

existing Road 233 to a trail or completely decommissioning the road; or (3) Use/improve an existing alternative road (Road 522 and 1803, from State Highway 14 at the mouth of Red River up to the intersection of Road 233 at the mouth of Relief Creek). The Forest may consider converting the existing Road 233 to a trail or completely decommissioning the road.

#### Lead and Cooperating Agencies

The Nez Perce-Clearwater National Forests of the USDA-Forest Service is the lead agency. Cooperating agencies include: the Nez Perce Tribe and Bonneville Power Agency.

#### Responsible Official

Rick Brazell, Forest Supervisor, Nez Perce-Clearwater National Forests, 104 Airport Road, Grangeville, ID 83530 is the responsible official for this proposal.

#### Nature of Decision To Be Made

The Nez Perce National Forest will decide whether or not to complete the Crooked River Meanders project and the extent of location of stream rehabilitation. The Forest will also decide whether or not to re-align the Crooked River Narrows Road and the extent and location of road reconstruction. The forest will decide what design and mitigation measures and monitoring would be included.

Preliminary Issues identified include the effects to cultural resources, public access, and future road maintenance costs.

#### Permits or Licenses Required

Permits that may be needed for this project are related to Clean Water Act (CWA) and the Endangered Species Act. If necessary, permits may include: CWA—Section 404 permits from the Corp or Engineers, Stream Alteration Act Permit from Idaho Department of Water Resources, CWA—Section 401 Certification from Idaho Department of Environmental Quality, Incidental Take Permits included as part of the Biological Opinions from NOAA Fisheries and U.S. Fish and Wildlife Service, or CWA—Section 402 NPDES permits from the Environmental Protection Agency.

#### Scoping Process

This notice of intent initiates the scoping process, which guides the development of the environmental impact statement. The U.S. Forest Service uses the process required by the National Environmental Policy Act (NEPA). NEPA requires a systematic, interdisciplinary approach to ensure integrated application of the natural and

social sciences and the environmental design arts in any planning and decision making that affects the human environment (42 U.S.C. 4332(A)). Comments are accepted for 45 days after notification in the **Federal Register**.

These comments help identify significant issues and/or eliminate non-significant issues from detailed study in the environmental impact statement. Comments are most useful if they are specific. It is important that reviewers provide their comments at such times and in such manner that they are useful to the agency's preparation of the environmental impact statement. Therefore, comments should be provided prior to the close of the comment period and should clearly articulate the reviewer's concerns and contentions. Comments received in response to this solicitation, including names and addresses of those who comment, will be part of the public record for this proposed action. Comments submitted anonymously will be accepted and considered, however.

The Forest Service is seeking information and comments from other Federal, State, and local agencies; Tribal Governments, and organizations and individuals who may be interested in or affected by the proposed action presented in this notice of intent. A draft environmental impact statement will be prepared for comment in the future. The second major opportunity for public input will be when the Draft EIS is published. The comment period for the Draft EIS will be 45-days from the date the Environmental Protection Agency published the notice of availability in the **Federal Register**. The Draft EIS is anticipated to be available for public review in October 2014.

Dated: November 30, 2012.

#### Rick Brazell,

*Nez Perce-Clearwater Forests, Forest Supervisor.*

[FR Doc. 2012-29836 Filed 12-11-12; 8:45 am]

**BILLING CODE 3410-11-M**

#### DEPARTMENT OF COMMERCE

##### Foreign-Trade Zones Board

[Docket 57-2010]

#### Foreign-Trade Zone 148—Knoxville, TN, Toho Tenax America, Inc. (Carbon Fiber Manufacturing Authority), Opening of Comment Period on New Evidence

On November 7, 2012, the Foreign-Trade Zones (FTZ) Board approved Subzone 148C at the manufacturing facilities of Toho Tenax America, Inc.

