

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According to section 736(b)(2) of the Act, duties shall be assessed on subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the ITC's notice of final determination if that determination is based on the threat of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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**BILLING CODE 3510-DS-P**

#### 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

Assurances Policy of the FWS for the coastal cutthroat trout (*O. clarki clarki*), southern torrent salamander (*Rhyacotriton variegatus*) and tailed frog (*Ascaphus truei*).

We are furnishing this notice in order to advise other agencies and the public of our intentions and to announce the initiation of a public scoping period during which other agencies and the public are invited to provide written comments on the scope of issues to be included in the EIS.

**DATES:** We request comments be received on or before August 10, 2000. Public scoping meetings, at which oral and written comments can be submitted, are scheduled for July 11, 2000, from 3:00 p.m. to 5:30 p.m. and from 6:00 p.m. to 8:30 p.m., at the Cultural Center Atrium, 1001 Front Street, Crescent City, CA, and July 12, from 3:00 p.m. to 5:30 p.m. and from 6:00 p.m. to 8:30 p.m., at the Double Tree Hotel, 1929 4<sup>th</sup> Street, Eureka, CA.

**ADDRESSES:** Comments regarding the scope of the EIS and requests for additional information should be addressed to Mr. James Bond, NMFS, or Ms. Amedee Brickey, FWS, both located at 1655 Heindon Road, Arcata, CA 95521. Written comments may also be sent by facsimile to (707) 822-8411. Comments received will be available for public inspection, by appointment, during normal business hours (Monday through Friday; 8:00 a.m. to 5:00 p.m.) at the above address. All comments received, including names and addresses, will become part of the official administrative record and may be available to the public.

**FOR FURTHER INFORMATION CONTACT:** Mr. James Bond, NMFS, or Ms. Amedee Brickey, or Mr. John Hunter FWS, at the address above, or telephone (707) 822-7201.

**SUPPLEMENTARY INFORMATION:** Simpson owns and manages approximately 457,000 acres of commercial timberland in Del Norte, Humboldt and Trinity Counties, California. This property occurs in watersheds with habitat important to the conservation of salmonid species in the North Coast region of California, including, but not limited to, the Winchuck River, Smith River, Klamath River and its tributaries, Redwood Creek, Little River, Mad River, tributaries to Humboldt Bay, Eel River, the Van Duzen River and others. Many of these streams are listed as water quality limited under Section 303(d) of the Clean Water Act. Some of Simpson's management activities have the potential to impact salmonid and other species subject to protection under the ESA. Section 10(a)(1)(B) of the ESA

contains provisions for the issuance of incidental take permits to non-Federal land owners for the take of endangered and threatened species, provided, in part, the take is incidental to otherwise lawful activities and will not appreciably reduce the likelihood of the survival and recovery of the species in the wild. Simpson is preparing a 50-year Plan/Agreement that is intended to provide for management of approximately 431,000 acres of its California properties in Del Norte and Humboldt Counties in a manner that will minimize and mitigate the impacts of take of certain salmonid species currently listed under the ESA or which may be listed during the life of the Plan/Agreement. Once completed, it is expected that Simpson will submit the Plan/Agreement to NMFS as part of an application for the permits.

The Candidate Conservation Agreement with Assurances Policy (64 FR 32706-32716 and 64 FR 32726-32736) contains provisions for the issuance of enhancement of survival permits (section 10(a)(1)(A) of the ESA) to non-Federal land owners to cover the take of currently unlisted species in the event that such species are listed in the future, provided, in part, that the take is incidental to otherwise lawful activities and will not appreciably reduce the likelihood of the survival and recovery in the wild of any species. An applicant for an enhancement of survival permit must prepare and submit a permit application to the FWS for approval along with an Agreement containing a strategy for covered lands that demonstrates the applicant's appropriate contribution to precluding or removing the need to list the species as threatened or endangered under the ESA. The applicant must ensure that adequate funding for the Agreement will be provided. Once completed, it is anticipated that Simpson will submit its Plan/Agreement to the FWS as part of its application for an enhancement of survival permit.

Activities that Simpson may propose for Permit coverage include mechanized timber harvest; forest product transportation; road and landing construction, use, maintenance and abandonment; site preparation; tree planting; certain types of vegetation management; fertilizer application; silvicultural thinning and other silvicultural activities; fire suppression; rock quarries and borrow pit operations; gravel extraction; aquatic habitat restoration and other forest management activities. The Plan/Agreement would also likely cover certain monitoring activities and scientific work in the Plan area.

NMFS will evaluate the incidental take permit application and associated Plan in accordance with section 10(a)(1)(B) of the ESA and its implementing regulations. The FWS will evaluate the enhancement of survival permit application and associated Agreement in accordance with section 10(a)(1)(A) of the ESA, its implementing regulations and the Candidate Conservation Agreement with Assurances Policy.

