

## Background

On January 8, 2002, the Department published in the **Federal Register** (67 FR 865) the preliminary results and partial rescission of its administrative review of the antidumping duty order on stainless steel wire rod from India ("Preliminary Results"). We invited parties to comment on our preliminary results of review. We have now completed the administrative review in accordance with section 751 of the Act.

## Scope of the Review

The product covered by this review is stainless steel wire rod from India. This merchandise is classifiable under Harmonized Tariff Schedule ("HTS") subheadings 7221.00.0005, 7221.00.0015, 7221.00.0020, 7221.00.0030, 7221.00.0040, 7221.00.0045, 7221.00.0060, 7221.00.0075, and 7221.00.0080. Although the HTS subheadings are provided for convenience and for U.S. Customs purposes, the written description of the scope of this finding remains dispositive.

## Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this administrative review are addressed in the "Issues and Decision Memorandum" ("Decision Memorandum") from Joseph A. Spetrini, Deputy Assistant Secretary, Import Administration, to Faryar Shirzad, Assistant Secretary for Import Administration, dated May 21, 2002, which is hereby adopted by this notice. A list of the issues which parties have raised and to which we have responded, all of which are in the *Decision Memorandum*, is attached to this notice as an Appendix. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendations in this public memorandum which is on file in the Central Records Unit, Room B-099 of the main Department building. In addition, a complete version of the *Decision Memorandum* can be accessed directly on the Web at <http://ia.ita.doc.gov/frn/index.html>. The paper copy and electronic version of the *Decision Memorandum* are identical in content.

## Changes Since the Preliminary Results

Based on our analysis of comments received, we have not changed our results from the preliminary results of review.

## Final Results of Review

We determine that the following percentage margin exists for the period

December 1, 1999, through November 30, 2000:

Producer/Manufacturer/Exporter	Weighted-average margin (percent)
The Viraj Group, Limited .....	0.73

The Department shall determine, and Customs shall assess, antidumping duties on all appropriate entries. The Department will issue appraisement instructions directly to the Customs Service. In accordance with 19 CFR 351.212(b), we have calculated exporter-importer-specific assessment rates. We divided the total dumping margins for the reviewed sales by the entered quantity of those reviewed sales for the Viraj Group. We will direct the Customs Service to assess the resulting percentage margins against the entered Customs values for the subject merchandise on each of that importer's entries under the relevant order during the review period (see 19 CFR 351.212(a)).

## Cash Deposit Requirements

The following deposit requirements will be effective upon publication of this notice of final results of administrative review for all shipments of stainless steel wire rod from India entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(1) of the Act: (1) The cash deposit rate for the Viraj Group will be the rate shown above; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original less-than-fair-value (LTFV) investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered in these or any previous reviews conducted by the Department, the cash deposit rate will be the "all others" rate, which is 48.80 percent.

These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

## Notification of Interested Parties

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of

antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of the antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective orders ("APOs") of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

We are issuing and publishing this determination and notice in accordance with sections 751(a)(1) and 771(i)(1) of the Act.

Dated: May 21, 2002.

**Faryar Shirzad,**

*Assistant Secretary for Import Administration.*

## Appendix 1

### Issues in Decision Memorandum

#### Comments and Responses

1. Collapsing the Viraj Group
2. Entry Value
3. Import Duties
4. Grade 304L and 304LER
5. Negative Dumping Margins
6. Comparing Individual U.S. prices to 12-month Average Cost

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**[I.D. 051602A]**

### Endangered and Threatened Species; Take of Anadromous Fish

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

**ACTION:** Notice of availability of Draft Environmental Assessment (EA) and request for comments.

**SUMMARY:** Notice is hereby given of the availability of a draft EA for NMFS' implementation of part of the

Endangered Species Act (ESA) that it adopted for the 14 threatened salmon and steelhead Evolutionarily Significant Units (ESUs) identified in the

**SUPPLEMENTARY INFORMATION** section.

The action provides for limits on ESA prohibitions (Limits) for the various activities set out in the document. The draft EA is a programmatic EA that analyzes the impacts of implementing the Limit for routine road maintenance activities (RRM) of any state, city, county or port (Limit 10). This EA will form the basis for subsequent analyses of activities or programs that may be submitted pursuant to Limit 10. NMFS is furnishing this notification to allow other agencies and the public an opportunity to review and comment on the draft EA. All comments received will become part of the public record and will be available for review.

**DATES:** Written comments on the draft EA must be received at the appropriate address or fax number (see **ADDRESSES**) no later than 5 p.m. Pacific Standard Time on June 28, 2002.

**ADDRESSES:** Written comments should be sent to Rosemary Fursey, Protected Resources Division, National Marine Fisheries Service, 525 N.E. Oregon Street, Suite 500, Portland, OR 97232-2737. Comments may also be sent via fax to 503-230-5441. Copies of the draft EA are available on the Internet at <http://www.nwr.noaa.gov/1salmon/salmesa/final4d.htm> or from NMFS, Protected Resources Division, 525 N.E. Oregon Street, Suite 500, Portland, OR 97232-2737. Comments will not be accepted if submitted via email or the Internet.

