

### Estimated Dates for the Draft and Final EIS

A draft environmental impact statement will be prepared for public comment. 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**.

### Early Notice of Importance of Public Participation in Subsequent Environmental Review

The Forest Service believes, at this early stage, 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 45 day 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 Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.

Comments received, including the names and addresses of those who comment, will be considered part of the

public record on this proposal and will be available for public inspection.

(Authority: 40 CFR 1501.7 and 1508.22; Forest Service Handbook 1909.15, Section 21)

**Teresa A. Drivas,**

*Acting Forest Supervisor, Sierra National Forest.*

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## DEPARTMENT OF AGRICULTURE

### Rural Utilities Service

#### Basin Electric Power Cooperative, Notice of Finding of No Significant Impact

**AGENCY:** Rural Utilities Service, USDA.

**ACTION:** Notice of finding of no significant impact.

**SUMMARY:** Notice is hereby given that the Rural Utilities Service (RUS) has made a finding of no significant impact in connection with a request from Basin Electric Power Cooperative (Basin Electric) of Bismarck, North Dakota for assistance from RUS to finance the construction of a natural gas-fired combustion turbine and associated equipment near Groton in Brown County, South Dakota.

**FOR FURTHER INFORMATION CONTACT:** Nurul Islam, Environmental Protection Specialist, Rural Utilities Service, Engineering and Environmental Staff, Stop 1571, 1400 Independence Avenue, SW., Washington, DC 20250-1571, telephone (202) 720-1414, fax (202) 720-0820, e-mail [nurul.islam@wdc.usda.gov](mailto:nurul.islam@wdc.usda.gov). Information is also available from Mr. James A. Berg, Environmental Monitoring Coordinator, Basin Electric, 1717 East Interstate Avenue, Bismarck, North Dakota 58501, telephone (701) 223-0441, Fax (701) 224-5336, e-mail address [jberg@bepc.com](mailto:jberg@bepc.com).

**SUPPLEMENTARY INFORMATION:** Basin Electric of Bismarck, North Dakota is proposing to construct a new 80-100 megawatt (MW) simple cycle gas turbine near Groton in Brown County, South Dakota. The primary purpose of the East Side Peaking Project (Project) is to meet the increasing power consumption requirements on the east side of Basin Electric's service territory. The proposed project would be located adjacent to an existing Basin Electric and Western Area Power Administration substation. The evaluated turbine offers the advantages of an aero-derivative gas turbine in achieving low emissions. The project would include a natural gas-

fired combustion turbine and a modification to an existing substation will be required. In addition, approximately 1/2 mile of new transmission line will be constructed, and a new gas supply pipeline will be constructed to supply the natural gas. The South Dakota Department of Environment and Natural Resources approved Basin Electric's request to construct the proposed project and issued an Air Quality Construction/Operation permit in May 2005. The South Dakota Public Utilities Commission also approved the proposed project in May 2005. The Project is required to help meet the growing needs for power of Basin Electric's membership in South Dakota. RUS may provide financial assistance to Basin Electric for this project.

Basin Electric applied to the U.S. Department of Energy (DOE), Western Area Power Administration (Western) to interconnect the Project to Western's Groton Substation in Brown County, South Dakota. Western proposes to modify its substation to accommodate a new transmission line linking the peaking facility to the substation. RUS prepared an environmental assessment (EA) for the Project. The EA was distributed for public and agency review. Western was designated a cooperating agency for the EA by RUS. Western provided comments and the final EA was completed on June 20, 2005. U.S. Fish and Wildlife Service made a very general comment on the final EA. RUS did not receive any comments on the final EA from the public or from any other agencies. The EA, RUS believes, adequately addressed the potential environmental impacts of the Project. A number of environmental resource areas were analyzed including air quality, water quality, land use, floodplains, wetlands, cultural and historic properties, fish and wildlife resources, aesthetics, transportation, noise, human health and safety, and environmental justice. RUS, in accordance with its environmental policies and procedures, required that Basin Electric prepare an Environmental Report reflecting the potential impacts of the proposed facilities. The Environmental Analysis, which includes input from Federal, State, and local agencies, has been reviewed and accepted as RUS' EA for the project in accordance with 7 CFR 1794.41. Basin Electric published notices of the availability of the EA and solicited public comments per 7 CFR 1794.42. The 30-day comment period on the EA for the proposed project ended June 5, 2005.

Based on the EA, RUS has concluded that the proposed action will not have a significant effect to various resources, including important farmland, floodplains, wetlands, cultural resources, threatened and endangered species and their critical habitat, air and water quality, and noise.

RUS has also determined that there would be no negative impacts of the proposed project on minority communities and low-income communities as a result of the construction of the project.

Dated: July 21, 2005.

**James R. Newby,**

*Assistant Administrator, Electric Program, Rural Utilities Service.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-583-831]

#### **Stainless Steel Sheet and Strip in Coils from Taiwan: Preliminary Results and Partial Rescission of Antidumping Duty Administrative Review**

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

**EFFECTIVE DATE:** August 9, 2005.

**SUMMARY:** In response to a request from petitioners<sup>1</sup> and one Taiwanese manufacturer/exporter, Chia Far Industrial Factory Co., Ltd. ("Chia Far"), the Department of Commerce ("the Department") is conducting an administrative review of the antidumping duty order on stainless steel sheet and strip in coils ("SSSS") from Taiwan. This review covers six producers/exporters of the subject merchandise. The period of review ("POR") is July 1, 2003, through June 30, 2004.

