

quarterly on the obligation and expenditure of the CDBG funds appropriated under the Emergency Response Fund. Therefore, 42 U.S.C. 12708(a)(1) and 24 CFR 91.520 are waived with respect to these funds, and HUD is establishing an alternative requirement that the State must submit a quarterly report, as HUD prescribes, no later than 30 days following each calendar quarter, beginning after the first full calendar quarter after grant award and continuing until all funds have been expended and that expenditure reported. Each quarterly report will include information on the project name, activity, location, national objective, funds budgeted and expended, Federal source and funds (other than CDBG disaster funds), numbers and North American Industry Classification System (NAICS) codes of businesses assisted by activity, total number of jobs created and retained by activity, numbers of such jobs by salary ranges (to be defined by HUD), numbers of properties and housing units assisted; for activities benefiting low- and moderate-income persons, the number of jobs taken by persons of low- and moderate-income, and numbers of low- and moderate-income households benefiting. Quarterly reports must be submitted using HUD's web-based Disaster Recovery Grant Reporting system. Annually (*i.e.*, with every fourth submission), the report shall include a financial reconciliation of funds budgeted and expended, and calculation of the status of administrative costs.

17. *Allow flexibility in use of program income during grant and provide for disposition at grant closeout.* A combination of CDBG provisions limits the flexibility available to the State and city for the use of program income. Generally, program income earned on disaster grants has been program income to the regular CDBG program of the applicable entitlement or State and has lost its disaster grant identity, thus losing use of the waivers and streamlined alternative requirements. Also, the State CDBG program rule and law are designed for a program in which the State distributes all funds rather than carrying out activities directly and the law specifically provides for local governments receiving grants to retain program income if they use it for additional eligible activities under the regular CDBG program. This waiver and the alternate requirements allow program income to the disaster grant to be governed by the original grant's requirements and waivers and to remain the State's until grant closeout, at which point any program income on hand or

received subsequently will become program income to New York City's regular entitlement CDBG program. Therefore, 42 U.S.C. 5304(j), 24 CFR 570.481(a) to the extent it relates to defining program income, and 24 CFR 570.489(e) are waived and the following alternative requirements apply:

a. Program income is defined at 24 CFR 570.500(a);

b. 24 CFR 570.504(a) and (c);

c. Program income received before grant closeout may be retained by the recipient if the income is treated as additional funds under this grant subject to all of this grant's applicable requirements;

d. Substantially all program income other than any held in revolving funds shall be disbursed for eligible activities before additional cash withdrawals are made from the U.S. Treasury. Program income in the form of repayments to, or interest earned on, a revolving fund as defined in 24 CFR 570.500(b) shall be substantially disbursed from the fund before additional cash withdrawals are made from the U.S. Treasury for the same activity; and

e. Program income on hand at the time of grant closeout and program income received after grant closeout shall be program income to the ongoing CDBG entitlement program of New York City.

18. *Modification of the anti-pirating clause to permit assistance to help a business return.* 42 U.S.C. 5305(h) is hereby waived only to allow the State to provide assistance under this grant to any business that was operating in the covered disaster area before September 11, 2001, and has since moved in whole or in part from the affected area to continue business.

19. *Change of use of real property.* This section is written in the context of the regular State CDBG program in which the State distributes funds to units of general local governments and does not carry out activities directly. This change grants a waiver allowing the State to carry out activities directly. For purposes of this program, in 24 CFR 570.489(j), (j)(1), and the last sentence of (j)(2), "unit of general local government" shall be read as "unit of general local government or State."

20. *Responsibility for State review and handling of noncompliance.* This change conforms the rule with the waiver allowing the State to carry out activities directly. 24 CFR 570.492 is waived and the following alternative requirement applies:

The State shall make reviews and audits including on-site reviews of any subrecipients, designated public agencies, and units of general local government as may

be necessary or appropriate to meet the requirements of section 104(e)(2) of the Act.

In the case of noncompliance with these requirements, the State shall take such actions as may be appropriate to prevent a continuance of the deficiency, mitigate any adverse effects or consequences and prevent a recurrence. The State shall establish remedies for noncompliance by any designated public agencies or units of general local governments and for its subrecipients.

Section 434 of Public Law 107-73 requires HUD to publish these waivers in the **Federal Register** no later than five days before their effective date. The effective date of these waivers is May 28, 2002.

