

bead, and other rubber reinforcement applications, and such merchandise intended for the tire cord, tire bead, or other rubber reinforcement applications is not included in the scope. However, should petitioners or other interested parties provide a reasonable basis to believe or suspect that there exists a pattern of importation of such products for other than those applications, end-use certification for the importation of such products may be required. Under such circumstances, only the importers of record would normally be required to certify the end use of the imported merchandise.

All products meeting the physical description of subject merchandise that are not specifically excluded are included in this scope.

The products under investigation are currently classifiable under subheadings 7213.91.3010, 7213.91.3090, 7213.91.4510, 7213.91.4590, 7213.91.6010, 7213.91.6090, 7213.99.0031, 7213.99.0038, 7213.99.0090, 7227.20.0010, 7227.20.0020, 7227.20.0090, 7227.20.0095, 7227.90.6051, 7227.90.6053, 7227.90.6058, and 7227.90.6059 of the HTSUS. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this proceeding is dispositive.

#### **Preliminary Results of Review and Intent to Revoke in Whole the Countervailing Duty Order**

Pursuant to section 751(d)(1) of the 1930 Tariff Act, as amended ("the Act"), and 19 CFR § 351.222(g), the Department may revoke an antidumping or countervailing duty order, in whole or in part, based on a review under section 751(b) of the Act (*i.e.*, a changed circumstances review). Section 751(b)(1) of the Act requires a changed circumstances review to be conducted upon receipt of a request which shows changed circumstances sufficient to warrant a review. Section 782(h)(1) of the Act gives the Department the authority to revoke an order if producers accounting for substantially all of the production of the domestic like product have expressed a lack of interest in the continuation of the order. Section 351.222(g) of the Department's regulations provides that the Department will conduct a changed circumstances administrative review under 19 CFR § 351.216, and may revoke an order (in whole or in part), if it concludes that (i) producers accounting for substantially all of the production of the domestic like product to which the order pertains have expressed a lack of interest in the relief

provided by the order, in whole or in part, or (ii) if other changed circumstances sufficient to warrant revocation exist. The Department has interpreted "substantially all" production normally to mean at least 85 percent of domestic production of the like product. *See Certain Tin Mill Products From Japan: Final Results of Changed Circumstances Review*, 66 FR 52109 (October 12, 2001); see also, 19 CFR § 351.208(c).

As noted above and in the *Initiation Notice*, the petitioners requested this changed circumstances review on the basis that they are no longer interested in maintaining the countervailing duty order or in the imposition of CVD duties on the subject merchandise. Because the Department did not receive any comments during the comment period opposing initiation of this changed circumstances review, we preliminarily conclude that producers accounting for substantially all of the production of the domestic like product to which this order pertains lack interest in the relief provided by the order. In accordance with 19 CFR § 351.222(g), the Department preliminarily determines that there is a reasonable basis to believe that changed circumstances exist sufficient to warrant revocation of the order. Therefore, the Department is preliminarily revoking the order on carbon and certain alloy steel wire rod from Canada, in whole. Unless the Department receives opposition within the time limit set forth below from domestic producers whose production totals more than 15 percent of the domestic like product, the Department will revoke the order on carbon and certain alloy steel wire rod in its final results of review.

If, as a result of this review, we revoke the order, we intend to instruct U.S. Customs and Border Protection ("CBP") to liquidate without regard to applicable countervailing duties, and refund any estimated countervailing duties collected on, all unliquidated entries of the merchandise subject to the order, as described above under the "Scope of the Order" section, entered, or withdrawn from warehouse, for consumption on or after February 8, 2002, *i.e.*, the publication date of the Department's preliminary determination (*see Preliminary Affirmative Countervailing Duty Determination: Carbon and Certain Alloy Steel Wire Rod from Canada*, 67 FR 5984). We will also instruct CBP to pay interest on such refunds with respect to the subject merchandise entered, or withdrawn from warehouse, for consumption on or after October 22, 2002, in accordance with section 778 of the Act. The current requirement for a

cash deposit of estimated countervailing duties on the subject merchandise will continue unless, and until, we publish a final determination to revoke in whole.

#### **Public Comment**

Interested parties may submit case briefs not later than 14 days after the date of publication of this notice. *See* 19 CFR § 351.309(c)(ii). Rebuttal briefs, which must be limited to issues raised in such case briefs, may be filed not later than 19 days after the date of publication of this notice. *See* 19 CFR § 351.309(d). Parties who submit arguments are requested to submit with the argument (1) a statement of the issue, (2) a brief summary of the argument, and (3) a table of authorities. Any interested party may request a hearing within 14 days of publication of this notice. *See* 19 CFR § 351.310(c). Any hearing, if requested, may be held 22 days after the date of publication of this notice, or the first working day thereafter, as practicable.

Consistent with section 351.216(e) of the Department's regulations, we will issue the final results of this changed circumstances review not later than 270 days after the date on which this review was initiated.

This notice is published in accordance with section 751(b)(1) of the Act and sections 351.216 and 351.222 of the Department's regulations.

Dated: December 5, 2003.

**James J. Jochum,**

*Assistant Secretary for Import Administration.*

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## **DEPARTMENT OF COMMERCE**

### **National Oceanic and Atmospheric Administration**

[I.D. 112003C]

#### **Endangered and Threatened Species; Take of Anadromous Fish**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration, Commerce.

