

Background

On July 10, 1990, the Department published in the **Federal Register** (55 FR 28267) the antidumping order on INC from Korea. On August 25, 1999, KCNC submitted a letter stating that KCNC is the successor-in-interest to Daesang, and, as such, KCNC is entitled to the receive the same antidumping treatment as is accorded Daesang.

Scope of Review

Imports covered by this review are shipments of INC from Korea. INC is a dry, white amorphous synthetic chemical with a nitrogen content between 10.8 and 12.2 percent, and is produced from the reaction of cellulose with nitric acid. INC is used as a film-former in coatings, lacquers, furniture finishes, and printing inks. The scope of this order does not include explosive grade nitrocellulose, which has a nitrogen content of greater than 12.2 percent.

INC is currently classified under Harmonized Tariff System ("HTS") subheading 3912.20.00. While the HTS item number is provided for convenience and Customs purposes, the written description remains dispositive as to the scope of the product coverage.

Initiation and Preliminary Results of Review

In a letter dated August 25, 1999, KCNC advised the Department that on April 1, 1999, China Nitrocellulose Co. ("CNC") purchased Daesang's INC business, including Daesang's only manufacturing and research and development ("R&D") facility for subject merchandise, located at Chonju Industrial Complex No. 3, 821 Yongam-Lee, Bongdong-Eub, Wanju-Gun, Chollabuk-Do, Korea (the "Chonju factory"). CNC transferred Daesang's INC business to KCNC, which CNC had newly established for that purpose. KCNC operates the Chonju factory without change. Production continues with the same equipment, the same workers, the same raw materials purchased from the same suppliers, and the same production process. KCNC continues to sell the same products to the same customers to which Daesang previously sold. The organizational and management structure of Daesang's INC business has essentially remained intact, except that KCNC has appointed a new president. All management and employees at the plant manager level and below are the same as when the factory was managed by Daesang, while the managing director was formerly employed by Daesang in another capacity.

Thus, in accordance with section 751(b) of the Act, the Department is initiating a changed circumstances review to determine whether KCNC is the successor-in-interest to Daesang for purposes of determining antidumping duty liability. In making such a successor-in-interest determination, the Department examines several factors including, but not limited to, changes in: (1) Management; (2) production facilities; (3) supplier relationships; and (4) customer base. *See Brass Sheet and Strip from Canada: Notice of Final Results of Antidumping Administrative Review*, 57 FR 20460 (May 13, 1992) ("Canadian Brass"). While no one or several of these factors will necessarily provide a dispositive indication, the Department will generally consider the new company to be the successor to the previous company if its resulting operation is not materially dissimilar to that of its predecessor. *See, e.g., Industrial Phosphoric Acid from Israel: Final Results of Changed Circumstances Review*, 59 FR 6944 (February 14, 1994) and *Canadian Brass*, 57 FR 20460. Thus, if the evidence demonstrates that, with respect to the production and sale of the subject merchandise, the new company operates as the same business entity as the former company, the Department will assign the new company the cash deposit rate of its predecessor.

We preliminarily determine that KCNC is the successor-in-interest to Daesang. KCNC's management is virtually identical to Daesang. KCNC's business operation, with respect to the subject merchandise, is identical to the INC operations of Daesang. Production facilities are unchanged as are customer and supplier lists. Thus, KCNC should receive the same antidumping duty treatment as the former Daesang, *i.e.*, a 2.10 percent antidumping duty cash deposit rate. This cash deposit requirement will apply to all unliquidated entries of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this changed circumstances review. This deposit rate shall remain in effect until publication of the final results of the next administrative review.

Interested parties are invited to comment on these preliminary results. Any written comments may be submitted no later than 30 days after date of publication of this notice. Rebuttal briefs, limited to arguments raised in case briefs, are due five days after the case brief deadline. Case briefs and rebuttal briefs must be served on interested parties in accordance with 19 CFR 351.309. The Department will

publish the final results of the changed circumstances review including the results of any such comments.

This initiation of review, preliminary results of review and notice are in accordance with sections 751(b) and 777(i)(1) of the Act.

Dated: October 18, 1999.

Robert A. LaRussa,

Assistant Secretary, Import Administration.

[FR Doc. 99-27834 Filed 10-25-99; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[C-412-811]

Notice of Extension of Time Limit for Countervailing Duty Administrative Review of Certain Hot-Rolled Lead and Bismuth Carbon Steel Products From the United Kingdom

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

EFFECTIVE DATE: October 26, 1999.

SUMMARY: The Department of Commerce (the Department) is extending the time limit for the preliminary results of the countervailing duty administrative review of the countervailing order on certain hot-rolled lead and bismuth carbon steel products from the United Kingdom, covering the period January 1, 1998 through December 31, 1998.

FOR FURTHER INFORMATION CONTACT: Dana Mermelstein or Jonathan Lyons, AD/CVD Enforcement Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230, telephone: (202) 482-3208 or (202) 482-0374, respectively.

SUPPLEMENTARY INFORMATION: Under section 751(a)(3)(A) of the Tariff Act, as amended (the Act), the Department may extend the deadline for completion of the preliminary results of an administrative review if it determines that it is not practicable to complete the preliminary results within the statutory time limit of 245 days after the last day of the anniversary month for the relevant order. In the instant case, the Department has determined that it is not practicable to complete the review within the statutory time limit. *See Memorandum from Joseph A. Spetrini to Robert S. LaRussa, "Extension of Time for Preliminary Results."* Therefore, in accordance with section 751(a)(3)(A) of the Act, the Department is extending the time limit for the

preliminary results to no later than March 30, 2000.

