

### III. What Information Is Available Relevant to the Basis for the Request?

The following information has been submitted by QORE or obtained from the United States Forest Service (USFS) or the Kentucky Department for Natural Resources (DNR):

1. A 4,900 foot road designated USFS road FSR 1649A exists on the land to which the VER determination request pertains.
2. The land upon which the road is located was in Federal ownership as part of the Daniel Boone National Forest on August 3, 1977, the date of enactment of SMCRA.
3. On May 18, 2006, the USFS issued a permit to Sturgeon for non-Federal commercial use of this road. The permit is contingent upon Sturgeon receiving all other necessary authorizations to operate.
4. The road in question is clearly visible on several aerial photographs taken between April 11, 1978, and February 26, 1988.
5. The road is visible as a faint feature in aerial photographs dated April 27, 1974, and May 9, 1976.
6. A DNR employee remembers using an old logging road in this area for trail biking the summer after he graduated from college in the spring of 1977.
7. The USFS issued River Mining Co., Inc. a special use permit for the construction and use of a road in this location as a coal access and haul road on September 24, 1976.

### IV. How Will We Process the Request?

We received the request on February 23, 2006, and determined that it was administratively complete on March 23, 2006. That review did not include an assessment of the technical or legal adequacy of the materials submitted with the request.

The process by which we will further review the request is set out in 30 CFR 761.16(d) and (e). As required by 30 CFR 761.16(d)(1), we are publishing this notice to seek public comment on the merits of the request. A similar notice will also be published in a newspaper of general circulation in Owsley County, Kentucky.

After the close of the comment period, we will review the materials submitted with the request, all comments received in response to this and other notices, and any other relevant, reasonably available information to determine whether the record is sufficiently complete and adequate to support a decision on the merits of the request. If not, we will notify the requester, in writing, explaining the inadequacy of the record and requesting submittal,

within a specified time, of any material needed to remedy the deficiency.

Once the record is complete and adequate, we will determine whether the requester has demonstrated VER for the proposed access and haul road. Our decision document will contain findings of fact and conclusions, along with an explanation of the reasons for our conclusions. We will publish a notice of the decision in the **Federal Register** and a newspaper of general circulation in Owsley County, Kentucky.

However, as provided in 30 CFR 761.16(d)(1)(iv), we will not make a decision on the merits of the request, if, by the close of the comment period under this notice or the notice required by 30 CFR 761.16(d)(3), a person with a legal interest in the land to which the request pertains initiates appropriate legal action in the proper venue to resolve any differences concerning the validity or interpretation of the deed, lease, easement, or other documents that form the basis of the request. This provision applies only if our decision is based upon the standard in paragraph (c)(1) of the definition of VER in 30 CFR 761.5. It will not apply if we base our decision on the standard in paragraph (c)(3) of the definition.

### V. How Do I Submit Comments on the Request?

We will make the VER determination request and associated materials available to you for review as prescribed in 30 CFR 842.16, except to the extent that the confidentiality provisions of 30 CFR 773.6(d) apply. Subject to those restrictions, you may review a copy of the request for the VER determination and all comments received in response to this request at the Lexington Field Office (*see ADDRESSES*). Documents contained in the administrative record are available for public review at the Field Office during normal business hours, Monday through Friday, excluding holidays.

#### *Electronic or Written Comments*

If you wish to comment on the merits of the request for a VER determination, please send electronic or written comments to us at the addresses above (*see ADDRESSES*) by the close of the comment period (*see DATES*). Under 30 CFR 761.16(d)(1)(vii), you may request a 30-day extension of the comment period. Requests for extension of the public comment period must be submitted to the same addresses by the date indicated.

If you submit comments by E-mail, please include your name and return address in your message. You may contact the Lexington Field Office at

(859) 260-8402 if you wish to confirm receipt of your message.

#### *Availability of Comments*

We will make all comments, including names and addresses of respondents, available for public review during normal business hours at the location listed in **ADDRESSES**. We will not consider anonymous comments. If you are commenting as an individual, you may request that we withhold your name or address from public review, except for the city or town. We will honor your request to the extent allowable by law. You must state this request prominently at the beginning of your comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public review in their entirety.

Dated: May 31, 2006.

