

achieve the proposal's purposes, as well as to respond to the issues and other resource values.

Nature of Decision To Be Made

The nature of the decision to be made is to select an action that meets the legal rights of the proponent, while protecting the environment in compliance with applicable laws, regulations and policy. The District Ranger will use the EIS process to develop the necessary information to make an informed decision as required by 36 CFR 228 Subpart A. Based on the alternatives developed in the EIS, the following are possible decisions:

- 1) An approval of the Plan of Operations as submitted;
- 2) An approval of the Plan of Operations with changes, and the incorporation of mitigations and stipulations that meet the mandates of applicable laws, regulations, and policy;
- 3) Denial of the Plan of Operations if no alternative can be developed that is in compliance with applicable laws, regulations and policy.

Permits or Licenses Required

Various permits and licenses are needed prior to implementation of this project. Permits or licenses required by the issuing agencies identified for this proposal are:

- Approval of Plan of Operations from the Kootenai National Forest.
- Exploration License from the Montana Department of Environmental Quality.

Public Involvement and Scoping: This Revised Notice of Intent offers an additional scoping period to that given in the original Notice. Comments submitted previously do not need to be resubmitted. Comments concerning the proposed action must be postmarked by December 8, 2008, to be considered in the draft EIS. The public is encouraged to take part in the process and to visit with Forest Service officials at any time during the analysis and prior to the decision. The Forest Service will be seeking information, comments, and assistance from Federal, State, and local agencies, Tribal governments, and other individuals or organizations that may be interested in, or affected by, the proposed action. This input will be used in preparation of the draft and final EIS. The scoping process will include:

1. Identifying potential issues.
2. Identifying major issues to be analyzed in depth.
3. Identifying alternatives to the proposed action.
4. Exploring additional alternatives that will be derived from issues recognized during scoping activities.

5. Identifying potential environmental effects of this proposal (i.e., direct, indirect, and cumulative effects and connected actions).

Revised Estimated Dates for Filing: The draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public review in February 2008. At that time EPA will publish a Notice of Availability of the draft EIS in the **Federal Register**. The comment period on the draft EIS will be 45 days from the date the EPA publishes the Notice of Availability in the **Federal Register**. It is very important that those interested in the management of this area participate at that time.

The final EIS is scheduled to be completed in May 2009. In the final EIS, the Forest Service is required to respond to comments and responses received during the comment period that pertain to the environmental consequences discussed in the draft EIS and to applicable laws, regulations, and policies considered in making a decision regarding the proposal.

Reviewer's Obligations: 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 reviewers 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 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 and respond to them in the final EIS.

To be most helpful, comments on the draft EIS should be as specific as possible and may address the adequacy of the statement or the merit of the alternatives discussed. 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 CF 1501.7 and 1508.22; Forest Service Handbook 1909.15, Section 21).

Dated: October 29, 2008.

Mike Herrin,

District Ranger, Three Rivers Ranger District, Kootenai National Forest.

[FR Doc. E8-26677 Filed 11-10-08; 8:45 am]

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Docket 63-2008]

Foreign-Trade Zone 120 Cowlitz County, Washington, Application for Subzone Shin-Etsu Handotai America, Inc. (Semiconductor-Grade Silicon Wafers), Vancouver, Washington

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Cowlitz County Economic Development Council, grantee of FTZ 120, requesting special-purpose subzone status for the semiconductor-grade silicon wafer manufacturing facility of Shin-Etsu Handotai America, Inc. (SEH-A), located in Vancouver, Washington. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on October 30, 2008.

The SEH-A facility (882 employees, 135 acres, 1.6 million square feet) is located at 4111 NE 112th Avenue, Vancouver, Washington. The facility is used for the manufacturing of semiconductor-grade silicon ingots and wafers. Components and materials sourced from abroad (representing 5-15% of the value of the finished product) include: processed carbides of silicon, propylene glycol, acyclic polyamine, organic surface active agents, glues and other adhesives, organic reaction initiators, alumina silicate compounds, eslon solvent cements, anti-scruff paste, rust inhibitors, press coolants, polyamides, silicones, and plastic boxes and bags (duty rate ranges from duty-free to 6.5%).

FTZ procedures could exempt SEH-A from customs duty payments on the foreign components used in export production. The company anticipates that between 60 and 70 percent of the

plant's shipments will be exported. On its domestic sales, SEH-A would be able to choose the duty rates during customs entry procedures that apply to finished semiconductor-grade silicon ingots and wafers (duty-free) for the foreign inputs noted above. SEH-A also plans to realize logistical benefits through the use of weekly customs entry procedures. Customs duties also could possibly be deferred or reduced on foreign status production equipment. The request indicates that the savings from FTZ procedures would help improve the plant's international competitiveness.

In accordance with the Board's regulations, Elizabeth Whiteman of the FTZ Staff is designated examiner to investigate the application and report to the Board.

Public comment 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 January 12, 2009. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to January 26, 2009.

