

Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

Notice of Request for Reinstatement and Extension of a Previously Approved Information Collection

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the intention of the Commodity Credit Corporation (CCC) and Farm Service Agency (FSA) to request a reinstatement, without change, of a previously approved information collection for which approval has expired in support of the nonrefundable marketing assessment due CCC on sugar processed from domestically grown sugar beets and sugarcane.

DATES: Comments on this notice must be received on or before February 9, 1998 to be assured of consideration.

FOR FURTHER INFORMATION CONTACT: Walter Porzel, Systems Accountant, Financial Procedures and Systems Branch, Financial Management Division, Farm Service Agency, STOP 0581, 1400 Independence Avenue, S.W., Washington, D.C. 20250-0581, telephone (703) 305-1303; e-mail address wporzel@wdc.fsa.usda.gov; or facsimile (703) 305-1144.

SUPPLEMENTARY INFORMATION: This notice announces the intention of the Commodity Credit Corporation (CCC) and Farm Service Agency (FSA) to request a reinstatement, without change, of a previously approved information collection for which approval has expired in support of the nonrefundable marketing assessment due CCC on sugar processed from domestically grown sugar beets and sugarcane. The regulations concerning this activity are published under the authority of the Agricultural Act of 1949, as amended

and the Federal Agriculture Improvement and Reform (FAIR) Act of 1996.

Title: Sugar Processor's Report of Monthly Marketing to Determine Assessment Due Commodity Credit Corporation (CCC).

OMB Control Number: 0560-0134.

Type of Request: Reinstatement, without change, of a previously approved collection for which approval has expired.

Abstract: The information collected under Office of Management and Budget (OMB) Control Number 0560-0134, as indicated above, is needed to determine nonrefundable marketing assessments due CCC from the first processors' marketing of domestically grown sugar beets and sugarcane. The Sugar Processor's Report of Monthly Marketing To Determine Assessment Due the Commodity Credit Corporation (Form CCC-80) is submitted to the FSA, Kansas City Management Office. The information collected is used to classify cash received by CCC, determine who the remitter is, record assessment collected, and determine program compliance. Respondents record the total pounds of raw cane sugar and total beet sugar marketed during the month. These amounts are multiplied by the assessment rate (7 CFR 1435.201) to compute the total assessment due CCC. Interest and penalty amounts due CCC (7 CFR 1435.203) are also included on Form CCC-80. If any fees for dishonored checks are due CCC, the remitter enters this amount also. The total of all the amounts is entered, the responsible official signs Form CCC-80 and submits the report with a check, or uses electronic remittance.

Estimate of Burden: Public reporting burden for this information collection is estimated to average 90 minutes, per response.

Respondents: First processors of domestically grown sugarcane or sugar beets.

Estimated Number of Respondents: 63.

Estimated Number of Responses per Respondent: 12.

Estimated Total Annual Burden on Respondents: 1,134 hours.

Proposed topics for comments include: (A) Whether the continued collection of information is necessary for the proper performance of the functions of the agency, including

whether the information will have practical utility; (b) the accuracy of agency's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; or (d) ways to minimize the burden of the collection of the information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Comments should be sent to Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503 and to Walter Porzel at the contact address listed above. Copies of the information collection may be obtained from Walter Porzel at the contact listed above. All responses to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record.

OMB is required to make a decision concerning the collection of information contained in these proposed regulations between 30 and 60 days after publication of this document in the **Federal Register**. Therefore, a comment to OMB is best assured of having its full effect if OMB receives it within 30 days of publication.

Signed at Washington, D.C., on December 3, 1997.

Bruce R. Weber,

Acting Administrator, Farm Service Agency and Acting Executive Vice President, Commodity Credit Corporation.

[FR Doc. 97-32392 Filed 12-10-97; 8:45 am]

BILLING CODE 3410-05-P

DEPARTMENT OF AGRICULTURE

Forest Service

Moose Subwatershed Timber Sales, Willamette National Forest, Linn County, OR

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: The USDA, Forest Service, will prepare an environmental impact statement (EIS) on a proposal to harvest and regenerate timber, and to construct and reconstruct roads in the Moose

Subwatershed. The legal description of the planning area is: T.13 S., R.3 E., Sections 11–15, 22–27; T.13 S., R.4 E., Sections 7, 17–19. The Forest Service proposal will be in compliance with the 1990 Willamette National Forest Land and Resource Management Plan as amended by the 1994 Northwest Forest Plan, which provides the overall guidance for management of this area. This proposal is tentatively planned for fiscal years 1998–2000.

The Willamette National Forest invites written comments and suggestions on the scope of the analysis in addition to those comments already received as a result of local public participation activities. The agency will also give notice of the full environmental analysis and decision-making process so that interested and affected people are made aware as to how they may participate and contribute to the final decision.