**ACTION:** Issuance of three scientific research permit modifications (1140, 1335, 1369).

**SUMMARY:** Between June 30, 2003 and September 24, 2003, NMFS' Northwest Region issued three permit modifications allowing endangered and threatened species of Pacific salmon and steelhead to be taken for scientific research purposes under the

Endangered Species Act of 1973 (ESA). The research actions and the species they affect are listed in the "Supplementary Information" section below.

**ADDRESSES:** The permits, permit applications, and related documents are available for review during business hours by appointment at NMFS' Protected Resources Division, 525 NE Oregon Street, Suite 500, Portland, OR 97232-2737 (phone: 503-230-5400, facsimile: 503-230-5435).

**FOR FURTHER INFORMATION CONTACT:** Garth Griffin, Portland, OR (phone: 503-231-2005, facsimile: 503-230-5435, e-mail: [Garth.Griffin@noaa.gov](mailto:Garth.Griffin@noaa.gov)).

**SUPPLEMENTARY INFORMATION:**

**Authority**

The ESA requires that permit modifications be issued based on findings that such actions: (1) Are applied for in good faith; (2) would not operate to the disadvantage of the listed species that are the subject of the actions; and (3) are consistent with the purposes and policies set forth in section 2 of the ESA. Authority to take listed species is subject to conditions set forth in the permits. Permits, modifications, and amendments are issued in accordance with, and are subject to, the ESA and NMFS' regulations governing listed fish and wildlife permits (50 CFR parts 222-226).

**Species Covered in this Notice**

The listed species/evolutionarily significant units (ESUs) covered by this notice are threatened Puget Sound (PS) chinook salmon (*Oncorhynchus tshawytscha*), threatened Snake River (SnR) chinook salmon, threatened Upper Willamette River (UWR) chinook salmon, threatened Lower Columbia River (LCR) chinook salmon, and threatened Oregon Coast (OC) Coho (*O. kisutch*).

Dated: December 8, 2003.

**Phil Williams,**

*Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 03-30797 Filed 12-11-03; 8:45 am]

**BILLING CODE 3510-22-S**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[I.D.112003B]

**Endangered and Threatened Species; Take of Anadromous Fish**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration, Commerce

**ACTION:** Notice of decision and availability of decision documents on the issuance of Permit 1347 for incidental takes of endangered species.

**SUMMARY:** Notice is hereby given that an artificial propagation permit to the Washington Department of Fish and Wildlife (WDFW), the Public Utility District No. 1 of Chelan County (Chelan PUD); and the Public Utility District No. 1 of Douglas County (Douglas PUD), pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973 (ESA), has been issued and that the decision documents are available upon request.

**DATES:** Permit 1347 was issued on October 22, 2003, subject to certain conditions set forth therein. Permit 1347 expires on October 22, 2013.

**ADDRESSES:** Requests for copies of the decision documents or any of the other associated documents should be directed to the Salmon Recovery Division, National Marine Fisheries Service, 525 NE Oregon Street, Suite 510, Portland, OR 97232.

**FOR FURTHER INFORMATION CONTACT:** Kristine Petersen, Portland, OR, at phone number: (503) 230-5409, e-mail: [Kristine.Petersen@noaa.gov](mailto:Kristine.Petersen@noaa.gov)

**SUPPLEMENTARY INFORMATION:** This notice is relevant to the following Evolutionarily Significant Units (ESUs):

Steelhead (*Oncorhynchus mykiss*): endangered Upper Columbia River.

Chinook salmon (*O. tshawytscha*): endangered Upper Columbia River spring run.

Notice of receipt of application for the proposed actions was published on October 16, 2001 (66 FR 52567) relative to the WDFW Hatchery Genetic Management Plans, and on June 25, 2002 (67 FR 42755), relative to the three Habitat Conservation Plan agreements. The permit authorizes the WDFW, Chelan PUD, and Douglas PUD, to implement artificial propagation programs for summer chinook salmon, fall chinook salmon, and sockeye salmon. Permit 1347 authorizes activities to carry out the artificial propagation programs in the upper Columbia River. After evaluating the

potential effects of this permit on listed salmon and steelhead in the Upper Columbia River ESUs and the environmental consequences, NMFS issued the permit with conditions authorizing incidental takes of the ESA-listed anadromous fish species. NMFS' conditions will ensure that the incidental takes of ESA-listed anadromous fish will not appreciably reduce the likelihood of the survival and recovery of the species in the wild. The permit expires on October 22, 2013.

Dated: December 8, 2003.

**Phil Williams,**

*Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.*

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[I.D. 112003A]

**Endangered and Threatened Species; Take of Anadromous Fish**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration, Commerce

**ACTION:** Issuance of Endangered Species Enhancement Permits 1395, 1396, and 1412

**SUMMARY:** This notice advises the public that three enhancement permits pursuant to the Endangered Species Act of 1973 (ESA), have been issued and that the decision documents are available upon request. Permit 1395 was issued jointly to the Washington Department of Fish and Wildlife (WDFW), the Public Utility District No. 1 of Chelan County (Chelan PUD), and the Public Utility District No. 1 of Douglas County (Douglas PUD). Permit 1396 was issued to the U.S. Fish and Wildlife Service (USFWS). Permit 1412 was issued to the Confederated Tribes of the Colville Reservation (Colville Tribes).

**DATES:** Permits 1395, 1396, and 1412 were issued on October 2, 2003, subject to certain conditions set forth therein. Permit 1395 expires October 2, 2013, and permits 1396 and 1412 expire October 2, 2008.

**ADDRESSES:** Requests for copies of the decision documents or any of the other associated documents should be directed to the Salmon Recovery Division, NMFS, 525 NE Oregon Street, Suite 510, Portland, Oregon, 97232.