Dated: May 14, 2002.

**Roy A. Bernardi,**

*Assistant Secretary for Community Planning and Development.*

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**BILLING CODE 4210-29-P**

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## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### Outer Continental Shelf (OCS), Alaska OCS Region

**AGENCY:** Minerals Management Service, Interior.

**ACTION:** Notice of availability of the final environmental impact statement (EIS) for the proposed Liberty Development and Production Project in Beaufort Sea, Alaska.

**SUMMARY:** MMS announces the availability of the final EIS prepared by MMS for the Liberty Project in Foggy Island Bay offshore Beaufort Sea, Alaska.

**FOR FURTHER INFORMATION CONTACT:**

Persons interested in reviewing the final EIS "OCS EIS/EA, MMS 2002-19" (Volumes I-IV) can contact the MMS Alaska OCS Region. The documents are available for public inspection between the hours of 8 a.m. and 4 p.m., Monday through Friday at: Minerals Management Service, Alaska OCS Region, Resource Center, 949 East 36th Avenue, Room 330, Anchorage, Alaska 99508-4363, telephone: (907) 271-6070, or (907) 271-6621, or toll free at 1-800-764-2627. Requests may also be sent to MMS at [akwebmaster@mms.gov](mailto:akwebmaster@mms.gov). You may obtain single copies of the final EIS, or a CD-ROM version, or the Executive Summary from the same address.

You may look at copies of the final EIS in the following libraries:

Alaska Pacific University, Academic Support Center Library, 4101 University Drive, Anchorage, Alaska;  
 Alaska Resources Library and Information Service, U.S. Department of the Interior, 3150 C Street, Suite 100, Anchorage, Alaska;  
 Alaska State Library, Government Publications, State Office Building, 333 Willoughby, Juneau, Alaska;  
 Canadian Joint Secretariat Librarian, Inuvikon Northwest Territories, Canada;  
 Department of Indian and Northern Affairs, Yellowknife, Northwest Territories, Canada;  
 Fairbanks North Star Borough, Noel Wien Library, 1215 Cowles Street, Fairbanks, Alaska;  
 Ilisaavik Library, Shishmaref, Alaska;  
 Juneau Public Library, 292 Marine Way, Juneau, Alaska;  
 Kaveoook School Library, Kaktovik, Alaska;  
 Kegoyah Kozpa Public Library, Nome, Alaska;  
 National Oceanic and Atmospheric Administration, Information Services Division, Seattle, Washington;  
 North Slope Borough School District, Library/Media Center, Barrow, Alaska;  
 Northern Alaska Environmental Center Library, 218 Driveway, Fairbanks, Alaska;  
 Tikigaq Library, Point Hope, Alaska;  
 Tuzzy Consortium Library, Barrow, Alaska;  
 University of Alaska Anchorage, Consortium Library, 3211 Providence Drive, Anchorage, Alaska;  
 University of Alaska Fairbanks, Elmer E. Rasmuson Library, Government Documents, 310 Tanana Drive, Fairbanks, Alaska;  
 University of Alaska Fairbanks, Geophysical Institute, Government Documents, Fairbanks, Alaska;  
 University of Alaska Fairbanks, Institute of Arctic Biology, 311 Irving Building, Fairbanks, Alaska;  
 University of Alaska, Southeast, 11120 Glacier Highway, Juneau, Alaska;  
 U.S. Army Corps of Engineers Library, U.S. Department of Defense, Elmendorf Air Force Base, Anchorage, Alaska;  
 U.S. Fish and Wildlife Service Library, 1011 East Tudor Road, Anchorage, Alaska;  
 Valdez Consortium Library, 200 Fairbanks Street, Valdez, Alaska;  
 Z.J. Loussac Library, 3600 Denali Street, Anchorage, Alaska.

**SUPPLEMENTARY INFORMATION:** *Proposal.* The British Petroleum Exploration (Alaska) (BPXA) Inc. submitted a proposal to develop the Liberty oil field

from a manmade gravel island constructed on the Federal OCS in Foggy Island Bay in approximately 22 feet of water inside the barrier islands. The Liberty Project, which is located approximately 5 miles offshore the central Beaufort coast, is about midway between Point Brower to the west and Tigvariak Island to the east. The proposed island would be located in federal waters between McClure Islands and the coast. The overall project includes a gravel island, associated infrastructure, subsea buried oil pipeline (6.1 miles long), and an above-ground onshore pipeline (approximately 1.5 miles long) south to tie in with the Badami common carrier pipeline system, a new onshore gravel mine site, and ice roads.