DATES: Comments concerning the scope and implementation of the analysis should be received in writing by January 15, 1998.

ADDRESSES: Send written comments and suggestions concerning the management of this area to Darrel Kenops, Forest Supervisor, Willamette National Forest, P.O. Box 10607 Eugene, Oregon 97386.

FOR FURTHER INFORMATION CONTACT: Direct questions about the proposed action and EIS to Donna Short, Integrated Resource Management Assistant or Suzanne Schindler, Project Coordinator, Sweet Home Ranger District, phone 541–367–5168.

SUPPLEMENTARY INFORMATION: The Moose Subwatershed is completely within the Central Cascades Adaptive Management Area (CCAMA) designated in the Northwest Forest Plan (ROD, C21–22). The purpose of AMAs is to encourage the development and testing of technical and social approaches to achieving desired ecological, economic, and other social objectives. AMAs are expected to produce timber as part of their program of activities consistent with their specific direction.

Management objectives for the Moose Lake Block in the CCAMA are described in the ROD, the South Santiam Watershed Analysis (SSWA), and the CCAMA Strategic Guide.

The purpose of this project is to harvest timber in a manner that implements the management objectives, specifically:

- Utilize landscape design processes to understand long term, historic patterns of landscape change created by natural disturbance processes, land management practices and vegetation

succession (CCAMA Strategic Guide p. 39).

- Develop approaches for integrating forest and stream management objectives and the implications of natural disturbance regimes. (CCAMA Strategic Guide p. 35, ROD D12–13).

- Manage young and mature stands to accelerate development of late successional conditions (Strategic Guide p. 35, ROD D12–13).

The Forest Service has a need to provide alternative timber harvest to the Mr. Rogers Timber Sale on the Siuslaw National Forest pursuant to Section 2001(k)(3) of the Rescission Act (Pub. L. 104–19) and the September 17, 1996 settlement agreement in *Northwest Resources Council v. Glickman and Babbitt*. Under the Act and the agreement, such alternative timber volume must be “an equal volume of timber, of like kind and value, which shall be subject to the terms of the original contract” (or as otherwise acceptable to the purchaser). Designation of alternative timber volume must also be done in consultation and agreement with the purchaser.

The proposal includes harvesting timber by thinning and regeneration methods and constructing road under the Moose Subwatershed Timber Sale. This analysis will evaluate a range of alternatives addressing the Forest Service proposal to harvest approximately 13.0 million board feet of timber from approximately 600 to 1600 acres and anticipate 0.5 miles of road construction.

The Moose Subwatershed is comprised of 13,562 acres, including 4,630 acres of private land. Of the 8,932 acres of Forest Service ownership 1,252 has regenerated. For the most part the remaining 7,680 acres is in second growth and late-successional/old-growth type of vegetative structure. Management areas that provide for timber harvest are Scenic (11a) and General Forest. No harvest allocations in this subwatershed are the Cougar Rock Special Interest Area, 100 acre Late-Successional Reserves, Bald Eagle Management Area, and the Moose Lake Dispersed Recreation Area.

The project area includes a portion of the Moose Lake RARE I area, which was considered but not selected for wilderness designation and is the reason for initiating this EIS.

Preliminary issues identified are roadless area quality, and water quality and anadromous fish habitat.

Initial scoping began in May, 1997. Preliminary analysis is currently being conducted. The Forest Service will be seeking additional information,

comments and assistance from Federal, State and local agencies and other individuals or organizations who may be interested or affected by the proposed project. Additional input will be used to help identify key issues and develop alternatives. This input will be used in preparation of the draft EIS. The scoping process includes:

- Identification of potential issues;
- Identification of issues to be analyzed in depth;
- Elimination of insignificant issues or those which have been covered by a relevant previous environmental process;
- Exploration of additional alternatives based on the issues identified during the scoping process; and
- Identification of potential environmental effects of the proposed action and alternatives (i.e. direct, indirect, and cumulative effects and connected actions).

The draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public review by March 1998. The comment period on the draft EIS will be January 26, 1998.

The Forest Service believes it is important to give reviewers notice at this early stage of several court rulings related to public participation in the environmental review process. First, a reviewer of a draft EIS 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 EIS stage but that are not raised until after completion of the final EIS may be waived or dismissed by the courts. *City of Angoon v. Hodel*, 803 F. 2d 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritages, Inc. 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 objectives are made available to the Forest Service at a time when it can meaningfully consider them and respond to them in the final EIS.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft EIS should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft statement. Comments may also address the adequacy of the draft EIS or the merits

of the alternatives formulated and discussed in the statement. (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.).

The final EIS is scheduled to be completed in April 1998. In the final EIS, the Forest Service is required to respond to comments and responses received during the comment period that pertain to the environmental consequences discussed in the draft EIS and applicable laws, regulations, and policies considered in making the decision regarding this proposal. Darrel L. Kenops, Forest Supervisor, is the responsible official and as responsible official, he will document the Moose Subwatershed Timber Sales decision and rationale in the Record of Decision. That decision will be subject to Forest Service Appeal Regulations (36 CFR part 215).

