

# Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Establishment of Pinhook Purchase Unit, Florida; Correction

AGENCY: Forest Service, USDA.

ACTION: Correction.

**SUMMARY:** This document corrects the acreage contained in the notice of establishment of the Pinhook Purchase Unit which was published Monday, August 29, 1994 (59 FR 44405). On page 44405, in the 3rd column, under heading Summary, 6th line should be 170,608 and on page 44406, 1st column, 7 lines from the bottom should be 170,608.

**FOR FURTHER INFORMATION CONTACT:** Ralph Bauman, Lands Staff, 4 South, Forest Service, USDA, P.O. Box 96090, Washington, D.C. 20090-6090 (202) 205-1248.

Dated: July 5, 1995.

**Janice H. McDougle,**

*Associate Deputy Chief.*

[FR Doc. 95-17643 Filed 7-18-95; 8:45 am]

BILLING CODE 3410-11-M

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket A(32b1)-11-95]

### Foreign-Trade Zone 122—Corpus Christi, TX; Subzone 122B Southwestern Refining (Crude Oil Refinery) Request for Modification of Restrictions

A request has been submitted to the Foreign-Trade Zones Board (the Board) by the Port of Corpus Christi Authority (PCCA), grantee of FTZ 122, pursuant to § 400.32(b)(1) of the Board's regulations, for modification of the restrictions in FTZ Board Order 310 authorizing Subzone 122B at the crude oil refinery of Southwestern Refining (Southwestern) in Corpus Christi, Texas.

(Koch Refining Company is in the process of purchasing the refinery.) The request was formally filed on July 13, 1995.

The FTZ Board approved subzone status for the Southwestern refinery in 1985 (Subzone 122B, Board Order 310, 50 FR 38020, 9/19/85). The approval was subject to certain standard restrictions, including one that required the election of privileged foreign status on incoming foreign merchandise.

PCCA is now requesting that this restriction be modified so that the refinery would have the option available under the FTZ Act to choose non-privileged foreign (NPF) status on foreign refinery inputs used to produce certain petrochemical feedstocks and by-products including the following: benzene, toluene, xylenes, hydrocarbon mixtures, distillates/residual fuel oils, kerosene, naphthas, liquified natural gas, ethane, propane, butane, ethylene, propylene, butylene, butadiene, petroleum coke, asphalt, sulfur, sulfuric acid, cumene and pseudocumene.

The request cites the FTZ Board's recent decision in the Amoco, Texas City, Texas case (Board Order 731, 60 FR 13118, 3/10/95) which authorized subzone status with the NPF option noted above. In the Amoco case, the Board concluded that the restriction that precluded this NPF option was not needed under current oil refinery industry circumstances.

Public comment on the proposal is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is [30 days from date of publication].

A copy of the application and accompanying exhibits will be available for public inspection at the following location: Office of the Executive Secretary, Foreign-Trade Zones Board, U.S. Department of Commerce, Room 3716, 14th & Pennsylvania Avenue NW., Washington, DC 20230.

Dated: July 13, 1995.

**Dennis Puccinelli,**

*Acting Executive Secretary.*

[FR Doc. 95-17767 Filed 7-18-95; 8:45 am]

BILLING CODE 3510-DS-P

## International Trade Administration

[A-570-834]

### Notice of Amended Final Determination of Sales at Less Than Fair Value: Disposable Pocket Lighters From the People's Republic of China

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

EFFECTIVE DATE: July 19, 1995.

**FOR FURTHER INFORMATION CONTACT:** Cynthia Thirumalai or Todd Hansen, Office of Countervailing Investigations, U.S. Department of Commerce, Room B099, 14th and Constitution Avenue NW., Washington, DC 20230; telephone (202) 482-4087 and 482-1276, respectively.