The Development and Production Plan (DPP) for the Liberty Project requires approval by MMS, the lead permitting agency, and by the U.S. Army Corps of Engineers (COE), Alaska District Office, and the U.S. Environmental Protection Agency (EPA), Region 10, which are cooperating agencies. Together, these agencies have federal jurisdiction over the development and production of the oil resources, including construction, drilling, production, and transportation from the project to a common carrier pipeline. Additional permits from the State of Alaska and from the North Slope Borough would be required.

MMS held a series of scoping meetings in Alaska. Based on the most significant issues raised in those meetings, MMS identified and evaluated a variety of alternatives in the EIS. Including BPXA's proposal, these alternatives examine: three island locations and pipeline routes; four pipeline designs; two types of upper slope protection for the production island; two gravel mine sites; two pipeline burial depths; and some combinations of these possibilities. The final EIS also examines the No Action alternative. MMS and the cooperating agencies held public hearings in Alaska in February 2000. MMS received both written and oral comments, which were incorporated in the final EIS.

#### **Change in Status**

In January 2002, BPXA publicly announced they were putting the Liberty Project on hold pending an ongoing re-evaluation of project configuration and costs. On March 5, 2002, BPXA sent a letter to MMS and other agencies stating that pending completion of project re-evaluation, affected agencies should consider submitted permit applications incomplete and recommended

processing of these applications be suspended. Also in March, BPXA indicated informally that submission of a modified DPP for the Liberty Project would likely take 6 months or more.

MMS has decided to publish and file with EPA this final EIS for the Liberty DPP because it includes substantial changes made in response to comments on the draft EIS. Also, MMS expects this final EIS will serve as a reference document for future projects. The COE and EPA, as cooperating agencies, had intended to use this final EIS as the National Environmental Policy Act (NEPA) document supporting permitting decisions by these agencies.

The COE and EPA hereby solicit comments on the adequacy of, and alternatives considered in, this final EIS. Due to the applicant's re-evaluation of the project design, and the incomplete status of permit applications, the COE and EPA are not soliciting comments on their permit decisions at this time. When revised permit applications are received with project changes, the COE and EPA will issue public notices to request comments on the project proposal. Depending on the changes made, comments received, and any new information available, the three agencies will evaluate whether or not to use this final EIS as the primary NEPA documentation, issue a supplemental EIS, or issue new environmental documentation to meet the agencies' respective NEPA compliance and permit evaluation requirements.

Any written comments on this final EIS should be provided to MMS. Address your comments to the Regional Director, Alaska OCS Region, Minerals Management Service, 949 East 36th Avenue, Room 308, Anchorage, Alaska 99508-4363. Our practice is to make comments, including the names and home address of respondents, available for public review. An individual commenter may ask that we withhold their name, home address, or both from the public record, and we will honor such a request to the extent allowable by law. If you submit comments and wish us to withhold such information, you must state so prominently at the beginning of your submission. We will not consider anonymous comments, and we will make available for inspection in their entirety all comments submitted by organizations or businesses or by individuals identifying themselves as representatives of organizations or businesses.

Dated: May 16, 2002.

**Thomas A. Readinger,**

*Associate Director for Offshore Minerals Management.*

[FR Doc. 02-12787 Filed 5-21-02; 8:45 am]

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## INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 701-TA-417-421 and 731-TA-953, 954, 956-959, 961, and 962 (Final)]

### Carbon and Certain Alloy Steel Wire Rod From Brazil, Canada, Germany, Indonesia, Mexico, Moldova, Trinidad and Tobago, Turkey, and Ukraine

**AGENCY:** United States International Trade Commission.

**ACTION:** Revised schedule for the subject investigations.

**EFFECTIVE DATE:** May 15, 2002.

#### FOR FURTHER INFORMATION CONTACT:

Mary Messer (202-205-3193), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its internet server (<http://www.usitc.gov>). The public record for these investigations may be viewed on the Commission's electronic docket (EDIS-ON-LINE) at <http://dockets.usitc.gov/eol/public>.

