

from France (65 FR 18050 (April 6, 2000)), the antidumping duty orders on corrosion-resistant steel and cut-to-length steel from Germany (65 FR 18051 (April 6, 2000) and 65 FR 18055 (April 6, 2000), respectively), and the countervailing duty order on corrosion-resistant steel from France (65 FR 18063 (April 6, 2000));

- The ITC determinations in the sunset reviews of the antidumping and countervailing duty orders on cut-to-length steel from Germany and on corrosion-resistant steel from France and Germany (USITC Publication 3364, November 2000; 65 FR 75301 (December 1, 2000));

- The DOC notice of the continuation of the antidumping and countervailing duty orders on cut-to-length steel from Germany and on corrosion-resistant steel from France and Germany (65 FR 78469 (December 15, 2000)); and

- Certain provisions and procedures contained in Sections 751 (c) and 752 of the Tariff Act of 1930 (the "Act"), the implementing regulations (referred to by the EC as "19 CFR Section 351"), and the Sunset Policy Bulletin issued by the DOC (63 FR 18871 (April 16, 1998)).

With respect to the claims of WTO-inconsistency, the EC request for consultations refers to the following:

- The presumption of continuation or recurrence of dumping or countervailable subsidy with respect to an interested party when this latter has waived its participation in a review conducted by the DOC (section 751(c)(4)(B) of the Act);

- The specific 0.5% *de minimis* dumping margin in a sunset review (section 752(c)(4)(B) of the Act, DOC regulation 19 CFR 351.106(c), section II.A.5 of the DOC Sunset Policy Bulletin);

- The specific conditions for assessing cumulatively the volume and effect of imports of the subject merchandise from all subject countries in a sunset review (section 752(a)(7) of the Act);

- The assessment of the likely volume of imports in a sunset review (sections 752(a)(2) of the Act) and the failure to determine that imports from France or Germany would be likely to rise above their historical and current negligible volume;

- The failure of the ITC to use publicly available information to account for the missing information due to the limited cooperation from the domestic producers, in particular from the service centers;

- the decision of the ITC to assess the likely impact of French and German imports cumulatively with the imports from "all subject countries".

### Public Comment: Requirements for Submissions

Interested persons are invited to submit write comments concerning the issues raised in this dispute. Persons submitting comments may either send one copy by U.S. mail, first class, postage prepaid, to Sandy McKinzy at the address listed above, or transmit a copy electronically to [ecsunset@ustr.gov](mailto:ecsunset@ustr.gov), with "EC Sunset Dispute" in the subject line. For documents sent by U.S. mail, USTR requests that the submitter provide a confirmation copy, either electronically, to the electronic mail address listed above, or by fax to (202) 395-3640. USTR encourages the submission of documents in Adobe PDF format, as attachments to an electronic mail. Interested persons who make submissions by electronic mail should not provide separate cover letters; information that might appear in a cover letter should be included in the submission itself. Similar, to the extent possible, any attachments to the submission should be included in the same file as the submission itself, and not as separate files. Comments must be in English. A person requesting that information contained in a comment submitted by that person be treated as confidential business information must certify that such information is business confidential and would not customarily be released to the public by the submitting person. Confidential business information must be clearly marked "BUSINESS CONFIDENTIAL" in a contrasting color ink at the top of each page of each copy.

Information or advice contained in a comment submitted, other than business confidential information, may be determined by USTR to be confidential in accordance with section 135(g)(2) of the Trade Act 1974 (19 U.S.C. 2155(g)(2)). If the submitting person believes that information or advice may qualify as such, the submitting person—

- (1) Must so designate the information or advice;

- (2) Must clearly mark the material as "SUBMITTED IN CONFIDENCE" in a contrasting color ink at the top of each page of each copy; and

- (3) Is encouraged to provide a non-confidential summary of the information or advice.

Pursuant to section 127(e) of the URAA (19 U.S.C. 3537(e)), USTR will maintain a file on this dispute settlement proceeding, assessable to the public, in the USTR Reading Room, which is located at 1724 F Street, NW., Washington, DC 20508. The public file will include non-confidential comments

received by USTR from the public with respect to the dispute; if a dispute settlement panel is convened, the U.S. submissions to that panel, the submissions, or non-confidential summaries of submissions, to the panel received from other participants in the dispute, as well as the report of the panel; and, if applicable, the report of the Appellate Body. An appointment to review the public file (Docket No. WT/DS-262, EC Sunset Dispute) may be made by selling the USTR Reading Room at (202) 395-6186. The USTR Reading Room is open to the public 9:30 a.m. to 12 noon and 1 p.m. to 4 p.m., Monday through Friday.

**Bruce Hirsh,**

*Acting Assistant United States Trade Representative for Monitoring and Enforcement.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement: Hill and Blain Counties, Montana

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of intent.

**SUMMARY:** FHWA hereby gives notice that it intends to prepare an Environmental Impact Statement (EIS) for improvements to US Highway 2, in Hill and Blaine Counties, Montana.