### Amended Final Determination

In accordance with section 735(a) of the Tariff Act of 1930, as amended ("the Act"), on April 27, 1995, the Department of Commerce ("the Department") made its final determination that disposable pocket lighters from the People's Republic of China ("PRC") are being, or are likely to be, sold in the United States at less than fair value (60 FR 22359, May 5, 1995). We have determined that ministerial errors were committed for Cli-Claque Company Ltd. ("Cli-Claque") and PolyCity Industrial Ltd. ("PolyCity") (see company-specific sections below). The correct margin percentage for Cli-Claque is 0.55%, and 5.49% for PolyCity. The margin percentages for Gao Yao (HK) Hua Fa Industrial Company, Ltd. ("Gao Yao"), China National Overseas Trading Corp. ("COTCO"), and Guangdong Light Industrial Products Import and Export Corp. ("GLIP"), and the PRC-wide rate remain the same.

### Scope of Investigation

The products covered by this investigation are disposable pocket lighters, whether or not refillable, whose fuel is butane, isobutane, propane, or other liquefied hydrocarbon, or a mixture containing any of these, whose vapor pressure at 75 degrees Fahrenheit (24 degrees Celsius) exceeds a gauge pressure of 15 pounds per square inch. Non-refillable pocket lighters are imported under subheading 9613.10.0000 of the Harmonized Tariff Schedule of the United States

("HTSUS"). Refillable, disposable pocket lighters would be imported under subheading 9613.20.0000. Although the HTSUS subheadings are provided for convenience and Customs purposes, our written description of the scope of this proceeding is dispositive.

Certain windproof refillable lighters, as described in memoranda to Barbara R. Stafford, dated December 5, 1994, and April 25, 1995, are excluded from the scope of this investigation. Also excluded from the scope of this investigation are electric lighters (as described in the April 25, 1995 memorandum) which use two AA batteries to heat a coil for purposes of igniting smoking materials, rather than using butane, isobutane, propane, or other liquefied hydrocarbon to fuel a flame for purposes of igniting smoking materials.

#### Case History

On May 12, 1995, Cli-Claque and petitioner filed allegations of ministerial errors. PolyCity filed its rebuttal to petitioner's allegations on May 16, 1995, followed by Cli-Claque on May 19, 1995.

#### Applicable Statute and Regulations

Unless otherwise indicated, all citations to the statute and to the Department's regulations are references to the provisions as they existed on December 31, 1994.

### Company-Specific Issues

#### PolyCity

##### Issue 1: Energy

Petitioner claims that the Department erred in its choice of a source to be used to value PolyCity's energy usage since information it believes more appropriate was available.

PolyCity claims that the Department used the source described in the Calculation Memorandum; therefore, the Department's choice was not a ministerial error.

*DOC Position:* We agree with PolyCity that this is not a ministerial error and have made no change in our calculations.

##### Issue 2: Factory Overhead

Petitioner first states that it should be allowed to comment on the factory overhead rate the Department used in the final determination since that was the first time any of the parties knew of the Department's selection of that rate. Petitioner then argues that an adjustment should be made to the factory overhead rate which was applied to all respondents equally to account for the difference in the structure of

PolyCity's physical plant compared to other respondents. Petitioner suggests that one possible source is PolyCity's own overhead experience.

PolyCity maintains that in nonmarket economy ("NME") cases, the Department does not use a respondent's own factory overhead rate. Given this, PolyCity states that petitioner's argument is really a challenge to the Department's long-standing NME methodology.

*DOC Position:* We find that petitioner's complaint is with our methodology and is not properly an allegation of a clerical error. Moreover, we disagree with petitioner that the factory overhead rate should be adjusted to account for the difference in PolyCity's physical plant structure compared to other respondents. This case is similar to that found in the *Final Determination of Sales at Less than Fair Value: Pure Magnesium From Ukraine (Ukraine Magnesium)*, 60 FR 16432, 16447 (March 30, 1995), where petitioners asked that the overhead rate be adjusted upwards to account for one item that had a significant cost associated with it. In *Ukraine Magnesium*, the Department said

[T]he fact that one element (i.e., cell rebuild) of factory overhead has significant cost associated with it does not invalidate the overhead percentage used. Factory overhead is a combination of elements, some of which may be more or less expensive depending on the product or even the company.

