

the restricted areas in cooperation with the public and user groups.

In January 2000 a series of public meetings was held near each National Forest in Florida. At these meetings, attendees selected a variety of stakeholder representatives to provide information on access preferences and needs. The group developed a proposed system for consideration by the Forest Service along with a set of guiding principles and designation criteria. This proposed action included approximately 1,300 motorized access opportunities. The Forest Service began an environmental assessment of this proposed action in 2001. During the assessment, it became evident that an accurate inventory of roads, trails and travelways was needed in the restricted areas. An inventory using the global positioning system (GPS) began in August 2001 and was completed in April 2002. It also became evident that the proposed action may have a significant effect on the human environment leading to preparation of an environmental impact statement.

Alternatives to the proposed action developed by the public work groups are currently being developed and analyzed.

The scoping process, as outlined by the Council on Environmental Quality (CEQ), was utilized to involve Federal, State, and local agencies and other interested persons and organizations. Environmental considerations include potential presence of historical or archaeological resources, aesthetics, recreation demand, wetlands, endangered and threatened species, and fish and wildlife habitats and values.

Release and Review of the EIS: The DEIS is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public comment by June 2004. At that time, the EPA will publish a notice of availability for the DEIS in the **Federal Register**. The comment period on the draft environmental impact statement will be 45 days from the date the Environmental Protection Agency publishes the Notice of Availability in the **Federal Register**.

The Forest Service believes it is important to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of draft environmental impact statements must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978). Also, environmental objections

that could be raised at the draft environmental impact statement stage but that are not raised until after completion of the final environmental impact statement may be waived or dismissed by the courts. *City of Angoon v. Hodel*, 803 F.2d 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritages, Inc. v. Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the comment period so that substantive comments and objections are made available to the Forest Service at a time when it can meaningfully consider them and respond to them in the final environmental impact statement.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft environmental impact statement should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft statement. Comments may also address the adequacy of the draft environmental impact statement or the merits of the alternatives formulated and discussed in the statement. Reviewers may wish to refer to the CEQ for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.

Dated: June 3, 2004.

Jim Thorsen,

District Ranger, Seminole Ranger District, National Forests in Florida.

Dated: June 15, 2004.

Jerri Marr,

District Ranger, Lake George Ranger District, National Forests in Florida.

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DEPARTMENT OF COMMERCE

International Trade Administration

A-570-853

Notice of Initiation and Preliminary Results of Changed Circumstances Review and Intent to Revoke the Antidumping Duty Order: Bulk Aspirin from the People's Republic of China

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

ACTION: Notice of initiation and preliminary results of changed circumstances review and intent to revoke order.

SUMMARY: In accordance with 19 CFR 351.216(b), Bimeda, Inc., a U.S. importer of the subject merchandise and an interested party in this proceeding, filed a request for a changed circumstances review of the antidumping duty order on bulk aspirin from the People's Republic of China. In response to this request, the Department of Commerce is initiating a changed circumstances review and issuing a notice of preliminary intent to revoke the order on bulk aspirin from the People's Republic of China. Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATE: June 24, 2004.

FOR FURTHER INFORMATION CONTACT:

Scott Holland or Julie Santoboni, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone (202) 482-1279 or (202) 482-4194, respectively.

SUPPLEMENTARY INFORMATION:

Background

On July 11, 2000, the Department of Commerce ("the Department") published an antidumping duty order on bulk aspirin from the People's Republic of China ("PRC"). See *Notice of Antidumping Duty Order: Bulk Aspirin from the People's Republic of China*, 65 FR 42673 (July 11, 2000). On April 30, 2004, Bimeda, Inc. ("Bimeda"), an importer of bulk aspirin from the PRC and an interested party in this proceeding, requested that the Department revoke the antidumping duty order on bulk aspirin from the PRC through the initiation of a changed circumstances review.

According to Bimeda, revocation is warranted because there is no longer a producer of bulk aspirin in the United States. Bimeda asserts that Rhodia, Inc., ("Rhodia"), the only petitioner in the original investigation and the only U.S. producer at the time the order was issued, closed its sole production facility related to the manufacture of bulk aspirin in the United States on or about December 20, 2002. Bimeda provided a press release, a news article, an excerpt from Rhodia's 2001 annual report to the Securities and Exchange Commission, and a product datasheet posted on Rhodia's corporate website to support its contention. Accordingly, Bimeda asserts that the order should be revoked effective as of the date the petitioner ceased manufacture of bulk aspirin in the United States (*i.e.*, approximately December 20, 2002).

