

22, 2000 ("Analysis Memorandum"). In addition, in applying freight calculations for catalysts in accordance with *Sigma v. United States*, 117 F.2d 1401 (Fed. Cir. 1997) we used the freight distance from the nearest port to Nevinka as facts available since Nevinka did not report the freight distances for catalysts in its questionnaire response.

- We revised the reported labor factor to account for corrections to the response made at verification. (See, page 2 of the April 19, 2000 verification report and verification exhibit 3.) In addition, we revised the wage rate used to account for the updated Russian regression-based wage rate, revised in May 2000, at Import Administration's home page, Import Library, Expected Wages of Selected NME Countries, <http://ia.ita.doc.gov/wages/98wages/gdp00web.htm>.

- We recalculated the surrogate depreciation ratio as a percentage of COM plus overhead, as discussed in the *Memorandum from Doreen Chen to Edward Yang re Analysis of Ministerial Error Allegation* ("Ministerial Error Memo"), February 1, 2000 and Comment 2 of our *Issues and Decision Memorandum*.

Verification

As provided in section 782(i) of the Act, we verified the information submitted by Nevinka for use in our final determination. We used standard verification procedures including examination of relevant accounting and production records, and original source documents provided by respondents.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this investigation are addressed in the *Issues and Decision Memorandum* which is hereby adopted by this notice. Attached to this notice as an appendix is a list of the issues which parties have raised and to which we have responded in the *Issues and Decision Memorandum*. Parties can find a complete discussion of all issues raised in this investigation and the corresponding recommendations in this public memorandum which is on file in the Central Records Unit, Room B-099 of the Department. In addition, a complete version of the *Issues and Decision Memorandum* can be accessed directly on the Web at www.ita.doc.gov/import_admin/records/frn. The paper copy and electronic version of the *Issues and Decision Memorandum* are identical in content.

Suspension of Liquidation

On May 19, 2000, the Department signed a suspension agreement with the Ministry of Trade of the Russian Federation. Pursuant to that suspension agreement, we have instructed Customs to terminate the suspension of liquidation of all entries of solid fertilizer grade ammonium nitrate from Russia. Any cash deposits of entries of solid fertilizer grade ammonium nitrate from Russia shall be refunded and any bonds shall be released.

On June 29, 2000, we received a request from petitioner requesting that we continue the investigation. Pursuant to this request, we have continued and completed the investigation in accordance with section 734(g) of the Act. We have found the following weighted-average dumping margins:

Exporter/manufacturer	Weighted-average margin (percent)
JSC Nevinnomyssky Azot	253.98
Russia-Wide	253.98

International Trade Commission Notification

In accordance with section 735(d) of the Act, we have notified the International Trade Commission ("ITC") of our determination. Because our final determination is affirmative, the ITC will, within 45 days, determine whether these imports are materially injuring, or threatening material injury to, the U.S. industry. If the ITC determines that material injury, or threat of material injury does not exist, the Agreement will have no force or effect, and the investigation shall be terminated. See Section 734(f)(3)(A) of the Act. If the ITC determines that such injury does exist, the Agreement shall remain in force but the Department shall not issue an antidumping order so long as (1) the Agreement remains in force, (2) the Agreement continues to meet the requirements of subsections (d) and (l) of the Act, and (3) the parties to the Agreement carry out their obligations under the Agreement in accordance with its terms. See section 734(f)(3)(B) of the Act.

This determination is issued and published in accordance with sections 735(d) and 777(i)(1) of the Act.

Dated: June 30, 2000.

Troy H. Cribb,
Acting Assistant Secretary for Import Administration.

Appendix 1—Issues in Decision Memorandum

1. Surrogate Country Selection

2. Correction of Clerical Errors
3. Critical Circumstances for Acron
4. Critical Circumstances for "All Others"
5. Valuation of Market-Economy Freight Services
6. Affiliation between Nevinka and Transammonia
7. Valuation of Lilamin and Caustic Magnesite
8. Valuation of Ammonia Synthesis Catalyst

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-853]

Notice of Antidumping Duty Order: Bulk Aspirin From the People's Republic of China

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

EFFECTIVE DATE: July 11, 2000.

FOR FURTHER INFORMATION CONTACT: Rosa Jeong, or Ryan Langan, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482-3853, and (202) 482-1279, respectively.

The Applicable Statute

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended ("the Act"), are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act ("URAA"). In addition, all citations to the regulations of the Department of Commerce ("the Department") are to 19 CFR Part 351 (1998).

Scope of Order

The product covered by this antidumping duty order is bulk acetylsalicylic acid, commonly referred to as bulk aspirin, whether or not in pharmaceutical or compound form, not put up in dosage form (tablet, capsule, powders or similar form for direct human consumption). Bulk aspirin may be imported in two forms, as pure ortho-acetylsalicylic acid or as mixed ortho-acetylsalicylic acid. Pure ortho-acetylsalicylic acid can be either in crystal form or granulated into a fine powder (pharmaceutical form). This product has the chemical formula $C_9H_8O_4$. It is defined by the official monograph of the United States Pharmacopoeia ("USP") 23. It is classified under the Harmonized Tariff

Schedule of the United States ("HTSUS") subheading 2918.22.1000.