Also, the Department has previously rejected line-by-line examinations of factory overhead rates as petitioner would have us do in this instance (see, e.g., *Final Determination of Sales at Less Than Fair Value; Tapered Roller Bearings and Parts Thereof, Finished or Unfinished, From the Socialist Republic of Romania*, 52 FR 17433, 17436, May 8, 1987). Assuming, for argument's sake, that an adjustment was found to be appropriate in such cases, we would be unable to determine whether to adjust the rate upwards for some producers, or downwards for the other producers.

##### Issue 3: Terminal Handling Charges

Petitioner states that the verification report indicates that an additional terminal handling charge should be added to foreign market value ("FMV") for two transactions. According to petitioner, it does not appear that these charges were included in the Department's final margin calculations.

PolyCity states that terminal handling charges were reported as "ocean freight" expenses as per the Department's instructions pursuant to verification findings. According to PolyCity, the

Department used the corrected amounts in its final margin calculations.

*DOC Position:* We agree with petitioner and PolyCity in part. The terminal handling charges referenced in the verification report were reported in the U.S. sales listing as "ocean freight." While we did properly deduct these expenses from U.S. price (as opposed to adding them to FMV), we inadvertently deducted the incorrect amounts. We have now revised our calculations based on the results of verification.

### Gao Yao, COTCO, and GLIP

#### Issue 1: Labor Rates

Petitioner argues that in the final margin calculations there was no skilled labor factor for Gao Yao, COTCO, and GLIP. While the Department included a factor for direct and indirect labor for all three companies, neither of these were valued at the skilled labor rate. Petitioner asserts that it is difficult to imagine a lighter production facility without any supervisory or management personnel involved in the production process. Therefore, petitioner requests that the Department recalculate the margins for these three companies including a factor for skilled labor.

*DOC Position:* We disagree with petitioner's assertion that this was a ministerial error. Verification showed that laborers classified by COTCO, Gao Yao, and GLIP as direct or indirect were not skilled. (Some administrative laborers at the factories may have been properly classified as skilled, but expenses for administrative laborers are subsumed in factory overhead in this case.) At none of the production facilities did we note any direct laborers that were treated differently from others or performed tasks that required more than a minimal amount of training or skill. Most direct workers performed simple assembly operations. A few direct workers operated the plastic molding machines which mainly involved pouring raw plastic material into the intake vat, occasionally pulling a lever when the machine released, and sometimes removing extraneous pieces from the molded parts.

As for indirect laborers at all companies, the verification reports show that they performed tasks such as: driving trucks, guarding factory gates, keeping inventory in the warehouses, lighting the lighters and adjusting the flames, etc. At these factories some of the indirect laborers were called "supervisors" and line leaders. These "supervisors"/line leaders mainly kept tallies of the number of pieces each direct laborer produced and, sometimes, recorded the hours they worked. At

none of the factories did we note any indirect laborer whose job required special knowledge, training or skill.

### **Cli-Claque**

#### *Issue 1: Value of Silkscreen Ink*

Petitioner argues that when valuing silkscreen ink, the Department should have relied on the more detailed Purchase Order File ("PO File") provided in Cli-Claque's post-verification submission of March 23, 1995 rather than the verification exhibit prepared by Cli-Claque. According to petitioner, the PO File shows that there were more silkscreening chemicals used than the verification exhibit indicates; therefore, the Department should use the quantity in the PO File to calculate the per-unit silkscreen ink factor.

Cli-Claque explains that the verification exhibit regarding silkscreen ink is based on the PO File with the following adjustments: (1) Orders outside the period of investigation ("POI") were removed; (2) freight charges from Japan to Hong Kong were included; (3) commissions were added; and (4) a change in quantity for one sale was made based on the actual amount found on the invoice.

