

financial and other information relating to business activities covered by its certificate. The annual report is due within 45 days after the anniversary date of the issuance of the certificate of review [Sections 325.14(a) and (b) of the Regulations]. Failure to submit a complete annual report may be the basis for revocation. [Sections 325.10(a) and 325.14(c) of the Regulations].

The Department of Commerce sent to VINEX International, Inc., on August 1, 1997, a letter containing annual report questions with a reminder that its annual report was due on September 8, 1997. Additional reminders were sent on January 9, 1998, and on July 9, 1998. The Department has received no written response to any of these letters.

On August 4, 1998, and in accordance with Section 325.10 (c)[1] of the Regulations, a letter was sent by certified mail to notify VINEX International, Inc. that the Department was formally initiating the process to revoke its certificate. The letter stated that this action is being taken because of the certificate holder's failure to file an annual report.

In accordance with Section 325.10(c)(2) of the Regulations, each certificate holder has thirty days from the day after its receipt of the notification letter in which to respond. The certificate holder is deemed to have received this letter as of the date on which this notice is published in the **Federal Register**. For good cause shown, the Department of Commerce can, at its discretion, grant a thirty-day extension for a response.

If the certificate holder decides to respond, it must specifically address the Department's statement in the notification letter that it has failed to file an annual report. It should state in detail why the facts, conduct, or circumstances described in the notification letter are not true, or if they are, why they do not warrant revoking the certificate. If the certificate holder does not respond within the specified period, it will be considered an admission of the statements contained in the notification letter (Section 325.10(c)[2] of the Regulations).

If the answer demonstrates that the material facts are in dispute, the Department of Commerce and the Department of Justice shall, upon request, meet informally with the certificate holder. Either Department may require the certificate holder to provide the documents or information that are necessary to support its contentions (Section 325.10(c)[3] of the Regulations).

The Department shall publish a notice in the **Federal Register** of the revocation

or modification or a decision not to revoke or modify (Section 325.10(c)[4] of the Regulations). If there is a determination to revoke a certificate, any person aggrieved by such final decision may appeal to an appropriate U.S. district court within 30 days from the date on which the Department's final determination is published in the **Federal Register** (Sections 325.10(c)(4) and 325.11 of the Regulations).

Dated: August 4, 1998.

Morton Schnabel,

Director, Office of Export Trading Company Affairs.

[FR Doc. 98-21283 Filed 8-7-98; 8:45 am]

BILLING CODE 3510-DR-P

DEPARTMENT OF COMMERCE

International Trade Administration

Export Trade Certificate of Review

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of initiation of process to revoke Export Trade Certificate of Review No. 94-00003.

SUMMARY: The Secretary of Commerce issued an export trade certificate of review to James W. Smith (d/b/a Premier International). Because this certificate holder has failed to file an annual report as required by law, the Department is initiating proceedings to revoke the certificate. This notice summarizes the notification letter sent to James W. Smith (d/b/a Premier International).

FOR FURTHER INFORMATION CONTACT: Morton Schnabel, Director, Office of Export Trading Company Affairs, International Trade Administration, (202) 482-5131. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 ("the Act") [15 U.S.C. 4011-21] authorizes the Secretary of Commerce to issue export trade certificates of review. The regulations implementing Title III ["the Regulations"] are found at 15 CFR part 325. Pursuant to this authority, a certificate of review was issued on June 10, 1994 to James W. Smith (d/b/a Premier International).

A certificate holder is required by law (Section 308 of the Act, 15 U.S.C. 4018) to submit to the Department of Commerce annual reports that update financial and other information relating to business activities covered by its certificate. The annual report is due within 45 days after the anniversary date of the issuance of the certificate of review [Sections 325.14(a) and (b) of the

Regulations]. Failure to submit a complete annual report may be the basis for revocation. [Sections 325.10(a) and 325.14(c) of the Regulations].

The Department of Commerce sent to James W. Smith (d/b/a Premier International), on April 8, 1997, a letter containing annual report questions with a reminder that its annual report was due on July 25, 1997. Additional reminders were sent on January 9, 1998, and on July 10, 1998. The Department has received no written response to any of these letters.

On August 4, 1998, and in accordance with Section 325.10(c)[1] of the Regulations, a letter was sent by certified mail to notify James W. Smith (d/b/a Premier International) that the Department was formally initiating the process to revoke its certificate. The letter stated that this action is being taken because of the certificate holder's failure to file an annual report.

In accordance with Section 325.10(c)(2) of the Regulations, each certificate holder has thirty days from the day after its receipt of the notification letter in which to respond. The certificate holder is deemed to have received this letter as of the date on which this notice is published in the **Federal Register**. For good cause shown, the Department of Commerce can, at its discretion, grant a thirty-day extension for a response.

If the certificate holder decides to respond, it must specifically address the Department's statement in the notification letter that it has failed to file an annual report. It should state in detail why the facts, conduct, or circumstances described in the notification letter are not true, or if they are, why they do not warrant revoking the certificate. If the certificate holder does not respond within the specified period, it will be considered an admission of the statements contained in the notification letter (Section 325.10(c)[2] of the Regulations).

If the answer demonstrates that the material facts are in dispute, the Department of Commerce and the Department of Justice shall, upon request, meet informally with the certificate holder. Either Department may require the certificate holder to provide the documents or information that are necessary to support its contentions (Section 325.10(c)[3] of the Regulations).

