

Environmental Policies and Procedures (7 CFR part 1794). There are two Federal actions under the new HWWSP program being considered in this PEA: (1) Grants awarded by RUS to eligible grant recipients and (2) loans made by the grant recipient to eligible loan recipients using the direct or indirect proceeds of a HWWSP grant awarded under this program.

The level of RUS environmental reviews for agency actions are categorized in 7 CFR part 1794, subpart C, Classification of Proposals. Both agency actions for the HWWSP program are classified in 7 CFR 1794 as categorical exclusions. The first action (grant award) is classified under 7 CFR 1794.21(c)(3) categorically excluded proposals without an Environmental Report. The second (loan approvals) action is classified under 7 CFR 1794.22(b)(1) categorically excluded proposals requiring an Environmental Report.

Due to similar project activities and a limited area of potential effect of most HWWSP loan approval actions, RUS finds that a programmatic environmental analysis of the new HWWSP will reduce paperwork, duplication of effort, and promote a more efficient decision-making process for program implementation. RUS reserves the right to update this programmatic analysis to take additional information into account or develop particular elements of the analysis more fully as may be warranted in individual circumstances.

In summary, RUS has determined that the implementation of the HWWSP will not significantly affect the human or natural environment. However, to minimize any potential for adverse effects to specific environmental resources grant recipients will be required to comply with the following mitigation measures. These mitigation measures will be incorporated in executed grant agreements.

1. Floodplains

The grant recipient will complete FEMA Form 81-93, Standard Flood Hazard Determination Form for all loans. If a household is located in a special flood hazard area (Code A and V), the revolving loan fund recipient must have flood insurance and the grantee shall obtain flood insurance certifications as part of the revolving loan fund closing process.

2. Water Quality Issues

HWSPHWWSP funded projects will be built by contractors that are appropriately licensed to do the work in the State where the project is located.

Water withdrawal permits will be obtained as required by the appropriate State or local regulatory agency.

3. Coastal Resources

The grant recipient will obtain written approval from the U. S. Fish and Wildlife Service before approving any proposed loans located in Coastal Barrier Resources System units.

Dated: September 24, 2004.

Gary J. Morgan,

Assistant Administrator, Water and Environmental Programs, Rural Utilities Service.

[FR Doc. 04-21886 Filed 9-29-04; 8:45 am]

BILLING CODE 3410-15-P

DEPARTMENT OF COMMERCE

[I.D. 092404C]

Submission for OMB Review; Comment Request

The Department of Commerce has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: National Oceanic and Atmospheric Administration (NOAA).

Title: Dr. Nancy Foster Scholarship Program.

Form Number(s): CD-436, CD-511.

OMB Approval Number: 0648-0432.

Type of Request: Regular submission.

Burden Hours: 1,827.

Number of Respondents: 1,000.

Average Hours Per Response: Five hours for application package; 45 minutes for letter of recommendation; 1.5 hours for annual report; five minutes for No Concurrent Work Statement; 15 minutes for CD-346; five minutes for CD-511; and one hour for biographical sketch and photo.

Needs and Uses: The Dr. Nancy Foster Scholarship Program recognizes outstanding scholarship by providing financial support to graduate students pursuing masters and doctoral degrees in the areas of marine biology, oceanography, and maritime archeology. The applicants must submit information that allows NOAA to make scholarship selections. Those applicants selected to receive scholarships must submit additional information that enables NOAA to arrange funding and track their academic progress.

Affected Public: Individuals or households.

Frequency: Annually.

Respondent's Obligation: Required to obtain or retain benefits.

OMB Desk Officer: David Rostker, (202) 395-3897.

Copies of the above information collection proposal can be obtained by calling or writing Diana Hynek, Departmental Paperwork Clearance Officer, (202) 482-0266, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW, Washington, DC 20230 (or via the Internet at dHynek@doc.gov).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to David Rostker, OMB Desk Officer, FAX number (202) 395-7285, or David_Rostker@omb.eop.gov.

Dated: September 22, 2004.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 04-21972 Filed 9-29-04; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-583-008]

Circular Welded Carbon Steel Pipes and Tubes From Taiwan: Final Results of Antidumping Duty Administrative Review

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

SUMMARY: On July 1, 2003, the Department of Commerce (the Department) published in the **Federal Register** (68 FR 39055) a notice announcing the initiation of the administrative review of the antidumping duty order on circular welded carbon steel pipes and tubes from Taiwan. The period of review (POR) is May 1, 2002 to April 30, 2003. On June 8, 2004, the Department published the preliminary results of its administrative review of the antidumping duty order on circular welded carbon steel pipes and tubes from Taiwan (*see Circular Welded Carbon Steel Pipes and Tubes from Taiwan: Preliminary Results of Antidumping Duty Administrative Review*, 69 FR 31958 (June 8, 2004) (*Preliminary Results*)). In the preliminary results, we found that U.S. sales were made below normal value (NV) by the respondent, Yieh Hsing Enterprise Co., Ltd. (Yieh Hsing). We gave interested parties an opportunity to comment on our preliminary results; comments from petitioners and respondents are addressed in the "Issues and Decision

Memorandum," which is adopted by this notice. The Department has made no changes from the preliminary results.