*DOC Position:* We relied on Cli-Claque's verification exhibit regarding silkscreen ink to calculate the cost and usage of that input. We confirmed that all the contracts in the PO File dated within the POI were included in the verification exhibit. For the one contract whose quantity in the verification exhibit was different from that in the PO File, we are relying on the quantity recorded in the verification exhibit. Since the Department confirmed the veracity of information in the PO File during examination of other purchased materials, we found the PO File and, by extension, the verification exhibit regarding silkscreen ink, to be reliable.

#### *Issue 2: Coloring Agents*

Petitioner claims that some of the contracts listed in the verification exhibit regarding silkscreen ink really pertain to pigments used to color plastic parts because they are found in the PO File under "coloring agents," separate from "silkscreen ink." Given this, petitioner argues that these contracts should properly be included in the valuation of pigment for plastic parts.

Cli-Claque explains that purchases of silkscreen ink were recorded in its PO File both as "silkscreen ink" and "coloring agents," as indicated by the identical product descriptions and unit prices found under both sections.

*DOC Position:* We disagree with petitioner's allegation that it was an

error to include the contracts pertaining to "coloring agents" in the calculation of silkscreen ink usage and cost. We examined the PO File and found that the contracts in dispute contained the same product descriptions and prices as items in the silkscreen ink section and were appropriately included with other purchases of silkscreen ink.

#### *Issue 3: Tying of Material Inputs to Production*

Since all the contracts for silkscreen ink but one listed in the PO File are dated after the dates of sale for the imprinted lighters sold to the United States, petitioner points out that these purchases of silkscreen ink could not have been used in the production of the merchandise sold to the United States. Petitioner then argues that the value for silkscreen ink should be calculated from the one contract dated before the imprinted lighters were sold to the United States.

*DOC Position:* We disagree with petitioner that it was an error to use all purchases of silkscreen ink during the entire POI to value this factor. It is the Department's practice not to tie specific market economy inputs to particular production; rather, the Department looks at the entire POI when calculating values.

#### *Issue 4: Imprinted Ordinary Lighters*

Petitioner argues that one sale of ordinary lighters should also include a factor for silkscreen ink since it is described in the U.S. sales listing as an imprinted/silkscreened lighter.

Cli-Claque agrees with petitioner that a factor for silkscreen ink should be added to the one sale of ordinary lighters listed as being imprinted.

*DOC Position:* We agree with both parties that a value for silkscreen ink should be added to lighters listed as being imprinted/silkscreened and have done so because this is a cost of silkscreening and should have been included in that cost.

#### *Issue 5: Freight Charges for Silkscreen Ink*

Petitioner maintains that freight charges from Hong Kong to the factory should be added to the cost for silkscreen ink since delivery terms were C&F Hong Kong.

Cli-Claque concurs with petitioner that freight from Hong Kong to the factory should be included in the cost of silkscreen ink.

*DOC Position:* With respect to including Hong Kong-to-factory freight expenses in the cost of silkscreen ink, we agree with both parties that a value for these expenses should have been

included in the calculation of FMV and have included a cost for this item.

#### *Issue 6: Hardener*

Petitioner maintains that the hardener used in the silkscreening process should be included as a factor in the margin calculation. Since Cli-Claque provided a listing of the price and quantity of hardener used during the POI, petitioner argues that the Department should divide the quantity of hardener used during the POI by the number of lighters silkscreened during the POI to derive the factor usage during the POI. Petitioner also claims that freight charges should be added to the factor cost of hardener.

Cli-Claque argues that this is not a ministerial error. The Department did not include a factor for hardener in its calculation; therefore, petitioner's disagreement is with the Department's methodology. Should the Department nonetheless decide to include a factor for hardener, Cli-Claque provides calculations of usage and applicable freight expenses.