A copy of the application and accompanying exhibits will be available for public inspection at each of the following locations: U.S. Department of Commerce Export Assistance Center, 2601 Fourth Ave., Suite 320, Seattle, Washington 98121. Office of the Executive Secretary, Foreign-Trade Zones Board, U.S. Department of Commerce, Room 2111, 1401 Constitution Ave. NW, Washington, DC 20230.

For further information, contact Elizabeth Whiteman at Elizabeth_Whiteman@ita.doc.gov or (202) 482-0473.

Dated: November 3, 2008.

Andrew McGilvray,
Executive Secretary.

[FR Doc. E8-26838 Filed 11-10-08; 8:45 am]

Billing Code: 3510-DS-S

DEPARTMENT OF COMMERCE

International Trade Administration

[A-201-830]

Notice of Initiation of Antidumping Duty Changed Circumstances Review: Carbon and Certain Alloy Steel Wire Rod From Mexico

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

ACTION: Notice of Initiation of Antidumping Duty Changed Circumstances Review: Carbon and Certain Alloy Steel Wire Rod From Mexico.

SUMMARY: In response to a request from Ternium Mexico, S.A. de C.V. (Ternium), a producer of steel wire rod, and Hylsa S.A. de C.V. (Hylsa), a service company that provides services to Ternium on a contract basis, and pursuant to section 751(b) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.216 and 351.221(c)(3), the Department is initiating a changed circumstances review of the antidumping order on carbon and certain alloy steel wire rod from Mexico. This review will determine whether Ternium is the successor-in-interest to Hylsa.

DATES: *Effective Date:* November 12, 2008.

FOR FURTHER INFORMATION CONTACT: Jolanta Lawska, Office of AD/CVD Operations, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC 20230; *telephone:* (202) 482-8362.

Background

On October 29, 2002, the Department published in the **Federal Register** the antidumping duty order on wire rod from Mexico; *see Notice of Antidumping Duty Orders: Carbon and Certain Alloy Steel Wire Rod From Brazil, Indonesia, Mexico, Moldova, Trinidad and Tobago, and Ukraine*, 67 FR 65945 (October 29, 2002) (*Wire Rod Order*). On September 3, 2008, Ternium filed a request for a changed circumstances review of the *Wire Rod Order*, claiming that Hylsa, the respondent in the original investigation, has changed its name to Ternium. Ternium has requested that the Department determine whether it is the successor-in-interest to Hylsa, in accordance with section 751(b) of the Act and 19 CFR 351.216. In addition, Ternium submitted documentation in support of its claim. In response to Ternium's request, the Department is initiating a changed circumstances review of this order.

Scope of the Order

The merchandise subject to this order is certain hot-rolled products of carbon steel and alloy steel, in coils, of approximately round cross section, 5.00 mm or more, but less than 19.00 mm, in solid cross-sectional diameter.

Specifically excluded are steel products possessing the above-noted physical characteristics and meeting the Harmonized Tariff Schedule of the United States ("HTSUS") definitions for (a) stainless steel; (b) tool steel; (c) high nickel steel; (d) ball bearing steel; (e) concrete reinforcing bars and rods; and (f) free machining steel products (*i.e.*, products that contain by weight one or more of the following elements: 0.03 percent or more of lead, 0.05 percent or more of bismuth, 0.08 percent or more of sulfur, more than 0.04 percent of phosphorus, more than 0.05 percent of selenium, or more than 0.01 percent of tellurium).

Also excluded from the scope are 1080 grade tire cord quality wire rod and 1080 grade tire bead quality wire rod. This grade 1080 tire cord quality rod is defined as: (i) Grade 1080 tire cord quality wire rod measuring 5.0 mm or more but not more than 6.0 mm in cross-sectional diameter; (ii) with an average partial decarburization of no more than 70 microns in depth (maximum individual 200 microns); (iii) having no non-deformable inclusions greater than 20 microns and no deformable inclusions greater than 35 microns; (iv) having a carbon segregation per heat average of 3.0 or better using European Method NFA 04-114; (v) having a surface quality with no surface defects of a length greater than 0.15 mm; (vi) capable of being drawn to a diameter of 0.30 mm or less with 3 or fewer breaks per ton; and (vii) containing by weight the following elements in the proportions shown: (1) 0.78 percent or more of carbon, (2) less than 0.01 percent of aluminum, (3) 0.040 percent or less, in the aggregate, of phosphorus and sulfur, (4) 0.006 percent or less of nitrogen, and (5) not more than 0.15 percent, in the aggregate, of copper, nickel and chromium.

This grade 1080 tire bead quality rod is defined as: (i) Grade 1080 tire bead quality wire rod measuring 5.5 mm or more but not more than 7.0 mm in cross-sectional diameter; (ii) with an average partial decarburization of no more than 70 microns in depth (maximum individual 200 microns); (iii) having no non-deformable inclusions greater than 20 microns and no deformable inclusions greater than 35 microns; (iv) having a carbon segregation per heat average of 3.0 or better using European Method NFA 04-114; (v) having a surface quality with no surface defects of a length greater than 0.2 mm; (vi) capable of being drawn to a diameter of 0.78 mm or larger with 0.5 or fewer breaks per ton; and (vii) containing by weight the following elements in the proportions shown: (1)