(TTA), located in Rockwood, Tennessee, with authority to manufacture carbon fiber for export and oxidized polyacrylonitrile fiber (Board Order 1868, 77 FR 69435, 11/19/2012). Board Order 1868 did not include authority to manufacture carbon fiber for the U.S. market; the request for such authority will continue to be reviewed by the FTZ Board's staff before the staff makes any recommendation to the FTZ Board for a final decision.

On November 16, 2012, the Industrial Development Board of Blount County, grantee of FTZ 148, made a submission to the FTZ Board (incorporating information from TTA) that included new evidence in response to the FTZ staff's preliminary recommendation not to authorize TTA to manufacture carbon fiber for the U.S. market at this time. Public comment is invited on the applicant's new submission through January 11, 2013. Rebuttal comments may be submitted during the subsequent 15-day period, until January 28, 2013. Submissions shall be addressed to the Board's Executive Secretary at: Foreign-Trade Zones Board, U.S. Department of Commerce, Room 21013, 1401 Constitution Ave. NW., Washington, DC 20230.

A copy of the applicant's November 16, 2012, submission will be available for public inspection at the address above, and in the "Reading Room" section of the Board's Web site, which is accessible via [www.trade.gov/ftz](http://www.trade.gov/ftz).

For further information, contact Diane Finver at [Diane.Finver@trade.gov](mailto:Diane.Finver@trade.gov) or (202) 482-1367.

Dated: December 6, 2012.

#### Andrew McGilvray,

*Executive Secretary.*

[FR Doc. 2012-29974 Filed 12-11-12; 8:45 am]

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#### DEPARTMENT OF COMMERCE

##### Foreign-Trade Zones Board

[Order No. 1872]

#### Reorganization of Foreign-Trade Zone 93 Under Alternative Site Framework, Raleigh/Durham, NC

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, the Board adopted the alternative site framework (ASF) (74 FR 1170, 01/12/2009; correction 74 FR 3987, 01/22/2009; 75 FR 71069-71070, 11/22/2010) as an option for the

establishment or reorganization of general-purpose zones;

Whereas, the Triangle J Council of Governments, grantee of Foreign-Trade Zone 93, submitted an application to the Board (FTZ Docket 13, 2012, filed 03/07/2012) for authority to reorganize under the ASF with a service area of Chatham, Durham, Franklin, Granville, Harnett, Johnston, Lee, Moore, Orange, Person, Vance, Wake and Warren Counties, North Carolina, within and adjacent to the Raleigh-Durham Customs and Border Protection port of entry. Sites 1 and 1A would be renumbered as Sites 4 and 1, respectively. FTZ 93's Sites 1, 3, and 4 would be categorized as magnet sites, and FTZ 93's existing Site 2 would be categorized as a usage-driven site.

Whereas, notice inviting public comment was given in the **Federal Register** (77 FR 16536–16537, 03/21/12) and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

Whereas, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and the Board's regulations are satisfied, and that the proposal is in the public interest;

Now, therefore, the Board hereby orders:

The application to reorganize FTZ 93 under the alternative site framework is approved, subject to the FTZ Act and the Board's regulations, including Section 400.13, to the Board's standard 2,000-acre activation limit for the zone, to a five-year ASF sunset provision for magnet sites that would terminate authority for Site 3 and 4 if not activated by November 30, 2017, and to a three-year sunset provision for usage-driven sites that would terminate authority for Site 2 if no foreign-status merchandise is admitted for a *bona fide* customs purpose by November 30, 2015.