**FOR FURTHER INFORMATION CONTACT:** Rosemary Fursey at phone number: 503-231-2149, facsimile: 503-230-5441, or e-mail: [Rosemary.Fursey@noaa.gov](mailto:Rosemary.Fursey@noaa.gov).

**SUPPLEMENTARY INFORMATION:**

**Species Covered in This Notice**

The following species are covered in this Notice:

Chinook salmon (*Oncorhynchus tshawytscha*); threatened Puget Sound (PS), Lower Columbia River (LCR), and Upper Willamette River (UWR).

Coho salmon (*Oncorhynchus kisutch*); threatened Oregon Coast (OC).

Sockeye salmon (*Oncorhynchus nerka*); threatened Ozette Lake (OL).

Chum salmon (*Oncorhynchus keta*); threatened Hood Canal Summer-run (HCS) and Columbia River (CR).

Steelhead (*Oncorhynchus mykiss*); threatened Snake River Basin (SRB), Central California Coast (CCC), South Central California Coast (SCCC), Lower Columbia River (LCR), Central Valley,

California (CVC), Middle Columbia River (MCR), and Upper Willamette River (UWR).

**Background**

National Environmental Policy Act (NEPA) requires that Federal agencies conduct an environmental analysis of their actions to determine if the actions may affect the human environment. Accordingly, before NMFS issued the ESA 4(d) rule for the 14 ESUs identified above it prepared a set of EAs in connection with this regulation and made a Finding of No Significant Impact (FONSI). Since the 4(d) rule came into effect on July 10, 2000, various governmental entities and the public have demonstrated interest in having their individual programs reviewed under Limit 10. With this increasing interest in using Limit 10, there is the possibility of increased effects as defined by NEPA. Thus, NMFS is conducting this subsequent NEPA analysis to determine the impacts of implementing Limit 10. States, counties, cities and ports conducting RRM activities would not be subject to ESA section 9 prohibitions provided that they perform the RRM activities using an RRM program that has been approved by NMFS as meeting the requirements of Limit 10.

NMFS is using a staged or sequential approach in its NEPA review of the implementation of Limit 10, and of any RRM that may be submitted under it. The first stage is this programmatic EA, which assesses the environmental impacts associated with just the implementation of Limit 10. It will form the basis for the second stage or subsequent NEPA analyses of NMFS' actions regarding individual RRM programs submitted under Limit 10.

This draft EA analyzes three alternatives: (1) The no action alternative; the 4(d) rule with Limits is not implemented; no ESA section 9 prohibitions are in effect; (2) the proposed action alternative; the 4(d) Rule with section 9 prohibitions and Limit 10 is implemented; and (3) alternative 3; the 4(d) rule without Limit 10 is implemented.

Because the proposed action creates an optional ESA process, its effects are necessarily programmatic in nature. In other words, the only effects that the proposed action may generate are those associated with putting take prohibitions into place and establishing the Limit 10 option for NMFS' approval of RRM programs. The proposed action does not address the possible effects of individual RRM programs because the actual effects, particularly the physical effects, associated with such programs

cannot be measured at this point. Also it is impossible to anticipate what programs will be submitted to NMFS or approved by NMFS. During the second stage of NEPA review, NMFS will conduct further NEPA analyses when an RRM program is submitted to NMFS. These subsequent NEPA documents will present a summary of the issues addressed in this draft programmatic Limit 10 EA; as appropriate, incorporate by reference the analyses presented in this programmatic EA; and address any environmental effects of NMFS' action regarding a specific RRM program.

This notice is provided pursuant to the NEPA regulations (40 CFR 1506.6). The final NEPA determinations will not be completed until after the end of the 30-day comment period and NMFS will fully consider all public comments during the comment period.

Dated: May 22, 2002.

**Wanda Cain,**

*Acting Director, Office of Protected Resources, National Marine Fisheries Service.*

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[I.D. 051302A]

**Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish Fisheries in the Gulf of Alaska**

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

**ACTION:** Notice of intent to prepare a supplemental environmental impact statement (SEIS); notice of scoping meetings; request for comments.

**SUMMARY:** NMFS announces its intent to prepare an SEIS in accordance with the National Environmental Policy Act of 1969 (NEPA) for the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP). The North Pacific Fishery Management Council (Council) proposes management measures to improve the economic efficiency of the Gulf of Alaska (GOA) groundfish fisheries and to address conservation, safety, and social concerns. The Council is considering one or more methods of allocating fishing privileges, such as: individual fishing quotas (IFQs); individual processing quotas (IPQs); allocations to communities; fishing cooperatives program; or other measures. The scope of the SEIS will include a review of the GOA groundfish