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Dated: September 17, 1997.

**Richard G. Bryson,**

*Chief, Division of Regulatory Support.*

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## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-382]

### Certain Flash Memory Circuits and Products Containing Same; Notice of Rescission of Limited Exclusion Order and Cease and Desist Order

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has rescinded the limited exclusion order and the cease and desist order previously issued in the above-captioned investigation.

**FOR FURTHER INFORMATION CONTACT:** Carl P. Bretscher, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3107.

**SUPPLEMENTARY INFORMATION:** The authority for the Commission's action is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), and in section 210.76 of the Commission's Rules of Practice and Procedure (19 CFR § 210.76).

On June 2, 1997, the Commission issued a limited exclusion order and a cease and desist order in the investigation based upon a finding that respondents Samsung Electric Company, Ltd. and Samsung Semiconductor, Inc. (collectively, "Samsung") had violated section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), by importing, selling for importation, and/or selling after importation certain flash memory circuits that infringed claims 1, 2, or 4 of complainant SanDisk Corporation's ("SanDisk") U.S. Letters Patent 5,418,752 and/or claim 27 of complainant's U.S. Letters Patent 5,172,338.

On August 22, 1997, Samsung and SanDisk filed a joint petition to rescind the limited exclusion order and the cease and desist order on the basis of a settlement agreement they had reached.

Samsung and SanDisk asserted that their settlement agreement constituted "changed conditions of fact or law" sufficient to justify rescission of the orders under Commission rule 210.76(a), 19 C.F.R. § 210.76(a).

Having reviewed the parties' submissions, the Commission determined that the petition and settlement agreement satisfy the requirements of rule 210.76(a). The Commission therefore issued an order rescinding the cease and desist order and the limited exclusion order previously issued in the investigation.

Copies of the Commission's order and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2000. Hearing impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal at (202) 205-1810.

Issued: September 18, 1997.

By order of the Commission.

**Donna R. Koehnke,**

*Secretary.*

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## INTERNATIONAL TRADE COMMISSION

[Investigation No. 701-TA-373 and Nos. 731-TA-769 Through 775 (Preliminary)]

### Stainless Steel Wire Rod From Germany, Italy, Japan, Korea, Spain, Sweden, and Taiwan

#### Determinations

On the basis of the record<sup>1</sup> developed in the subject investigations, the United States International Trade Commission determines, pursuant to section 703(a) of the Tariff Act of 1930 (19 U.S.C. § 1671b(a)), that there is a reasonable indication that an industry in the United States is materially injured or threatened with material injury by reason of imports from Italy of stainless steel wire rod,<sup>2</sup> provided for in

<sup>1</sup> The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR § 207.2(f)).

<sup>2</sup> For purposes of these investigations, stainless steel wire rod is defined as articles of stainless steel that are hot-rolled or hot-rolled annealed and/or pickled and/or descaled rounds, squares, octagons, hexagons or other shapes, in coils, that may also be coated with a lubricant containing copper, lime, or

subheading 7221.00.00 of the Harmonized Tariff Schedule of the United States, that are alleged to be subsidized by the Government of Italy.

Further, the Commission determines, pursuant to section 733(a) of the Tariff Act of 1930 (19 U.S.C. § 1673b(a)), that there is a reasonable indication that an industry in the United States is materially injured or threatened with material injury by reason of imports from Germany, Italy, Japan, Korea, Spain, Sweden, and Taiwan of stainless steel wire rod that are alleged to be sold in the United States at less than fair value (LTFV).

#### Commencement of Final Phase Investigations

Pursuant to section 207.18 of the Commission's rules, as amended in 61 FR 37818 (July 22, 1996), the Commission also gives notice of the commencement of the final phase of its investigations. The Commission will issue a final phase notice of scheduling which will be published in the **Federal Register** as provided in section 207.21 of the Commission's rules upon notice from the Department of Commerce (Commerce) of affirmative preliminary determinations in the investigations under sections 703(b) or 733(b) of the Act, as appropriate, or, if the preliminary determinations are negative, upon notice of affirmative final determinations in those investigations under sections 705(a) or 735(b) of the Act, as appropriate. Parties that filed entries of appearance in the preliminary phase of the investigations need not enter a separate appearance for the final phase of the investigations. Industrial users, and, if the merchandise under investigation is sold at the retail level, representative consumer organizations have the right to appear as parties in Commission antidumping and countervailing duty investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations.

oxalate. Stainless steel wire rod is made of alloy steel containing, by weight, 1.2 percent or less of carbon and 10.5 percent or more of chromium, with or without other elements. Stainless steel wire rod is manufactured only by hot-rolling or hot-rolling, annealing, and/or pickling and/or descaling, is normally sold in coiled form, and is of solid cross section. Most stainless steel wire rod sold in the United States is round in cross-sectional shape, annealed and pickled, and later cold-finished into stainless steel wire or small-diameter bar, with the most common size of stainless steel wire rod being 5.5 millimeters (0.217 inches) in diameter. Stainless steel wire rod grades SF20T and K-M35FL are excluded from the scope of these investigations.