**H. Vann Weaver,**

*Acting Regional Director, Appalachian Region.*

[FR Doc. E6-9660 Filed 6-19-06; 8:45 am]

**BILLING CODE 4310-05-P**

### INTERNATIONAL TRADE COMMISSION

**[Investigation Nos. 731-TA-624 and 625 (Second Review)]**

#### **Helical Spring Lock Washers From China and Taiwan**

#### **Determinations**

On the basis of the record<sup>1</sup> developed in the subject five-year reviews, the United States International Trade Commission (Commission) determines, pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)) (the Act), that revocation of the antidumping duty orders on helical spring lock washers from China and Taiwan, would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.<sup>2</sup>

#### **Background**

The Commission instituted these reviews on January 3, 2006 (71 FR 133) and determined on April 10, 2006 that

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

<sup>2</sup> Chairman Stephen Koplman and Commissioners Jennifer A. Hillman, Charlotte R. Lane, and Shara L. Aranoff voted in the affirmative with respect to both countries. Vice Chairman Deanna Tanner Okun and Commissioner Daniel R. Pearson voted in the affirmative with respect to China and in the negative with respect to Taiwan.

it would conduct expedited reviews (71 FR 23946). Notice of the scheduling of the Commission's reviews 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** on April 25, 2006 (71 FR 23946).

The Commission transmitted its determinations in these reviews to the Secretary of Commerce on June 15, 2006. The views of the Commission are contained in USITC Publication 3858 (June 2006), entitled Helical Spring Lock Washers from China and Taiwan (Inv. Nos. 731-TA-624 and 625 (Second Review)).

Issued: June 15, 2006.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E6-9675 Filed 6-19-06; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-575]

### In the Matter of Certain Lighters; Notice of Investigation

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Institution of investigation pursuant to 19 U.S.C. 1337.

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on May 16, 2006, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Zippo Manufacturing Co., Inc. of Bradford, Pennsylvania and ZippMark, Inc. of Wilmington, Delaware. A supplement to the complaint was filed on June 5, 2006. The complaint, as supplemented, alleges violations of section 337 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain lighters by reason of infringement of U.S. Trademark Registration No. 2,606,241. The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after the investigation, issue a general exclusion order and cease and desist orders.

**ADDRESSES:** The complaint, except for any confidential information contained therein, is available for inspection

during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Room 112, Washington, DC 20436, telephone 202-205-2000. Hearing impaired individuals are advised that information on this matter can be obtained 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 at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Thomas S. Fusco, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2571.

**Authority:** The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2006).

**Scope of Investigation:** Having considered the complaint, the U.S. International Trade Commission, on June 14, 2006, *ordered that*—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(C) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain lighters by reason of infringement of U.S. Trademark Registration No. 2,606,241, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainants are—  
Zippo Manufacturing Co., Inc., 33 Barbour Street, Bradford, PA 16701.  
ZippMark, Inc., 103 Springer Building, Silverside Road, Wilmington, DE 19810.

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Tung Fong International Promotion Co., Ltd, Unit C9-21/F., Wah Lok

Industrial Ctr., 31-41 Shan Mei St., Fo Tan, N.T., Kln., Hong Kong.  
Wenzhou Star Smoking Set Co., Ltd. (aka Wenzhou Hengxing Smoking Set Co., Ltd.), Shuangboa Road, Ouhai Economic Development Area, Wenzhou, China.

Taizhou Rongshi Lighter Development Co., Ltd., (aka Rongshi Enterprise), Chayu Industrial Zone, Zeguo Wenling, Zhejiang, China.

Wenzhou Tailier Smoking Set Co., Ltd. (aka Wenzhou Tailier Smoking Set Manufacturing Co., Ltd.), No. 58 Zhugong Road, JinZhu Industrial Zone, Wenzhou, China 325000.

beWild.com, 2357 Bedford Avenue, Bellmore, NY 11710.

Kalan LP (dba Kalan Trendsetting Gifts & Novelties), 97 S. Union Avenue, Lansdowne, PA 19050.

Vista Wholesale, 1010 Meadow Lane, Greencastle, IN 46135.

(c) The Commission investigative attorney, party to this investigation, is Thomas S. Fusco, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Suite 401, Washington, DC 20436; and

(3) For the investigation so instituted, the Honorable Charles E. Bullock is designated as the presiding administrative law judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(d) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of the respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondents, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of a limited exclusion order or cease and desist order or both directed against the respondent.

By order of the Commission.