**FOR FURTHER INFORMATION CONTACT:** Mr. Dale Paulson, Program Development Engineer, FHWA Montana Division, 2880 Skyway Drive, Helena, Montana 59602; Telephone (406) 449-5302, extension 239; or Mr. Carl Helvik, Consultant Design, Montana Department of Transportation, 2701 Prospect Avenue, Helena, Montana 59620-1001; Telephone (406) 444-5446.

#### SUPPLEMENTARY INFORMATION:

##### Electronic Access

An electronic copy of this document may be download using a modem and suitable communications software from the Government Printing Office's Electronic Bulletin Board Service at (202) 512-1661. Interent users may reach the Office of the Federal Register's home page at: <http://www.nara.gov/fedreg> and the Government Printing Office's database at: <http://www.access.gpo.gov/nara>.

##### Background

The FHWA, in cooperation with the Montana Department of Transportation

(MDT), will prepare an EIS for a proposal to improve US Highway 2 in Hill and Blaine Counties, Montana. The intent of the proposed project is to replace the aging US Highway 2 with an efficient and safe highway that will be attractive to the needs of agriculture, industry, commerce and tourism in the area. The proposed improvement corridor is between Havre and Fort Belknap, a distance of approximately 72km (45 miles), and includes the towns of Lohman, Chinook, Zurich, and Harlem.

Alternatives under consideration include: (1) Taking no action; (2) improvements within the existing alignment; (3) improvements on a new alignment; and (4) combination of alternatives (2) and (3).

An extensive public involvement process will be conducted to solicit views and comments from the appropriate agencies and interested private organizations and citizens. The process will include a Citizens Advisory Committee, public meetings and workshops, a public hearing, small group presentations, and meetings with individuals along the corridor. The draft EIS will be available for public and agency reviews and comments prior to the public hearing. Public notice will be given of the time and place of all meetings and hearings.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided.

(Catalog of Federal Domestic Assistance Project Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this proposed action.)

(Authority: 23 U.S.C. 315; 49 CFR 1.48)

Issued on: August 1, 2002.

**Dale W. Paulson,**

*Program Development Engineer, Montana Division, Federal Highway Administration, Helena, MT.*

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## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

#### Actions on Exemption Applications

**AGENCY:** Research and Special Programs Administration, DOT.

**ACTION:** Notice of actions on exemption applications.

**SUMMARY:** In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR Part 107, Subpart B), notice is hereby given of the actions on exemption applications in April-June 2002. The modes of transportation involved are identified by a number in the "Nature of Application" portion of the table below as follows: 1—Motor vehicles, 2—Rail freight, 3—Cargo vessel, 4—Cargo aircraft only, 5—Passenger-carrying aircraft. Application numbers prefixed by the letters EE represent applications for Emergency Exemptions. It should be noted that some of the sections cited were those in effect at the time certain exemptions were issued.

Issued in Washington, DC, on July 19, 2002.

**R. Ryan Posten,**

*Exemptions Program Officer, Office of Hazardous Materials Exemptions and Approvals.*

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
<b>MODIFICATION EXEMPTIONS</b>				
4453-M .....	DOT-E 4453	Dyno Nobel, Inc., Salt Lake City, UT.	49 CFR 172.101, 173.62, 176.415, 176.83, Column (8C).	To modify the exemption to authorize the transportation of additional Division 1.5D liquid blasting explosives in non-DOT specification bulk cargo tanks, trailers and motor vehicles.
6805-M .....	DOT-E 6805	Air Liquide America Corporation, Houston, TX.	49 CFR 173.301(d), 173.302(a) (3).	To modify the exemption to authorize the use of DOT Specification 3A and 3AA cylinders as additional packaging for the transportation of Division 2.1 and 2.3 materials and a language clarification of the low pressure cylinders for transporting carbon monoxide.
7007-M .....	DOT-E 7007	Allied Universal Corp., Miami, FL.	49 CFR 173.314(c), 179.3 ..	To modify the exemption to authorize the use of additional non-DOT specification multi-unit tank car tanks with minimum shell thickness for the transportation of Division 2.3 materials.
7657-M .....	DOT-E 7657	Welker Engineering Company, Sugar Land, TX.	49 CFR 173.201, 173.202, 173.203, 173.302(a)(1), 173.304(a)(1), 173.304(b)(1), 175.3.	To modify the exemption to authorize the transportation of additional Division 2.1, 2.2, 2.3 and Class 3 materials in a non-DOT specification stainless steel cylinder.
7765-M .....	DOT-E 7765	Carleton Technologies, Inc., Orchard Park, NY.	49 CFR 173.302(a)(4), 175.3.	To modify the exemption to authorize the use of an additional non-DOT specification cylinder bottle assembly unit for the transportation of Division 2.2 materials.
8215-M .....	DOT-E 8215	Olin Corp., Brass & Winchester, Inc., East Alton, IL.	49 CFR 172.320, 173.230, 173.62(c), Part 172, Subpart E.	To modify the exemption to authorize the addition of a Division 1.1D material and for Division 1.1A and 1.1D materials to be transported in a newly designed motor vehicle (trailer).
8439-M .....	DOT-E 8439	Kidde Aerospace, Wilson, NC.	49 CFR 173.302, 173.304, 175.3.	To modify the exemption to authorize the transportation of an additional Division 2.2 material in non-DOT specification cylinders.