The Department shall publish a notice in the **Federal Register** of the revocation or modification or a decision not to revoke or modify (Section 325.10(c)[4] of the Regulations). If there is a determination to revoke a certificate, any person aggrieved by such final

decision may appeal to an appropriate U.S. district court within 30 days from the date on which the Department's final determination is published in the **Federal Register** (Sections 325.10(c)(4) and 325.11 of the Regulations).

Dated: August 4, 1998.

Morton Schnabel,

Director, Office of Export Trading Company Affairs.

[FR Doc. 98-21284 Filed 8-7-98; 8:45 am]

BILLING CODE 3510-DR-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 072998A]

Pacific Fishery Management Council; Public Meeting

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

ACTION: Notice of public meetings.

SUMMARY: The Pacific Fishery Management Council's (Council) Highly Migratory Species Advisory Subpanel (HMSAS) will hold a public meeting.

DATES: The HMSAS meeting will be held on Friday, September 4, 1998, in Long Beach, CA, at 10:00 a.m. and will continue until business is completed that day.

ADDRESSES: The meeting will be held at NMFS Southwest Regional Office, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA.

Council address: Pacific Fishery Management Council, 2130 SW Fifth Avenue, Suite 224, Portland, OR 97201.

FOR FURTHER INFORMATION CONTACT: Mr. Larry Six, telephone: (503) 326-6352.

SUPPLEMENTARY INFORMATION: The primary purpose of the HMSAS meeting is to discuss current issues related to highly migratory species in the Pacific Ocean, and in particular coordinated management in the U.S. Exclusive Economic Zone.

Although other issues not contained in this agenda may come before the Subpanel for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically identified in this notice.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids

should be directed to Mr. John Rhoton (503) 326-6352 at least 5 days prior to the meeting date.

Dated: August 3, 1998.

Bruce C. Morehead,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 98-21256 Filed 8-7-98; 8:45 am]

BILLING CODE 3510-22-F

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 071798E]

Endangered Species; Permits

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

ACTION: Receipt of an application for an incidental take permit (NMFS permit #1168).

SUMMARY: Notice is hereby given that the Washington Department of Natural Resources at Olympia, WA (WDNR) has applied in due form for a permit that would authorize incidental take of threatened Lower Columbia River (LCR) steelhead (*Oncorhynchus mykiss*) associated with timber management activities in western Washington state. This request is pursuant to the unlisted species provisions of the Implementation Agreement for the WDNR Habitat Conservation Plan.

DATES: Written comments or requests for a public hearing on the application must be received on or before September 9, 1998.

ADDRESSES: The application, documents cited in this notice, and comments received are available for review, by appointment, at:

Washington Habitat Conservation Branch, 510 Desmond Drive SE, Suite 103, Lacey, WA 98503 (360-753-6054).

FOR FURTHER INFORMATION CONTACT: Mr. Steve Landino, Chief Washington Habitat Conservation Branch, Lacey, WA (360-753-6054).

SUPPLEMENTARY INFORMATION: WDNR requests a permit under the authority of section 10 of the Endangered Species Act of 1973 (ESA) (16 U.S.C. 1531-1543) and the NMFS regulations governing ESA-listed fish and wildlife permits (50 CFR parts 217-227).

To date, protective regulations for threatened lower Columbia River steelhead under section 4(d) of the ESA have not been promulgated by NMFS. This notice of receipt of an application requesting a *permit for the incidental* take of this species is issued as a

precaution in the event that NMFS issues protective regulations that prohibit takes of lower Columbia River steelhead. The initiation of a 30-day public comment period on the application, including its proposed take of lower Columbia River steelhead, does not presuppose the contents of the eventual protective regulations. Those individuals requesting a hearing on the above application should set out the specific reasons why a hearing would be appropriate (see **ADDRESSES**). The holding of such a hearing is at the discretion of the Assistant Administrator for Fisheries, NOAA.

Background

In April of 1996, NMFS and the U.S. Fish and Wildlife Service (together the Services) received a completed Habitat Conservation Plan (HCP) application package from WDNR. The distribution to interested parties was initiated and a **Federal Register** notice was published on April 5, 1996 (61 FR 15297) which announced the release of the draft HCP and Implementing Agreement (IA), the U.S. Fish and Wildlife Service incidental take permit application, and the draft Environmental Impact Statement (EIS) to the public. The comment period closed on May 20, 1996.

The Services addressed concerns raised about the HCP and discussed alternative approaches with WDNR. Upon completion of these discussions, and after addressing the public comments, the Services and WDNR prepared a final EIS, including sections highlighting the changes made to the HCP and IA. The Notice of Availability of a final EIS was published in the November 1, 1996 **Federal Register** (61 FR 56563) with the 30-day waiting period ending on December 2, 1996. The U.S. Fish and Wildlife Service's incidental take permit (PRT-812521) was issued on January 30, 1997 (62 FR 8980).

LCR steelhead were listed as threatened under the ESA on March 19, 1998 (63 FR 13347). WDNR requests a 50-year permit (NMFS permit #1168) from NMFS that would authorize incidental take of threatened LCR steelhead associated with timber management activities in western Washington consistent with WDNR's HCP. The purpose of this notice is to seek public comment on WDNR's request for an incidental take permit.

Implementation Agreement Provisions

The IA is a legal document describing the roles and responsibilities of NMFS and WDNR during the proposed permit period. WDNR's IA contains provisions