Dated: December 2, 1997.

Darrel L. Kenops,

Forest Supervisor.

[FR Doc. 97-32398 Filed 12-10-97; 8:45 am]

BILLING CODE 3410-11-M

DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-827]

Notice of Court Decision: Certain Cased Pencils From the People's Republic of China

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

ACTION: Notice of court decision.

SUMMARY: On November 13, 1997, the United States Court of International Trade (CIT) affirmed the determination made by the Department of Commerce (the Department) pursuant to a voluntary remand of the final determination of sales at less-than-fair value (LTFV) in the investigation of certain cased pencils from the People's Republic of China (PRC). *Writing Instrument Manufacturers Association, Pencil Section, et al. v. United States*, Slip Op. 97-151 (CIT November 13, 1997) (*Writing Instrument Manufacturers*). In the remand determination, the Department selected a new source for the surrogate values of the logs and slats used in producing certain cased pencils and changed its methodology for valuing these logs and slats.

EFFECTIVE DATE: November 23, 1997.

FOR FURTHER INFORMATION CONTACT: Roy A. Malmrose, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W. Washington, D.C. 20230; telephone: (202) 482-5414.

SUPPLEMENTARY INFORMATION: In its Final Determination of Sales at Less Than Fair Value: Certain Cased Pencils from the People's Republic of China, 59 FR 55625 (November 8, 1994) (Final Determination), in order to value Chinese lindenwood, the Department used prices charged by U.S. producers of basswood, the wood most similar to the lindenwood used by the Chinese to produce cased pencils. In this remand determination, the Department used publicly-available published information reflecting basswood log prices from 12 U.S. mills to value the lindenwood logs used by two of the Chinese producers, Anhui Stationery Co. (Anhui) and Three Star Stationery Co. (Three Star).

China First Pencil Co. Ltd. (China First), an exporter and producer of the subject merchandise, purchased slats for the production of its pencils. To value this input, the Department relied on the two main publicly-available published sources for sawn basswood prices, the Hardwood Market Report and the Hardwood Weekly Review.

For its valuation methodology for lindenwood logs, the Department selected the grades of basswood logs most comparable to the lindenwood used by the Chinese producers, including the quality and diameter of the logs. For basswood sawn lumber, the Department selected the lumber most comparable to that used to produce the Chinese slats in terms of grade, thickness, and wood loss.

As a result of the remand determination, the final dumping margins and the PRC country-wide ("all others") rate are as follows:

Exporter	Margin percent
China First Co. Ltd.	8.60
Shanghai Lansheng Corp.	19.36
Shanghai Foreign Trade Corp.	11.15
Guangdong Stationery/Three Star Stationery	0.00
Guangdong Stationery/all other producers	53.65
PRC country-wide rate	53.65

On November 13, 1997, the CIT affirmed the Department's remand determination.

In its decision in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*), the United States Court

of Appeals for the Federal Circuit held that, pursuant to 19 U.S.C. section 1516a(e), the Department must publish a notice of a court decision which is not "in harmony" with a Department determination, and must suspend liquidation of entries pending a "conclusive" court decision. The CIT's decision in *Writing Instrument Manufacturers* on November 13, 1997, constitutes a decision not in harmony with the Department's final affirmative determination. Publication of this notice fulfills the *Timken* requirement.

Accordingly, the Department will continue to suspend liquidation pending the expiration of the period of appeal, or, if appealed, until a "conclusive" court decision. In addition, pursuant to the affirmed remand results, China First is no longer excluded from the antidumping duty order issued in this case (Antidumping Duty Order: Certain Cased Pencils from the People's Republic of China, 59 FR 66909 (December 28, 1994)). Therefore, liquidation shall be suspended on entries, or withdrawals from warehouse, for consumption of the subject merchandise from China First effective ten days from the date of the decision in *Writing Instrument Manufacturers*. Absent an appeal, or, if appealed, upon a "conclusive" court decision affirming the CIT's opinion, the Department will amend the final LTFV determination and the antidumping duty order on certain cased pencils from the PRC to reflect the Department's remand results.

Dated: December 4, 1997.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 97-32467 Filed 12-10-97; 8:45 am]

BILLING CODE 3510-DS-M

DEPARTMENT OF COMMERCE

International Trade Administration

Barnard College; Notice of Decision on Application for Duty-Free Entry of Scientific Instrument

This is a decision consolidated pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 A.M. and 5:00 P.M. in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C.

Docket Number: 97-084. *Applicant:* Barnard College, New York, NY 10027-6598. *Instrument:* Electron Microscope, Model EM208S. *Manufacturer:* Philips,