*DOC Position:* We agree with petitioner that a factor for hardener should have been included in our calculations since information on the record shows that Cli-Claque used hardener in making its imprinted lighters. To calculate amounts for usage and cost, we followed the methodology proposed by Cli-Claque and petitioner which was based on purchases of hardener during the POI as found in the PO File, average available freight costs for hardener found in the verification exhibit regarding silkscreen ink, and commission rates also found in the verification exhibit.

#### *Issue 7: Tank Body Pigment*

Although the Department included a factor for pigment for tank bodies for ordinary lighters, petitioner points out that a factor for pigment was not included for electronic lighters. According to petitioner, the Department should include the same tank body pigment factor for electronic lighters as it did for ordinary lighters since there is no indication that pigment is not used for electronic lighters.

Cli-Claque agrees that a factor for tank body pigment should be included in the calculations for electronic lighters. Instead of using the amount for usage applicable to ordinary lighters, Cli-Claque says that the Department should use its reported amount.

*DOC Position:* We agree with both petitioner and respondent that a factor for tank body pigment should have been included in the calculations for electronic lighters since pigment is used

to make these lighters. We also agree with Cli-Claque that its reported usage amount should be used.

*Issue 8: Foreign Inland Freight*

Petitioner argues that the actual freight amount for one U.S. sale as found in the verification report should be used.

Cli-Claque points out that the actual freight charges in the verification report for this sale were based on rates provided to Cli-Claque by a related carrier whereas the freight rate used by the Department in the final determination was based on a quote from an unrelated company.

*DOC Position:* We disagree with petitioner that the freight charges by the related carrier should be used and have made no change to the freight rate for this one U.S. sale.

*Issue 9: Electronic Lighters*

Petitioner argues that the Department should use the verified usage amount for one material input used by Cli-Claque in its electronic lighters. Cli-Claque agrees with petitioner.

*DOC Position:* We agree with both petitioner and Cli-Claque that the verified factor usage for this input should be used.

*Issue 10 Purchase of Parts*

Cli-Claque alleges that the Department erred when it calculated single weighted-average costs for small O-rings, large O-rings, T-packing and disks. Instead, Cli-Claque argues that the Department should have separated out purchases of parts specific to electronic lighters from those specific to ordinary lighters.

*DOC Position:* We agree with Cli-Claque that purchases of small O-rings, large O-rings, T-packing, and disks to be used in electronic lighters should be separated from those for ordinary lighters before calculating lighter-specific average costs for these items. The costs of these items are different depending upon the type of lighter they are intended for, and the items are specific to particular lighters and are not interchangeable. Therefore, we have calculated lighter-specific average costs for small O-rings, large O-rings, T-packing and disks.

*Issue 11: Filters*

Cli-Claque claims that the Department made an error in calculating the per-unit cost of filters for ordinary lighters.

*DOC Position:* We agree with Cli-Claque that we made an error in calculating the per-unit cost of filters for ordinary lighters and have recalculated that cost. In Cli-Claque's PO File, one

purchase of filters contained a data entry error regarding total invoice value. The total invoice value was ten times the amount derived by multiplying the unit price by the quantity ordered. (In the final determination, we used the amounts for total invoice value to calculate the average cost of filters.) Since the reported unit price for this purchase was consistent with prices for other contracts, we used the reported unit prices and quantities to recalculate the average unit cost of filters.

*Issue 12: Nozzles and Nozzle Bottoms*

Cli-Claque argues that the weighted-average price calculated for nozzles and nozzle bottoms for ordinary lighters is overstated because the prices for nozzle/nozzle bottom sets were included in the calculation as single pieces. According to Cli-Claque, the Department should divide the price of sets by two to arrive at a price for either a nozzle or nozzle bottom separately.

*DOC Position:* We agree with Cli-Claque that the prices of nozzle/nozzlebottom sets were incorrectly included as single pieces. Therefore, we have revised our calculations of per-unit costs of nozzles and nozzle bottoms to reflect that the price of a set should be allocated to both the nozzle and the nozzle bottom.

