

In order to ensure that the rate is sufficiently adverse so as to induce Rhone-Poulenc's cooperation, we have assigned this company as adverse facts available a rate of 60.0 percent, the margin calculated in the original less-than-fair-value (LTFV) investigation using information provided by Rhone-Poulenc, S.A. (see *Anhydrous Sodium Metasilicate from France; Final Determination of Sales at Less Than Fair Value*, 45 FR 77498 (November 24, 1980)).

Section 776(c) of the Act provides that the Department shall, to the extent practicable, corroborate secondary information used for facts available by reviewing independent sources reasonably at its disposal. Information from a prior segment of the proceeding, such as that used here, constitutes secondary information. The SAA provides that to "corroborate" means simply that the Department will satisfy itself that the secondary information to be used has probative value. SAA at 870. As explained in *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from Japan, and Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, from Japan; Preliminary Results of Antidumping Duty Administrative Reviews and Partial Termination of Administrative Reviews*, 61 FR 57391, 57392 (November 6, 1996), to corroborate secondary information, the Department will examine, to the extent practicable, the reliability and relevance of the information used.

Unlike other types of information, such as input costs or selling expenses, there are no independent sources from which the Department can derive calculated dumping margins; the only source for margins is administrative determinations. In an administrative review, if the Department chooses as total adverse facts available a calculated dumping margin from a prior segment of the proceeding, it is not necessary to question the reliability of the margin for that time period.

With respect to the relevance aspect of corroboration, however, the Department will consider information reasonably at its disposal as to whether there are circumstances that would render a margin not relevant. Where circumstances indicate that the selected margin is not appropriate as adverse facts available, the Department will disregard the margin and determine an appropriate margin (see *Fresh Cut Flowers from Mexico; Final Results of Antidumping Duty Administrative Review*, 61 FR 6812 (February 22, 1996), where the Department disregarded the

highest dumping margin as adverse BIA because the margin was based on another company's uncharacteristic business expense resulting in an unusually high margin). There is no evidence of circumstances indicating that the margin used as facts available in this review is not appropriate. Therefore, the requirements of section 776(c) of the Act are satisfied.

Preliminary Results of the Review

As a result of this review, the Department preliminarily determines that a margin of 60 percent exists for Rhone Poulenc for the period January 1, 1998, through December 31, 1998.

Interested parties may request a hearing not later than 30 days after publication of this notice. Interested parties may also submit written arguments in case briefs on these preliminary results within 30 days of the date of publication of this notice. Rebuttal briefs, limited to issues raised in case briefs, may be filed no later than five days after the time limit for filing case briefs. Parties who submit arguments are requested to submit with each argument a statement of the issue and a brief summary of the argument. Any hearing, if requested, will be held three days after the scheduled date for submission of rebuttal briefs.

The Department will publish the final results of this administrative review, including a discussion of its analysis of issues raised in any case or rebuttal brief or at a hearing. The Department will issue final results of this review within 120 days of publication of these preliminary results.

Upon completion of the final results in this review, the Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. The rate will be assessed uniformly on all entries of Rhone-Poulenc merchandise made during the period of review. The Department will issue appraisement instructions for Rhone-Poulenc merchandise directly to the Customs Service.

Furthermore, the following deposit rates will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided for by section 751(a)(1) of the Act: (1) the cash deposit rate for Rhone-Poulenc, S.A., will be the rate established in the final results of this review; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the

most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original LTFV investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) for all other producers and/or exporters of this merchandise, the cash deposit rate shall be 60.0 percent, the "all others" rate established in the LTFV investigation (45 FR 77498, November 24, 1980). This deposit rate, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

We are issuing and publishing this determination in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: August 9, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 99-21841 Filed 8-20-99; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

University of Wisconsin-Madison; Notice of Decision on Application for Duty-Free Entry of Scientific Instrument

This decision is made pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 A.M. and 5:00 P.M. in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, NW, Washington, DC.

Docket Number: 99-010. *Applicant:* University of Wisconsin-Madison, Madison, WI 53706. *Instrument:* Diagnostic Neutral Beam System. *Manufacturer:* Budker Institute of Nuclear Physics, Russia, CIS. *Intended Use:* See notice at 64 FR 31541, June 11, 1999.

Comments: None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as it is intended to be used, is being manufactured in the United States.

Reasons: The foreign instrument provides: (1) high neutral beam current (3 to 5A), (2) low beam divergence (0.8 degree) and (3) duration of 3 ms for fluctuation and confinement studies with plasma. These capabilities are pertinent to the applicant's intended purposes and we know of no other instrument or apparatus of equivalent scientific value to the foreign instrument which is being manufactured in the United States.