**SUPPLEMENTARY INFORMATION:** Effective April 10, 2002, the Commission established a schedule for the conduct of the final phase of the subject investigations (67 FR 22105, May 2, 2002) based on the scheduled date of the earliest final determination by the Department of Commerce (Commerce) in the subject investigations. Commerce aligned the final countervailing duty determinations with the earliest final determination in the subject antidumping duty investigations (67 FR 12524, March 19, 2002) and subsequently extended the date for its final determinations in the subject antidumping duty investigations from June 17, 2002, to August 23, 2002 (67 FR 17367, April 10, 2002; 67 FR 17379, April 10, 2002; 67 FR 17389, April 10, 2002; 67 FR 18165, April 15, 2002; 67 FR 20728, April 26, 2002; and 67 FR

32013, May 13, 2002). The Commission, therefore, is revising its schedule to conform with Commerce's new schedule.

The Commission's new schedule for the investigations is as follows: requests to appear at the hearing must be filed with the Secretary to the Commission not later than August 19, 2002; the prehearing conference will be held at the U.S. International Trade Commission Building at 9:30 a.m. on August 22, 2002; the prehearing staff report will be placed in the nonpublic record on August 14, 2002; the deadline for filing prehearing briefs is August 21, 2002; the hearing will be held at the U.S. International Trade Commission Building at 9:30 a.m. on August 27, 2002; the deadline for filing posthearing briefs is September 4, 2002; the Commission will make its final release of information on September 18, 2002; and final party comments are due on September 20, 2002.

For further information concerning these investigations see the Commission's notice cited above and the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

**Authority:** These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.21 of the Commission's rules.

Issued: May 17, 2002.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary.*

[FR Doc. 02-12820 Filed 5-21-02; 8:45 am]

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## INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 701-TA-414 and 731-TA-928 (Final)]

### Softwood Lumber From Canada

#### Determinations

On the basis of the record<sup>1</sup> developed in the subject investigations, the United States International Trade Commission determines,<sup>2</sup> pursuant to sections 705(b) and 735(b) of the Tariff Act of 1930 (19 U.S.C. 1671d(b) and 1673d(b)) (the Act), that an industry in the United States is threatened with material injury by reason of imports from Canada of softwood lumber, provided for in

<sup>1</sup> The record is defined in § 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

<sup>2</sup> Commissioner Bragg not participating.

subheadings 4407.10.00, 4409.10.10, 4409.10.20, and 4409.10.90 of the Harmonized Tariff Schedule of the United States, that have been found by the Department of Commerce to be subsidized by the Government of Canada and sold in the United States at less than fair value (LTFV). The Commission further determines that it would not have found material injury but for the suspension of liquidation.

#### Background

The Commission instituted these investigations effective April 2, 2001, following receipt of a petition filed with the Commission and Commerce by the Coalition for Fair Lumber Imports Executive Committee,<sup>3</sup> Washington, DC; the United Brotherhood of Carpenters and Joiners, Portland, OR; and the Paper, Allied-Industrial, Chemical and Energy Workers International Union, Nashville, TN. The final phase of these investigations was scheduled by the Commission following notification of preliminary determinations by Commerce that imports of softwood lumber from Canada were being subsidized within the meaning of section 703(b) of the Act (19 U.S.C. 1671b(b)) and sold at LTFV within the meaning of section 733(b) of the Act (19 U.S.C. 1673b(b)). Notice of the scheduling of the final phase 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 notice in the **Federal Register** of November 26, 2001 (66 FR 59027). The hearing was held in Washington, DC, on March 26, 2002, and all persons 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 May 16, 2002. The views of the Commission are contained in USITC Publication 3509 (May 2002), entitled Softwood Lumber from Canada: Investigations Nos. 701-TA-414 and 731-TA-928 (Final).

Issued: May 16, 2002.

<sup>3</sup> The Coalition for Fair Lumber Imports Executive Committee is comprised of Hood Industries, International Paper Co., Moose River Lumber Co., New South, Inc., Plum Creek Timber Co., Potlatch Corp., Seneca Sawmill Co., Shearer Lumber Products, Shuqalak Lumber Co., Sierra Pacific Industries, Swift Lumber, Inc., Temple-Inland Forest Products, and Tolleson Lumber Co., Inc.