

the 2001 financial statements of TATA Iron and Steel Company Limited (TATA), an Indian steel company which produces the wire rod.

**Inland Freight and domestic brokerage:** For all instances in which respondent reported domestic inland freight (rail) and domestic brokerage, we used surrogate values based on the values cited in Rebar from Moldova.

#### Verification

As provided in section 782(i) of the Act, we will verify all information relied upon in making our final determination.

#### Suspension of Liquidation

In accordance with section 733(d)(2) of the Act, we are directing the Customs Service to suspend liquidation of all imports of subject merchandise from Moldova entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. In addition, based on our preliminary determination that critical circumstances exist with respect to imports of wire rod from Moldova (67 FR 6224), we are directing Customs to suspend liquidation of any unliquidated entries of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date which is 90 days prior to the date on which this notice is published in the **Federal Register**. We will instruct the Customs Service to require a cash deposit or the posting of a bond equal to the weighted-average amount by which the NV exceeds the EP as indicated in the chart below. The suspension of liquidation will remain in effect until further notice.

Exporter/manufacture	Weighted-average margin percentage
Moldova-wide rate .....	369.10

The Moldova-wide rate applies to all entries of the subject merchandise.

#### ITC Notification

In accordance with section 733(f) of the Act, we have notified the ITC of our determination. If our final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after our final determination whether these imports materially injure, or threaten material injury to, a U.S. industry.

#### Public Comment

Unless otherwise informed by the Department, case briefs in six copies must be submitted to the Assistant Secretary for Import Administration no

later than 50 days after the date of publication of this notice, and rebuttal briefs no later than 55 days after the date of publication of this notice. We request that a list of authorities used and an executive summary of issues accompany any briefs submitted to the Department. Such summary should be limited to five pages total, including footnotes. In accordance with section 774 of the Act, we will hold a public hearing, if requested, to afford interested parties an opportunity to comment on arguments raised in case or rebuttal briefs. If a hearing is requested, the Department will notify parties of the date, time, and location of the hearing. Parties should confirm by telephone the time, date, and place of the hearing 48 hours before the scheduled time.

Interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for Import Administration, U.S. Department of Commerce, Room 1870, within 30 days of the publication of this notice. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. Oral presentations will be limited to issues raised in the briefs. If this investigation proceeds normally, we will make our final determination not later than 75 days after the date of this preliminary determination.

This determination is issued and published in accordance with sections 733(d) and 777(i)(1) of the Act.

Dated: April 2, 2002

**Faryar Shirzad,**

*Assistant Secretary for Import Administration.*

[FR Doc. 02-8707 Filed 4-9-02; 8:45 am]

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#### DEPARTMENT OF COMMERCE

##### International Trade Administration

##### Application for Duty-Free Entry of Scientific Instrument

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), we invite comments on the question of whether an instrument of equivalent scientific value, for the purposes for which the instrument shown below is intended to be used, is being manufactured in the United States.

Comments must comply with 15 CFR 301.5(a)(3) and (4) of the regulations and be filed within 20 days with the Statutory Import Programs Staff, U.S.

Department of Commerce, Washington, DC 20230. Applications may be examined between 8:30 a.m. and 5 p.m. in Suite 4100W, U.S. Department of Commerce, Franklin Court Building, 1099 14th Street, NW., Washington, DC.

**Docket Number:** 02-008. **Applicant:** Department of Health and Human Services, Centers for Disease Control and Prevention, Infectious Disease Pathology Activity, 1600 Clifton Road, NE., Mailstop G-32, Atlanta, GA 30333. **Instrument:** Electron Microscope, Model Tecnai 12 TWIN. **Manufacturer:** FEI Company, The Netherlands. **Intended Use:** The instrument is intended to be used to study material of a biological nature in order to investigate pathogens, viruses, bacteria, fungi and parasites within a variety of specimens including human and animal tissue specimens, cellular extracts, tissue-culture cells, viral constructs, cell culture supernatant fluid preparations and other biological specimens. The objectives in the course of scientific investigations are to determine the cause of illness, achieve a diagnosis, and develop rapid diagnostic capacity and study the pathogens of the disease for the detection of specific bioterrorism microorganisms. Application accepted by Commissioner of Customs: March 13, 2002.

**Gerald A. Zerdy,**

*Program Manager, Statutory Import Programs Staff.*

[FR Doc. 02-8710 Filed 4-9-02; 8:45 am]

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#### DEPARTMENT OF COMMERCE

##### International Trade Administration

##### Emory University; Notice of Decision on Application for Duty-Free Entry of Scientific Instrument

This decision is made 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 p.m. in Suite 4100W, U.S. Department of Commerce, Franklin Court Building, 1099 14th Street, NW, Washington, DC.

**Docket Number:** 01-026. **Applicant:** Emory University, Atlanta, GA 30322. **Instrument:** High Speed CCD Camera System Set, Model MiCAM 001. **Manufacturer:** SciMedia Ltd., Japan. **Intended Use:** See notice at 67 FR 8938, February 27, 2002.

**Comments:** None received. **Decision:** Approved. No instrument of equivalent scientific value to the foreign

instrument, for such purposes as it is intended to be used, is being manufactured in the United States. Reasons: The foreign instrument incorporates a digital camera with a sophisticated software package specifically designed and integrated to monitor neuronal activities. The National Institutes of Health advises in its memorandum of December 18, 2001 that (1) this capability is pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign instrument for the applicant's intended use.