*Issue 13: Weight of Sidewheels*

Cli-Claque states that the Department inadvertently used the wrong per-unit weight for sidewheels.

*DOC Position:* We agree that the wrong weight for sidewheels was used and have revised our calculations.

*Issue 14: Freight Cost for Sidewheels and Certain Packing Materials*

In calculating the freight cost for sidewheels and certain packing materials, Cli-Claque maintains that the Department did not multiply the surrogate freight rate (which is on a per kilogram basis) by the weight of the item.

*DOC Position:* We agree with Cli-Claque that the per-kilogram freight rate should have been multiplied by the weight of the sidewheel to arrive at the per-unit freight cost and have revised our calculations accordingly.

*Issue 15: Skilled Labor*

Cli-Claque argues that when calculating the factor for both skilled and unskilled labor, the Department added the factor for skilled assembly labor to the factors for unskilled plastic and metal labor rather than to the factors for skilled plastic and metal labor.

*DOC Position:* We agree with Cli-Claque that the factor for skilled assembly labor should be added to that for skilled metal and plastic labor and have revised our labor calculations.

*Issue 16: Pigment for Plastic Parts*

Cli-Claque states that the Department erred when it valued the factor for pigment with the per-unit cost of silkscreen ink. According to Cli-Claque, pigment, which is different than silkscreen ink, was sourced from the PRC; therefore, the Department should value this factor with a surrogate value.

*DOC Position:* We agree with Cli-Claque that the factor for pigment should not be valued using a cost for silkscreen ink and, instead, have valued pigment for plastic parts using information on first quarter 1994 Indonesian import statistics found in *Foreign Trade Statistical Bulletin: Imports*, March 1994.

*Issue 17: Profit:*

During our examination of Cli-Claque's margin calculations pursuant to this amended final determination, we noticed that profit had not been added to the calculation of FMV for ordinary lighters. We have corrected this error.

**Amended Weighted Average Dumping Margins**

The weighted-average dumping margins are as follows:

Manufacturer/producer/exporter	Weighted-average margin percentage	Critical circumstances
Tianjin Jin Yi Lighter Co./China National Overseas Trading Corporation.	0.00	Affirmative.
Cli-Claque Company Ltd..	0.55	Affirmative.
Gao Yao (HK) Hua Fa Industrial Co., Ltd..	0.00	Negative.
Guangdong Light Industrial Products Import and Export Corporation.	27.91	Negative.
PolyCity Industrial, Ltd..	5.49	Negative.
PRC-Wide .....	197.85	Affirmative.

*ITC Notification*

In accordance with section 735(d) of the Act, we notified the International Trade Commission ("ITC") of our amended final determination.

### Termination of Suspension of Liquidation

On June 2, 1995, the ITC determined that these imports neither cause, nor threaten to cause, material injury to the industry in the United States. Therefore, we are directing the U.S. Customs Service to refund or cancel all securities posted.

This notice is published pursuant to sections 735(d) and (e) of the Act and 19 CFR 353.20(a)(4).

**Susan G. Esserman,**

*Assistant Secretary for Import Administration.*

Dated: July 5, 1995.

[FR Doc. 95-17766 Filed 7-18-95; 8:45 am]

BILLING CODE 3510-DS-P

### City University of Wisconsin, et al.; Notice of Consolidated Decision on Applications for Duty-Free Entry of Electron Microscopes

This is a decision consolidated 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 5:00 P.M. in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C.

*Docket Number:* 95-032. *Applicant:* University of Wisconsin, Madison, WI 53706. *Instrument:* Electron Microscope, Model CM120. *Manufacturer:* Philips, The Netherlands. *Intended Use:* See notice at 60 FR 29826, June 6, 1995. *Order Date:* October 18, 1994.