Dated: October 18, 1999.

Joseph A. Spetrini,

Deputy Assistant Secretary for Enforcement Group III.

[FR Doc. 99-27835 Filed 10-25-99; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[I.D. 101599J]

Availability of an Environmental Impact Statement and Receipt of an Application for Incidental Take Permits for the Simpson Timber Company, Northwest Operations, Habitat Conservation Plan, Thurston, Mason, and Grays Harbor Counties, Washington

AGENCIES: National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Commerce; Fish and Wildlife Service, Interior.

ACTION: Notice of application and availability for public comment.

SUMMARY: This notice advises the public that Simpson Timber Company, Northwest Timber and Wood Products (STC), has submitted an application to the Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS) (together, the Services) for incidental take permits (Permits) pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (ESA). As required by section 10(a)(2)(B) of the ESA, the applicant has also prepared a Habitat Conservation Plan (Plan) designed to minimize and mitigate any such take of endangered or threatened species. The Permit application is related to forest management and timber harvest on approximately 261,575 acres of Simpson's fee-owned timberlands in Thurston, Mason, and Grays Harbor Counties, Washington. The proposed Permits would authorize the take of the following endangered or threatened species incidental to otherwise lawful management activities: marbled murrelet (*Brachyramphus marmoratus marmoratus*), bald eagle (*Haliaeetus leucocephalus*), Puget Sound chinook salmon (*Oncorhynchus tshawytscha*), and Hood Canal summer run chum salmon (*Oncorhynchus keta*). STC is

also seeking coverage for 48 currently unlisted species (including anadromous and resident fish) under specific provisions of the Permits, should these species be listed in the future. One of these, the coastal-Puget Sound population of the bull trout (*Salvelinus confluentus*), is currently in the final stages of the listing process. A determination will soon be made as to whether the bull trout will be listed as threatened. The duration of the proposed Permits and Plan is 50 years.

The Permit application includes: (1) the proposed Plan; and, (2) a proposed Implementing Agreement. The Services also announce the availability of a draft Environmental Impact Statement (EIS) for the Permit application.

This notice is provided pursuant to section 10(a) of the ESA, and National Environmental Policy Act (NEPA) regulations. The Services are furnishing this notice in order to allow other agencies and the public an opportunity to review and comment on these documents. All comments received will become part of the public record and will be available for review pursuant to section 10(c) of the ESA.

DATES: Written comments on the Permit application, EIS, Plan, and Implementing Agreement must be received from interested parties no later than December 27, 1999.

ADDRESSES: Comments and requests for information should be directed to Linda Saunders, Project Biologist, FWS, 510 Desmond Drive, SE., Suite 102, Lacey, Washington, 98503-1273, (telephone: 360/753-5826; facsimile: 360/534-9331), and Mike Parton, Project Biologist, NMFS, 510 Desmond Drive, SE., Suite 103, Lacey, Washington, 98503-1273 (telephone: 360/753-4650; facsimile: 360/753-9517). Comments and materials received will also be available for public inspection, by appointment, at the above offices during normal business hours by calling (360)534-9330.

Requests for documents on CD ROM should be made by calling FWS at (360)534-9330. Hardbound copies are also available for viewing, or partial or complete duplication, at the following libraries: Olympia Timberland Library, Reference Desk, 313 8th Avenue SE, Olympia, WA, (360)352-0595; William G. Reed Library, Reference Desk, 710 West Alder Street, Shelton, WA, (360)426-1362; Hoodport Timberland Library, 40 North Schoolhouse Hill Road, Hoodport, WA, (360)877-9339; Elma Timberland Library, Information Desk, 118 North 1st Street, Elma, WA, (360)482-3737; W.H. Abel Public Library, Information Desk, 125 Main

Street South, Montesano, WA, (360)249-4211; and, Aberdeen Timberland Library, Reference Desk, 121 East Market Street, Aberdeen, WA, (360)533-2360. The documents are also available electronically on the World Wide Web at <http://www.r1.fws.gov/>.

FOR FURTHER INFORMATION CONTACT:

Linda Saunders, FWS, 360/753-5826; or Mike Parton, NMFS, 360/753-4650.

SUPPLEMENTARY INFORMATION: Section 9 of the ESA and Federal regulations prohibit the taking of a species listed as endangered or threatened. The term take is defined under the ESA to mean harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. Harm has been defined by FWS to include "significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, and sheltering." NMFS' proposed definition of harm includes "significant habitat modification or degradation where it actually kills or injures fish or wildlife by significantly impairing essential behavioral patterns, including breeding, spawning, rearing, feeding, and sheltering."

The Services may issue permits, under limited circumstances, to take listed species incidental to, and not the purpose of, otherwise lawful activities. FWS regulations governing permits for endangered species are promulgated in 50 CFR 17.22; and, regulations governing permits for threatened species are promulgated in 50 CFR 17.32. NMFS regulations governing permits for threatened and endangered species are promulgated at 50 CFR 222.307.

Background

Simpson Timber Company owns and manages approximately 261,575 acres of commercial timberland in Thurston, Mason and Grays Harbor counties, Washington. These properties are located from just south of Highway 8, north into the southern foothills of the Olympic Mountains, and west across the Wynoochee River valley to the City of Aberdeen's Wishkah watershed. Management activities on the tree farm include forest management and timber harvest.

Some forest management and timber harvest activities have the potential to impact species subject to protection under the ESA. Section 10 of the ESA contains provisions for the issuance of Permits to non-Federal land owners for the take of endangered and threatened species, provided the take is incidental to otherwise lawful activities, and will