We know of no other instrument or apparatus of equivalent scientific value to the foreign instrument which is being manufactured in the United States.

**Gerald A. Zerdy,**

*Program Manager, Statutory Import Programs Staff.*

[FR Doc. 02-8709 Filed 4-9-02; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 040202B]

#### Endangered and Threatened Species; Take of Anadromous Fish

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

**ACTION:** Notice of application for Incidental Take Permit with a Habitat Conservation Plan and availability for public comment; Notice of Availability of Draft Environmental Assessment.

**SUMMARY:** Notice is hereby given that NMFS has received an application for an incidental take permit (Permit) from the Grants Pass Irrigation District (GPID) pursuant to the Endangered Species Act (ESA). As required by the ESA, GPID has also prepared a habitat conservation plan (Plan) designed to minimize and mitigate any such take of endangered and threatened species. The Permit application is related to the operation of Savage Rapids Dam in Josephine and Jackson Counties, in the State of Oregon. The dam is owned and operated by GPID for the sole purpose of providing irrigation water to its customers. The effective dates of the permit will be from May 7, 2002, until November 1, 2005. The permit may be extended for 1 year, until November 1, 2006, in accordance with the provisions of the Consent Decree in *United States v. Grants Pass*

*Irrigation District*, Civil No. 98-3034-HO (D. Or., August 27, 2001). The Permit application includes the Plan. The Permit application is for the incidental take of ESA listed salmonids associated with otherwise lawful activities. NMFS also announces the availability of a draft Environmental Assessment (EA) for proposed issuance of the Permit. NMFS is furnishing this notification 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 the ESA.

**DATES:** Written comments from interested parties on the permit application, the Plan and the draft EA must be received at the appropriate address or fax number (see **ADDRESSES**) no later than 5 p.m. Pacific Standard Time on May 10, 2002.

**ADDRESSES:** See **SUPPLEMENTARY INFORMATION** for specific addresses where copies of the Permit application, plan, and draft EA can be viewed. Comments on the permit application, Plan or draft EA and requests for information should be directed to Frank Bird, Project Biologist, Habitat Conservation Division, National Marine Fisheries Service, 525 NE Oregon Street, Suite 210, Portland, OR 97232-2778. Comments may also be sent via fax to 541-957-3386. Comments will not be accepted if submitted via e-mail or the internet. Requests for copies of the permit application, Plan and draft EA should be directed to the Habitat Conservation Division, NMFS Roseburg Office, 2900 Stewart Parkway N.W., Roseburg, OR 97470 or by calling NMFS at (503) 231-2377. The documents are also available electronically on the Internet at <http://www.nwr.noaa.gov/1habcon/habweb/hcp.htm>. Comments received will also be available for public inspection, by appointment, during normal business hours by calling (503) 231-2377 or (541) 957-3383.

**FOR FURTHER INFORMATION CONTACT:** Frank Bird, Roseburg, OR (ph: 541/957-3383, fax: 541/957-3386, e-mail: [Frank.Bird@noaa.gov](mailto:Frank.Bird@noaa.gov)).

**SUPPLEMENTARY INFORMATION:** Address for Documents and for Comments Regarding This Action Copies are available for viewing, or partial or complete duplication, at the following libraries: Medford Headquarters Library, Headquarters Regional Services, 413 West Main Street, Medford, OR 97501, Tel 541-774-8689; Rogue River Regional Library, West County Regional Services, 412 East Main Street, Rogue River, Oregon 97537, Tel 541-582-1714; Josephine County Library Services,

Main Library, 200 N.W. 'C' Street, Grants Pass, OR 97526, Tel (541) 474-5480.

#### Authority

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. NMFS may issue permits under section 10(a)(1)(B) of the ESA, under limited circumstances, to take listed species incidental to, and not the purpose of, otherwise lawful activities. Authority to take listed species is subject to conditions set forth in the permits. Permits are issued in accordance with and are subject to the ESA and NMFS regulations governing threatened and endangered species (50 CFR 222.307).

#### Species Covered in This Notice

The following species are covered in this Notice:

Southern Oregon/Northern California coho salmon (*Oncorhynchus kisutch*); as well as one proposed species (Klamath Mountain Province steelhead) under specific provisions of the Permit, should this species be listed in the future.

#### Background

GPID currently provides irrigation water to approximately 8,000 customers who own a total of 7,700 acres in Jackson and Josephine counties. Savage Rapids Dam provides GPID with its primary water supply. Water is delivered through 160 miles (257 Kilometers) of canals in the greater Grants Pass, Oregon area. The water provided by GPID is not treated and, thus, is not used for human consumption. Of the 8,000 customers, about 300 own more than 5 acres and the remaining 7,700 own less than 5 acres. The customers with more than 5 acres represent a variety of agricultural interests as well as some industrial interests. Of the 7,700 customers owning less than 5 acres, most use GPID water for small hayfields and/or personal vegetable gardens.

Fish passage has been an issue at Savage Rapids Dam since the dam was constructed in 1921 by GPID. Currently, there are fish ladders located at both the north and south sides of the dam to provide for upstream and downstream fish migration. The north fish ladder is a rectangular, concrete structure containing pools 8 feet (2.4 meters) long and 9 feet (2.7 meters) wide. The south fish ladder is a concrete structure approximately 100 feet (30.5 meters)