EFFECTIVE DATE: September 30, 2004.

FOR FURTHER INFORMATION CONTACT:

Angela Strom or Robert James, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Room 3067, Washington, DC 20230; telephone (202) 482-2704 or (202) 482-0649.

SUPPLEMENTARY INFORMATION:

Background

On May 1, 2003, the Department published in the **Federal Register** a notice of "Opportunity to Request Administrative Review" of the antidumping duty order on circular welded carbon steel pipes and tubes from Taiwan. *See Antidumping or Countervailing Duty Order, Finding or Suspended Investigation, Opportunity to Request Administrative Review*, 68 FR 23281. On July 1, 2003, in response to a request from petitioners, Allied Tube and Conduit Corporation, IPSCO Tubulars Inc. and Wheatland Tube Company, the Department published in the **Federal Register** our notice of initiation of this administrative review. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 68 FR 39055. Petitioners requested that the Department conduct an administrative review of entries of subject merchandise made by Yieh Hsing, covering the period of review from May 1, 2002 to April 30, 2003.

Because it was not practicable to complete this review within the normal time frame, the Department extended the time limit for the preliminary results of the administrative review to May 30, 2004. *See Circular Welded Carbon Steel Pipes and Tubes from Taiwan: Notice of Extension of Time Limits*, 68 FR at 69987 (December 16, 2003). Due to the unexpected emergency closure of the main Commerce building on Tuesday, June 1, 2004, the Department has tolled the deadline for these preliminary results by one day to June 2, 2004 and issued them on that day.

On June 8, 2004, the Department published the preliminary results of the antidumping duty order on circular welded carbon steel pipes and tubes from Taiwan. *See Preliminary Results*. Since publication of the preliminary results, we invited parties to comment on our findings. The Department received a case brief from the petitioners on July 8, 2004 and a rebuttal brief from the respondent on July 13, 2004.

Scope of the Review

Imports covered by this review are shipments of certain circular welded carbon steel pipes and tubes. The Department defines such merchandise as welded carbon steel pipes and tubes of circular cross section, with walls not thinner than 0.065 inch and 0.375 inch or more but not over 4.5 inches in outside diameter. These products are commonly referred to in the industry as "standard pipe" and are produced to various American Society for Testing Materials specifications, most notably A-53, A-120 and A-135. Standard pipe is currently classified under Harmonized Tariff Schedule of the United States (HTSUS) item numbers 7306.30.5025, 7306.30.5032, 7306.30.5040, and 7306.30.5055. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise under review is dispositive.

Analysis of Comments Received

The Department received one comment in a case brief from petitioners and a rebuttal brief from the respondent, all of which are addressed in the "Issues and Decision Memorandum for the Antidumping Duty Order for Circular Welded Carbon Steel Pipes and Tubes from Taiwan: Notice of Final Results of Antidumping Duty Administrative Review (A-583-008)" from Jeffrey May, Deputy Assistant Secretary, Import Administration, to James J. Jochum, Assistant Secretary, Import Administration, dated September 24, 2004 (Issues and Decision Memorandum), which is hereby adopted by this notice. This memorandum is on file in the Department's Central Records Unit, located at 14th Street and Constitution Avenue, NW., Room B-099. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the Import Administration Web site at <http://ia.ita.doc.gov/frn/index.html>. The paper copy and electronic version of the Issues and Decision Memorandum are identical in content.

Changes Since the Preliminary Results

Based on our analysis of comments received and findings at verification, we have made no changes in the margin calculation from the preliminary results.

Final Results of Review

We determine the following dumping margin exists for the period May 1, 2002 to April 30, 2003.

Producer and exporter	Weighted average margin (percentage)
Yieh Hsing Assessment	1.61

The Department shall determine, and U.S. Customs and Border Protection (Customs) shall assess, antidumping duties on all appropriate entries. In accordance with 19 CFR 351.212(b)(1), we have calculated per-unit importer-specific assessment rates. The Department will issue appropriate assessment instructions directly to Customs within 15 days of publication of these final results of review.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(1) of the Tariff Act: (1) For Yieh Hsing, the cash deposit rate will be 1.61 percent; (2) for previously-reviewed producers and exporters with separate rates, the cash deposit rates will be the company-specific rates established for the most recent period for which they were reviewed; and (3) for all other producers and exporters, the rate will be 9.70 percent, the "all others" rate established in the less than fair value investigation. *See Certain Welded Carbon Steel Pipes and Tubes from Taiwan: Final Determination of Sales at Less Than Fair Value*, 49 FR 9931-01 (March 16, 1984). These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) 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 antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective orders (APO) 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 777(i)(1) of the Act.

Dated: September 24, 2004.

James J. Jochum,

Assistant Secretary, Import Administration.