The Department has preliminarily determined that all but one of the companies subject to this review made U.S. sales at prices less than normal value ("NV"). If these preliminary results are adopted in our final results of administrative review, we will instruct U.S. Customs and Border Protection ("CBP") to assess antidumping duties on all appropriate entries. Interested parties are invited to comment on these preliminary results of review. We will issue the final results of

review no later than 120 days from the date of publication of this notice.

**FOR FURTHER INFORMATION CONTACT:**

Melissa Blackledge (Chia Far) or Karine Gziryan (YUSCO); AD/CVD Operations Office 4, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482-3518 or (202) 482-4081, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On July 1, 2004, the Department published a notice of opportunity to request an administrative review of the antidumping duty order on SSSS from Taiwan. *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 69 FR 39903 (July 1, 2004). In response to this opportunity notice, on July 30, 2004, petitioners and one producer/exporter, Chia Far, requested that the Department conduct an administrative review covering the period July 1, 2003, through June 30, 2004. Based on these requests, the Department initiated an administrative review of the following sixteen companies: Ta Chen Stainless Pipe Co., Ltd. ("Ta Chen"), Tung Mung Development Co. Ltd. ("Tung Mung"), China Steel Corporation ("China Steel"), Yieh Mau Corp. ("Yieh Mau"), Chain Chon Industrial Co., Ltd. ("Chain Chon"), Goang Jau Shing Enterprise Co., Ltd. ("Goang Jau Shing"), PFP Taiwan Co., Ltd. ("PFP Taiwan"), Yieh Loong Enterprise Company, Ltd. ("Yieh Loong"), Tang Eng Iron Works Company, Ltd. ("Tang Eng"), Yieh Trading Corporation ("Yieh Trading"), Chien Shing Stainless Steel Company Ltd. ("Chien Shing"), Chia Far, Yieh United Steel Corporation ("YUSCO"), Emerdex Stainless Flat-Rolled Products, Inc., Emerdex Stainless Steel, Inc., and the Emerdex Group ("the Emerdex companies"). *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 69 FR 52857 (August 30, 2004).

During September, October, and November, 2004, the Department issued its antidumping questionnaire to all of the companies for which a review was initiated except the Emerdex companies (for further discussion of the Emerdex companies, see the section of this notice entitled "Partial Final Rescission of Review," below).<sup>2</sup> Of the six companies

that responded to the questionnaire, only two, Chia Far and YUSCO, reported that they sold subject merchandise to the United States during the POR.

On November 10, 2004, we notified the following companies by letter that if they did not respond to the Department's requests for information by November 17, 2004, the Department may use adverse facts available ("AFA") in determining their dumping margins: Tang Eng, Goang Jau Shing, Chien Shing, PFP Taiwan, Yieh Mau, Yieh Trading, and Yieh Loong. In November 2004, Tang Eng, Yieh Mau, and Yieh Loong reported that they did not sell or ship subject merchandise to the United States during the POR.

Throughout this administrative review, the Department has issued supplemental questionnaires to Chia Far and YUSCO, and petitioners have submitted comments regarding the respondents' questionnaire responses. The petitioners have also submitted comments regarding Ta Chen and the Emerdex companies.

On March 9, 2005, the Department extended the deadline for issuing the preliminary results in this administrative review until August 1, 2005. *See Stainless Steel Sheet and Strip in Coils from Taiwan: Extension of Time Limits for Preliminary Results of Antidumping Duty Administrative Review*, 70 FR 11614 (March 9, 2005).

**Scope of the Order**

The products covered by the order on SSSS from Taiwan are certain stainless steel sheet and strip in coils. Stainless steel is an 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. The subject sheet and strip is a flat-rolled product in coils that is greater than 9.5 mm in width and less than 4.75 mm in thickness, and that is annealed or otherwise heat treated and pickled or otherwise de-scaled. The subject sheet and strip may also be further processed (e.g., cold-rolled, polished, aluminized, coated, etc.) provided that it maintains the specific dimensions of sheet and strip following such processing.

structure and business practices, the merchandise under review that it sells, and the manner in which it sells that merchandise in all of its markets. Section B requests a complete listing of all home market sales, or, if the home market is not viable, of sales in the most appropriate third-country market (this section is not applicable to respondents in non-market economy (NME) cases). Section C requests a complete listing of U.S. sales. Section D requests information on the cost of production (COP) of the foreign like product and the constructed value (CV) of the merchandise under review. Section E requests information on further manufacturing.

<sup>1</sup> The petitioners are Allegheny Ludlum, AK Steel Corporation, Butler Armco Independent Union, J&L Specialty Steel, Inc., United Steelworks of America, AFL-CIO/CLC, and Zanesville Armco Independent Organization.

<sup>2</sup> Section A of the questionnaire requests general information concerning a company's corporate