In response to a request from the Department, on May 25, 2004, Rhodia

stated that it had ceased production at its U.S. aspirin plant on February 28, 2003. Rhodia also indicated that it is still liquidating its inventory of bulk aspirin produced in the United States.

Scope of the Order

The product covered by this review 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 C₉H₈O₄. It is defined by the official monograph of the United States Pharmacopoeia 23 ("USP"). It is currently classifiable 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 currently classifiable under HTSUS subheading 3003.90.0000.

Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise under review is dispositive.

Initiation of Changed Circumstances Review, Preliminary Results, and Intent to Revoke Antidumping Duty Order

Pursuant to sections 751(d)(1) and 782(h)(2) of the Tariff Act of 1930, as amended ("the Act"), the Department may revoke an antidumping or countervailing duty order based on a review under section 751(b) of the Act (i.e., a changed circumstances review). Section 751(b)(1) of the Act requires a changed circumstances review to be conducted upon receipt of a request which shows changed circumstances sufficient to warrant a review.

Section 351.222(g) of the Department's regulations provides that the Department will conduct a changed circumstances review under 19 CFR

351.216, and may revoke an order (in whole or in part), if it determines that producers accounting for substantially all of the production of the domestic like product to which the order (or the part of the order to be revoked) pertains have expressed a lack of interest in the relief provided by the order, in whole or in part, or if changed circumstances exist sufficient to warrant revocation. Furthermore, 19 CFR 351.221(c)(3)(ii) permits the Department to combine the notice of initiation of a changed circumstances review and the notice of preliminary results in a single notice, if the Department concludes that expedited action is warranted.

In this case, the Department finds that the information submitted provides sufficient evidence of changed circumstances to warrant a review. Therefore, in accordance with sections 751(d)(1) and 782 (h)(2) of the Act, and 19 CFR 351.216 and 351.222(g), based on the information provided by Bimeda, we are initiating this changed circumstances review. Furthermore, since the information on the record indicates there is no longer any evidence of U.S. production of the domestic like product, we determine that expedited action is warranted and we preliminarily find that the continued relief provided by the order with respect to bulk aspirin from the PRC is no longer of interest to the domestic interested party in these proceedings. Because we have concluded that expedited action is warranted, we are combining these notices of initiation and preliminary results. Therefore, we preliminarily find that the request from Bimeda meets all of the criteria under 19 CFR 351.222(g) and thus, we intend to revoke the order with respect to imports of bulk aspirin from the PRC.

If the final revocation occurs, we intend to instruct U.S. Customs and Border Protection ("CBP") to liquidate without regard to antidumping duties all unliquidated entries of bulk aspirin, and to refund any estimated antidumping duties collected on all entries of bulk aspirin entered, or withdrawn from warehouse, for consumption on or after July 1, 2003, the earliest date for which entries of bulk aspirin have not been subject to an administrative review. We will also instruct CBP to pay interest on such refunds with respect to the subject merchandise entered, or withdrawn from warehouse, for consumption on or after July 1, 2003, in accordance with section 778 of the Act. The current requirement for a cash deposit of estimated antidumping duties on bulk aspirin from the PRC will continue

unless and until we publish a final decision to revoke.

Public Comment

Any interested party may request a hearing within 30 days of publication of this notice. See 19 CFR 351.310(c). Any hearing, if requested, will be held 44 days after the date of publication of this notice, or the first working day thereafter. Interested parties may submit case briefs and/or written comments not later than 30 days after the date of publication of this notice. Rebuttal briefs and rebuttals to written comments, which must be limited to issues raised in such briefs or comments, may be filed not later than 37 days after the date of publication. All written comments shall be submitted in accordance with 19 CFR 351.303. Consistent with section 351.216(e), the Department will publish the final results of this changed circumstances review no later than 270 days after the date on which this review was initiated, or within 45 days if all parties agree to our preliminary finding.

We are issuing and publishing this finding and notice in accordance with sections 751(b)(1) and 777(i)(1) of the Act and section 351.216 of the Department's regulations.

Dated: June 18, 2004.

James J. Jochum,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-892]

Notice of Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination: Carbazole Violet Pigment 23 From the People's Republic of China

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

ACTION: Preliminary determination of sales at less than fair value and postponement of final determination.

EFFECTIVE DATE: June 24, 2004.

FOR FURTHER INFORMATION CONTACT: Christopher Welty or Tisha Loeper-Viti at (202) 482-0186 or (202) 482-7425, respectively; AD/CVD Enforcement, Office 5, Group II, Import Administration, Room 1870, International Trade Administration, U.S. Department of Commerce, 14th