Signed at Washington, DC, this 30th day of November 2012.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.*

Attest:

**Andrew McGilvray,**

*Executive Secretary.*

[FR Doc. 2012–29883 Filed 12–11–12; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–821–819]

#### Magnesium Metal From the Russian Federation: Notice of Reinstated Final Results of Administrative Review Pursuant to Court Decision

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

**SUMMARY:** On July 27, 2012, the United States Court of Appeals for the Federal Circuit (CAFC) reversed and remanded a decision of the United States Court of International Trade (CIT) and ordered it to reinstate the final results of the administrative review of the antidumping duty order on magnesium metal from the Russian Federation covering the period April 1, 2006, through March 31, 2007, as applied to PSC VSMPO–AVISMA Corporation (VSMPO–AVISMA). See *PSC VSMPO–AVISMA Corp. v. United States*, 688 F.3d 751 (Fed. Cir. 2012) (*AVISMA IV*); see also *Magnesium Metal from the Russian Federation: Final Results of Antidumping Duty Administrative Review*, 73 FR 52642 (September 10, 2008) (*Final Results*). On November 20, 2012, the CIT issued final judgment pursuant to the CAFC's remand order in *AVISMA IV* reinstating the final results of administrative review with respect to VSMPO–AVISMA. See *PSC VSMPO–AVISMA Corp. v. United States*, Consol. Court No 08–00321, Slip Op. 12–142 (Ct. Int'l Trade November 20, 2012) (*AVISMA V*). Having previously amended the final results of administrative review pursuant to the earlier CIT decision, the Department of Commerce (the Department) is, in accordance with *AVISMA V*, once again amending the final results of the administrative review with respect to VSMPO–AVISMA to reinstate its original determination. See *Final Results*.

**DATES:** *Effective Date:* March 11, 2011.

**FOR FURTHER INFORMATION CONTACT:** Dmitry Vladimirov or Mino Hatten, AD/CVD Operations, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–0665 or (202) 482–1690, respectively.

**SUPPLEMENTARY INFORMATION:**

#### Background

On September 10, 2008, the Department published the final results of the administrative review of the

antidumping duty order on magnesium metal from the Russian Federation for the period of review April 1, 2006, through March 31, 2007. See *Final Results*. In the *Final Results* the Department determined that it was appropriate to treat raw magnesium and chlorine gas manufactured by VSMPO–AVISMA as co-products and to employ a net-realizable-value (NRV) analysis to allocate joint costs incurred up to the split-off point where raw magnesium and chlorine gas become separately identifiable products. The Department calculated a weighted-average dumping margin for AVISMA of 15.77 percent for the period April 1, 2006, through March 31, 2007. See *Final Results*, 73 FR at 52643.

The CIT remanded the *Final Results* to the Department to take into account an affidavit from Dr. George Foster, an accounting professor (the Foster Affidavit), when considering the best methodology for calculating the NRV for the chlorine gas.<sup>1</sup> See *PSC VSMPO–AVISMA Corp. v. United States*, Consol. Court No 08–00321, Slip Op. 09–120 (Ct. Int'l Trade October 20, 2009) (*AVISMA I*). In accordance with the CIT's order in *AVISMA I*, the Department admitted the Foster Affidavit into the record, considered the arguments of Dr. Foster upon remand, and, as a result of that consideration, determined not to recalculate the dumping margin for VSMPO–AVISMA upon concluding that Dr. Foster's proposed methodology was not appropriate to use in this case. See *Results of Redetermination Pursuant to Remand*, dated March 30, 2010 (*First Remand*) (available at <http://ia.ita.doc.gov/remands>). As a result, in the *First Remand* the Department used the same allocation methodology it used in the *Final Results*.

In *PSC VSMPO–AVISMA Corp. v. United States*, 724 F. Supp. 2d 1308 (Ct. Int'l Trade 2010) (*AVISMA II*), the CIT remanded the *Final Results* again, instructing the Department to consider VSMPO–AVISMA's entire production process, including titanium production, in allocating joint costs to the subject merchandise. The CIT found the Department's cost-allocation methodology in the *Final Results* to be unsupported by substantial record evidence and not in accordance with section 773(e)(1) of the Tariff Act of 1930, as amended (the Act). See *AVISMA II*, 724 F. Supp. 2d at 1313–16. In accordance with the CIT's order in

<sup>1</sup> VSMPO–AVISMA submitted the Foster Affidavit as part of its administrative case brief, dated June 11, 2008, which the Department rejected as untimely new factual information.