Mixed ortho-acetylsalicylic acid consists of ortho-acetylsalicylic acid combined with other inactive substances such as starch, lactose, cellulose, or coloring materials and/or other active substances. The presence of other active substances must be in concentrations less than that specified for particular nonprescription drug combinations of aspirin and active substances as published in the Handbook of Nonprescription Drugs, eighth edition, American Pharmaceutical Association. This product is classified under HTSUS subheading 3003.90.0000. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise under investigation is dispositive.

Antidumping Duty Order

On June 27, 2000, the Department published in the **Federal Register** (65 FR 39598), its "Notice of Amended Final Determination of Sales at Less Than Fair Value: Bulk Aspirin from the PRC" in which the final antidumping duty margins for Shandong Xinhua Pharmaceutical Factory and Jilin Pharmaceutical Import and Export Corporation were revised. The revised margins are listed below.

On June 30, 2000, in accordance with section 735(d) of the Act, the U.S. International Trade Commission ("ITC") notified the Department that a U.S. industry is "threatened with material injury," within the meaning of section 735(b)(1)(A)(ii) of the Act, by reason of less-than-fair-value imports of bulk aspirin from the People's Republic of China ("PRC").

According to section 736(b)(2) of the Act, duties shall be assessed on subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the ITC's notice of final determination if that determination is based on the threat of material injury and is not accompanied by a finding that injury would have resulted without the imposition of suspension of liquidation of entries since the Department's preliminary determination. In addition, section 736(b)(2) of the Act requires the Customs Service to refund any cash deposits or bonds of estimated antidumping duties posted since the Department's preliminary antidumping determination if the ITC's final determination is threat-based.

Because the ITC's final determination is based on the threat of material injury and is not accompanied by a finding that injury would have resulted but for

the imposition of suspension of liquidation of entries since the Department's preliminary determination, section 736(b)(2) of the Act is applicable to this order. Therefore, the Department will direct the Customs Service to assess, upon further advice, antidumping duties on all unliquidated entries of bulk aspirin from the PRC entered, or withdrawn from warehouse, for consumption on or after the date of publication of the ITC's notice of final determination of threat of material injury in the **Federal Register** and to terminate the suspension of liquidation for entries of bulk aspirin from the PRC entered, or withdrawn from warehouse, for consumption prior to that date. The Department will also instruct the Customs Service to refund any cash deposits made, or bonds posted, between the publication date of the Department's preliminary antidumping determination and the publication date of the ITC's final determination.

On or after the date of publication of the ITC's notice of final determination in the **Federal Register**, Customs officers must require, at the same time as importers would normally deposit estimated duties, cash deposits for the subject merchandise equal to the weighted-average antidumping duty margins as noted below:

Exporter/manufacture	Weighted-average margin percentage
Shandong Xinhua Pharmaceutical Factory	16.51
Jilin Pharmaceutical Import and Export Corporation	10.85
PRC-wide Rate	144.02

This notice constitutes the antidumping duty order with respect to bulk aspirin from the PRC, pursuant to section 735(a) of the Act. Interested parties may contact the Central Records Unit, Room B-099 of the Main Commerce Building for copies of an updated list of antidumping duty orders currently in effect.

This order is published in accordance with sections 736(a) and 19 CFR 351.211.

Dated: July 5, 2000.

Troy H. Cribb,

Acting Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

DEPARTMENT OF INTERIOR

Fish and Wildlife Service

[I.D. 063000D]

Notice of Intent to Prepare an Environmental Impact Statement Regarding Issuance of an Incidental Take Permit and Enhancement of Survival Permit to Simpson Timber Company, California Timberlands, for Forest Management in Del Norte and Humboldt Counties, California

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

ACTION: Notice of intent to conduct public scoping and prepare an environmental impact statement.

SUMMARY: Pursuant to the National Environmental Policy Act of 1969, as amended (NEPA), we, the National Marine Fisheries Service (NMFS) and the Fish and Wildlife Service (FWS) intend to prepare an Environmental Impact Statement (EIS) regarding an expected application from the Simpson Timber Company, California Timberlands (Simpson) for an incidental take permit for take of threatened salmonid species and an enhancement of survival permit for coverage of an unlisted fish species and unlisted amphibian species, in accordance with section 10(a) of the Endangered Species Act of 1973, as amended (ESA). As required by the ESA, Simpson is preparing a Habitat Conservation Plan/Candidate Conservation Agreement (Plan/Agreement) and applications for an incidental take permit and an enhancement of survival permit (Permits) related to forest management and timber operations on a portion of its lands in Del Norte and Humboldt Counties, California. Simpson expects to apply for an incidental take permit pursuant to section 10(a)(1)(B) of the ESA from NMFS for the coho salmon (*Oncorhynchus kisutch*) and chinook salmon (*O. tshawytscha*), and may also seek coverage for one currently unlisted species, coastal steelhead (*O. mykiss irideus*) under the incidental take permit should this species be listed in the future. Simpson is also preparing an application for an enhancement of survival permit under the Candidate Conservation Agreement with