*Docket Number:* 95-034. *Applicant:* Argonne National Laboratory, Argonne, IL 60439. *Instrument:* Electron Microscope, Model H-9000NAR. *Manufacturer:* Hitachi, Japan. *Intended Use:* See notice at 60 FR 29826, June 6, 1995. *Order Date:* April 27, 1994.

*Comments:* None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as these instruments are intended to be used, was being manufactured in the United States at the time the instruments were ordered. *Reasons:* Each foreign instrument is a conventional transmission electron microscope (CTEM) and is intended for research or scientific educational uses requiring a CTEM. We know of no CTEM, or any other instrument suited to these purposes, which was being manufactured in the United States either at the time of order of each instrument or at the time of receipt of

application by the U.S. Customs Service.

**Frank W. Creel**

*Director, Statutory Import Programs Staff*  
[FR Doc. 95-17768 Filed 7-18-95; 8:45 am]  
BILLING CODE 3510-DS-F

### Applications for Duty-Free Entry of Scientific Instruments

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 instruments of equivalent scientific value, for the purposes for which the instruments shown below are intended to be used, are 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, D.C. 20230. Applications may be examined between 8:30 A.M. and 5:00 P.M. in Room 4211, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C.

*Docket Number:* 95-051. *Applicant:* National Renewable Energy Laboratory, 1617 Cole Blvd., Golden, CO 80401.

*Instrument:* Sonic Anemometer/Thermometer. *Manufacturer:* Kaijo Denki, Co. Inc., Ltd., Japan. *Intended Use:* The instrument will be used to study the 3-D structure of small-scale atmospheric turbulence related to the operation, efficiency, and fatigue life of wind turbine generators and their component parts. *Application Accepted by Commissioner of Customs:* June 23, 1995.

*Docket Number:* 95-052. *Applicant:* Dartmouth College, Department of Earth Sciences, 6105 Fairchild Science Center, North College Street, Hanover, NH 03755-3571. *Instrument:* ICP Mass Spectrometer, Model ELEMENT.

*Manufacturer:* Finnigan MAT, Germany. *Intended Use:* The instrument will be used to measure elemental concentrations and isotope ratios of all elements in geological and environmental samples in support of a wide range of research projects undertaken by the faculty and students. *Application Accepted by Commissioner of Customs:* June 27, 1995.

*Docket Number:* 95-053. *Applicant:* Georgia Institute of Technology, 225 North Avenue, NW, Atlanta, GA 30332. *Instrument:* Electron Microscope, Model HF-2000. *Manufacturer:* Hitachi Instruments, Japan. *Intended Use:* The

instrument will be used in research programs in virtually all areas of materials research including but not limited to the following:

- (1) Ceramic composites,
- (2) Fabrication of advanced ceramic materials,
- (3) Electronic interconnect technology and materials,
- (4) Specialized properties of coatings and thin films,
- (5) Ion engine cathode structure characterization,
- (6) Semiconductor heterostructures,
- (7) Zeolite/catalyst development, and
- (8) Study of epitaxial oxide heterostructures: Growth structure and phase transition.

In addition, the instrument will be used in teaching formal courses in electron microscopy. *Application Accepted by Commissioner of Customs:* June 27, 1995.

**Frank W. Creel**

*Director, Statutory Import Programs Staff*  
[FR Doc. 95-17770 Filed 7-18-95; 8:45 am]  
BILLING CODE 3510-DS-F

### University of Minnesota, 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 5:00 P.M. in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C.

*Docket Number:* 95-029. *Applicant:* University of Minnesota, Minneapolis, MN 55455. *Instrument:* Gyrotory Compactor. *Manufacturer:* Invelop Oy, Finland. *Intended Use:* See notice at 60 FR 24838, May 10, 1995.

*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 provides: (1) mold capacity of both 100 and 150 mm, (2) gyration speed from 15 to 80 cycles per minute, (3) a variable gyration angle from 0 to 3 degrees and (4) recording of shear resistance. The Federal Highway Administration advised June 12, 1995 that (1) these capabilities are pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value