Frank W. Creel,

Director, Statutory Import Programs Staff.

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DEPARTMENT OF COMMERCE

International Trade Administration

University of Southern California; Notice of Decision on Application for Duty-Free Entry of Scientific Instrument

This decision is made pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5:00 p.m. in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, NW, Washington, DC.

Docket Number: 99-015. *Applicant:* University of Southern California, Los Angeles, CA 90089-1340. *Instrument:* Automated Microscope Workstation, Series 200. *Manufacturer:* Singer Instruments, United Kingdom. *Intended Use:* See notice at 64 FR 35630, July 1, 1999.

Comments: None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as it is intended to be used, is being manufactured in the United States.

Reasons: The foreign instrument provides a stage-mounted micromanipulator and a manually driven detenting stage designed specifically for genetic experiments in yeast cells. The National Institutes of Health advises in its memorandum of July 14, 1999 that (1) this capability is pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign

instrument for the applicant's intended use.

We know of no other instrument or apparatus of equivalent scientific value to the foreign instrument which is being manufactured in the United States.

Frank W. Creel,

Director, Statutory Import Programs Staff.

[FR Doc. 99-21843 Filed 8-20-99; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Environmental Impact Statement (EIS) on the Proposed MFS Globenet, Inc. Monterey Bay Fiber Optic Cable Installation Project Within the Monterey Bay National Marine Sanctuary (MBNMS)

AGENCY: Marine Sanctuaries Division (MSD), Office of Ocean and Coastal Resource Management (OCRM), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

ACTION: Notice of intent; request for comments.

SUMMARY: NOAA announces its intention to prepare an EIS in accordance with the National Environmental Policy Act of 1969 for the authorization of the proposed installation of a fiber optic cable through Monterey Bay, California within the MBNMS. The action to be evaluated by this EIS is the proposal to install a submarine fiber optic telecommunications cable from New Zealand to Hawaii to California, with a focus on that part of the ocean route within the boundaries of the MBNMS and the terrestrial route within Santa Cruz and Monterey counties.

The EIS will be prepared in cooperation with the County of Santa Cruz, which issued a Notice of Preparation on March 29, 1999, regarding its intent to prepare an Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA). The EIS prepared under this notice will be combined with the EIR and a joint EIR/EIS will be published.

DATES: Written comments on the intent to prepare an EIS and the scope of the EIS will be accepted on or before September 22, 1999. A public scoping meeting to inform interested parties of the proposed action and to receive public comments on the scope of the EIS is scheduled as follows:

September 1, 1999, 7:00-9:00 p.m.

Moss Landing Chamber of Commerce,
8045 Moss Landing Road, Moss
Landing, California

ADDRESSES: Written comments on the scope of the EIS, suggested alternatives and potential impacts should be sent to William Douros, Responsible Program Manager, Monterey Bay National Marine Sanctuary, 299 Foam Street, Monterey, California 93940. Comments may be submitted by FAX at (831) 647-4250. Comments received will be available for public inspection at the above address.

FOR FURTHER INFORMATION CONTACT:

William Douros, Responsible Program Manager, Monterey Bay National Marine Sanctuary, 299 Foam Street, Monterey, California 93940.

SUPPLEMENTARY INFORMATION:

I. Proposed Action

The proposed action would involve the authorization of installation of approximately 58.5 miles of submarine cable within the boundaries of the Monterey Bay National Marine Sanctuary as part of a larger project for a cable that would link New Zealand to Hawaii and the continental United States. Sanctuary regulations at 15 CFR Part 922, Subpart M, require authorization by the Sanctuary for installation and continued operation of the proposed cable within the MBNMS. The applicant (MFS Globenet, Inc. and Worldcom Network Services, Inc.) anticipates the cable would operate for a minimum of 25 years. The scope of the EIS will address the offshore area from shore to the seaward boundary of the MBNMS.

The seaward component of the project includes the seaward portions of two directionally bored conduits (approximately 950 meters out to sea to a water depth of 15 meters) and one two-inch wide submarine cable extending westward from one of the conduits to deep ocean. The offshore cable would extend along the submarine ridge ("Smooth Ridge") to the western boundary of the MBNMS (and then onward to New Zealand via Hawaii).

The applicant proposes to bury the cable to a depth of one meter out to a water depth of 2,000 meters, where feasible and where sensitive areas are not prohibitive. In general, the cable would be laid directly onto the ocean floor at ocean depths greater than 2,000 meters, where the potential for conflict with other marine uses is likely to be minimal.

Two cable burial methods are proposed. Where feasible, an underwater plow deployed from the cable ship would cut a narrow trench