malaysia; Notice of Court Decision and Suspension of Liquidation

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

**SUMMARY:** On August 9, 2001, in *Heveafil Sdn. Bhd. and Filati Lastex Sdn. Bhd. v. United States*, Court No. 98-04-00908, Slip. Op. 01-97 (CIT), a lawsuit challenging the Department of Commerce's (the Department's) final results of administrative review of the antidumping order on extruded rubber thread from Malaysia, the Court of International Trade (CIT) affirmed the Department's remand determination and entered a judgment order. In its remand determination, the Department annulled all findings and conclusions made pursuant to the duty-absorption inquiry conducted for Heveafil Sdn. Bhd. (Heveafil) and Filati Lastex Sdn. Bhd. (Filati). As a result of the remand determination, the final antidumping duty rates for Heveafil and Filati were unchanged. However, the Court's decision was not in harmony with the Department's original final results. Consistent with the decision of the U.S. Court of Appeals for the Federal Circuit in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) ("*Timken*"), the Department will continue to order the suspension of liquidation of the subject merchandise until there is a "conclusive" decision in this case. If the case is not appealed, or if it is affirmed on appeal, the Department will instruct the Customs Service (Customs) to liquidate Heveafil's and Filati's entries

of subject merchandise consistent with the Department's determination concerning the October 1, 1995, to September 30, 1996, period of review (POR).

**EFFECTIVE DATE:** September 10, 2001.

**FOR FURTHER INFORMATION CONTACT:** Irina Itkin, AD/CVD Enforcement Group I, Office II, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-0656.

#### SUPPLEMENTARY INFORMATION:

#### Background

The Department published the notice of its final results of the administrative review of the antidumping order on extruded rubber thread, on March 16, 1998. See *Extruded Rubber Thread from Malaysia; Final Results of Antidumping Duty Administrative Review*, 63 FR 312752 (March 16, 1998) (*Thread Final Results*).

Following publication of *Thread Final Results*, Heveafil and Filati, respondents in this case, filed a lawsuit with the CIT challenging the Department's determination on eleven issues. On February 27, 2001, the CIT issued a remand with respect to one issue and affirmed the Department on all other issues. Specifically, the Court remanded the case to the Department to annul all findings and conclusions made pursuant to the duty-absorption inquiry for *Thread Final Results* because it held that the Department lacked statutory authority under section 751(a)(4) of the Tariff Act of 1930, as amended, to conduct such an inquiry for Heveafil and Filati. See *Heveafil Sdn. Bhd. and Filati Lastex Sdn. Bhd. v. United States*, Court No. 98-04-00908, Slip. Op. 01-22, at page 16 (CIT February 27, 2001).

On March 6, 2001, the Department issued its Final Results of Redetermination, in which it annulled all findings and conclusions made pursuant to the duty-absorption inquiry conducted in the subject review with respect to Heveafil and Filati. As a result of the remand determination, the final antidumping duty rates for Heveafil and Filati were unchanged.

The CIT affirmed the Department's Final Results of Redetermination on August 9, 2001. See *Heveafil Sdn. Bhd. and Filati Lastex Sdn. Bhd. v. the United States*, Court No. 98-04-00908, Slip. Op. 01-97 (CIT).

#### Suspension of Liquidation

The U.S. Court of Appeals for the Federal Circuit in *Timken* held that the Department must publish notice of a