Appendix:

Issues and Decision Memorandum
Comment 1: Credit Expenses for Home Market Sales.

[FR Doc. E4-2443 Filed 9-29-04; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-831]

Fresh Garlic From the People's Republic of China: Final Results of Antidumping Duty New Shipper Review

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

SUMMARY: On July 6, 2004, the Department of Commerce published the preliminary results of new shipper review of the antidumping duty order on fresh garlic from the People's Republic of China (PRC). The period of review (POR) is November 1, 2002, through October 31, 2003.

We invited interested parties to comment on our preliminary results. We did not make any changes to the margin calculation for the final results based on comments submitted by interested parties. We did, however, use a different surrogate value for the cost of leasing land. The final dumping margin for this review is listed in the "Final Results of Review" section below.

EFFECTIVE DATE: September 30, 2004.

FOR FURTHER INFORMATION CONTACT: Janis Kalnins or Minoo Hatten, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482-1392 or (202) 482-1690, respectively.

SUPPLEMENTARY INFORMATION:

Background

On January 7, 2004, we published in the *Federal Register* the *Notice of*

Initiation of New Shipper Antidumping Duty Review: Fresh Garlic from the People's Republic of China (69 FR 903) for entries of subject merchandise grown by Kaifeng Wangtun Fresh Vegetables Factory (Wangtun) and exported by Jinxiang Shanyang Freezing Storage Co., Ltd. (Shanyang). The POR is November 1, 2002, through October 31, 2003.

On July 6, 2004, the Department of Commerce (the Department) published the preliminary results of this new shipper review. *See Fresh Garlic from the People's Republic of China: Preliminary Results of Antidumping Duty New Shipper Review*, 69 FR 40607 (July 6, 2004) (*Preliminary Results*). We invited parties to comment on our preliminary results. We received timely comments from Shanyang and from the Fresh Garlic Producers Association and its individual members (collectively, the petitioners).

We have conducted this review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.214.

Scope of the Order

The products subject to this order are all grades of garlic, whole or separated into constituent cloves, whether or not peeled, fresh, chilled, frozen, provisionally preserved, or packed in water or other neutral substance, but not prepared or preserved by the addition of other ingredients or heat processing. The differences between grades are based on color, size, sheathing, and level of decay.

The scope of this order does not include the following: (a) Garlic that has been mechanically harvested and that is primarily, but not exclusively, destined for non-fresh use; or (b) garlic that has been specially prepared and cultivated prior to planting and then harvested and otherwise prepared for use as seed.

The subject merchandise is used principally as a food product and for seasoning. The subject garlic is currently classifiable under subheadings 0703.20.0010, 0703.20.0020, 0703.20.0090, 0710.80.7060, 0710.80.9750, 0711.90.6000, and 2005.90.9700 of the *Harmonized Tariff Schedule of the United States* (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this proceeding is dispositive. In order to be excluded from the antidumping duty order, garlic entered under the HTSUS subheadings listed above that is (1) mechanically harvested and primarily, but not exclusively, destined for non-fresh use or (2) specially prepared and cultivated prior to planting and then harvested and

otherwise prepared for use as seed must be accompanied by declarations to U.S. Customs and Border Protection (CBP) to that effect.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties in this review are addressed in the Issues and Decision Memorandum, dated September 24, 2004 (*Decision Memo*), which is hereby adopted by this notice. A list of the issues which parties raised and to which we respond in the *Decision Memo* is attached to this notice as an Appendix. The *Decision Memo* is a public document on file in the Central Records Unit (CRU), Main Commerce Building, Room B-099, and is accessible on the Web at <http://www.ia.ita.doc.gov/frn>. The paper copy and electronic version of the memorandum are identical in content.

Separate Rates

In the *Preliminary Results*, we determined that Shanyang met the criteria for the application of a separate rate. *See Preliminary Results*, 69 FR at 40608. We have not received any information since the issuance of the *Preliminary Results* that provides a basis for reconsideration of this determination.

Changes Since the Preliminary Results

We did not make any changes to the margin calculation for the final results based on comments submitted by interested parties. We did, however, use a different surrogate value for the cost of leasing land based on data collected in the final results of the immediately preceding new shipper reviews. *See Fresh Garlic from the People's Republic of China: Final Results of Antidumping Duty New Shipper Reviews*, 69 FR 46498 (August 3, 2004) (11/02 to 4/03 NSRs) and the memorandum from Janis Kalnins to The File entitled "Analysis for the Final Results of the New Shipper Review of the Antidumping Duty Order on Fresh Garlic from the People's Republic of China: Jinxiang Shanyang Freezing Storage Co., Ltd., and Wangtun Fresh Vegetable Factory," dated September 24, 2004.

The Use of Facts Otherwise Available

Section 776(a)(2) of the Act provides that, if, in the course of an antidumping review, an interested party (A) withholds information that has been requested by the Department, (B) fails to provide such information in a timely manner or in the form or manner requested, (C) significantly impedes a proceeding under the antidumping statute, or (D) provides such information