The environmental review will analyze the action as proposed by Simpson. Simpson's proposal is expected to seek authorization for take of the covered species incidental to the activities that are described above. The habitat conservation plan prepared by Simpson in support of the applications described above will describe the impacts of the taking for which authorization is sought. In addition, the HCP will propose a conservation strategy to minimize and mitigate those impacts to the maximum extent practicable and to satisfy other applicable requirements of the ESA and its implementing regulations. This conservation strategy is expected to include enhanced stream buffers, a sediment reduction program, a monitoring program, adaptive management measures and certain salmonid, fish and aquatic habitat restoration. The HCP will also identify alternatives to the conservation plan considered by Simpson and explain why those alternatives were not selected. Under Simpson's Plan alternative, we would issue the requested permits and Simpson would implement its Plan within the Plan area.

The environmental review will also analyze a full range of reasonable alternatives to the proposed action, including a No Action alternative, and the associated impacts of each. We are currently in the process of developing alternatives for analysis. In connection with developing alternative approaches, we will consider, for example, modified lists of covered species, modified permit coverage areas, i.e., portions of the landscape subject to permit coverage, modified permit terms and different mitigation/aquatic resource management strategies that would serve the purpose of minimizing and mitigating the impacts of incidental take. We will consider other project alternatives recommended during this scoping process in order to develop a full range of reasonable alternatives. We invite comments and suggestions from all interested parties to ensure that a reasonable range of alternatives and issues related to them are addressed and that all significant issues are identified.

We will conduct an environmental review of the permit application and the Plan/Agreement and prepare an Environmental Impact Statement in accordance with NEPA requirements, as amended (42 U.S.C. 4321 *et seq.*), and its implementing regulations (40 CFR parts 1500 through 1508) and in accordance with other applicable Federal laws and regulations and policies and procedures of the Services for compliance with those regulations. The Services estimate that the draft EIS will be available for public review during the fourth quarter of 2000.

Dated: July 5, 2000.

**Wanda L. Cain,**

*Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.*

Dated: June 30, 2000.

**Elizabeth Stevens,**

*Acting California/Nevada Operations Manager, U.S. Fish and Wildlife Service, Sacramento, California.*

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BILLING CODE 3510-22-F, 4310-55-F

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 063000A]

#### Marine Mammals; File No. 373-1575

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

**ACTION:** Receipt of application.

**SUMMARY:** Notice is hereby given that Point Reyes Bird Observatory (Dr. Sarah Allen, Principal Investigator), 4990 Shoreline Highway, Stinson Beach, CA 94970, applied in due form for a permit to take harbor seals (*Phoca vitulina richardsi*), northern elephant seals (*Mirounga angustirostris*), California sea lions (*Zalophus californianus*), and Steller sea lions (*Eumetopias jubatus*) for purposes of scientific research.

**DATES:** Written or telefaxed comments must be received on or before August 10, 2000.

**ADDRESSES:** The application and related documents are available for review upon written request or by appointment in the following office(s):

Permits and Documentation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910 (301/713-2289);

Regional Administrator, Southwest Region, NMFS, 501 West Ocean Blvd.,

Suite 4200, Long Beach, CA 90802 (562/980-4001); and

Regional Administrator, Northwest Region, NMFS, 7600 Sand Point Way NE, BIN C15700, Bldg. 1, Seattle, WA 98115 (206/526-6150).

**FOR FURTHER INFORMATION CONTACT:** Simona Roberts or Ruth Johnson, 301/713-2289.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

The applicant seeks authorization to monitor and research all age, sex and reproductive classes of harbor seals and northern elephant seals along the Point Reyes National Seashore, and in the Gulf of the Farallones, San Francisco Bay, and Russian River, California. Proposed research takes of harbor seals would involve capturing, tagging, dye-marking, measuring, blood collecting, bacterial swabbing, scat collecting, and unintentional mortality. Proposed research takes of northern elephant seals would involve capturing, tagging, dye-marking, blood collecting, and bacterial swabbing. Unintentional harassment of California sea lions and Steller sea lions is also proposed.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Written comments or requests for a public hearing on this application should be mailed to the Chief, Permits and Documentation Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate.

Comments may also be submitted by facsimile at (301) 713-0376, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period. Please note that comments will not be accepted by e-mail or by other electronic media.

Concurrent with the publication of this notice in the **Federal Register**,

NMFS is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: July 3, 2000.

**Ann D. Terbush,**

*Chief, Permits and Documentation Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 00-17510 Filed 7-10-00; 8:45 am]

BILLING CODE 3510-22-F

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D.062900D]

#### Marine Mammals; Permit Nos. 914-1470-01 and 779-1339-02

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

**ACTION:** Receipt of applications for amendment.

**SUMMARY:** Notice is hereby given that University of Southern Mississippi, Box 5018, Hattiesburg, MS 39401, and National Marine Fisheries Service Southeast Fisheries Science Center, 75 Virginia Beach Drive, Miami, FL 33149, have requested an amendment to scientific research Permit No. 914-1470 and 779-1339, respectively.

**DATES:** Written or telefaxed comments must be received on or before August 10, 2000.

**ADDRESSES:** The amendment request and related documents are available for review upon written request or by appointment in the following office(s):

Permits and Documentation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910 (301/713-2289);

Southeast Region, NMFS, 9721 Executive Center Drive North, St. Petersburg, FL 33702-2432 (813/570-5312); and

Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930, (978/281-9250).

Written comments or requests for a public hearing on this request should be submitted to the Chief, Permits and Documentation Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular amendment request would be appropriate.