

- Storm Water Permit and Montana Pollution Discharge Elimination System (MPDES) Permit from the Montana Department of Environmental Quality
- 404 Permit from the U.S. Army Corps of Engineers
- Water Rights Permit from the Montana Department of Natural Resources and Conservation
- 310 Permit from the Montana Department of Fish, Wildlife and Parks and Lincoln County Conservation District
- Special Use Permits from the Kootenai National Forest
- Major Facility Siting Act (MFSA) Certificate of Compliance from the Montana Department of Environmental Quality.

Comment Requested

This Notice of Intent initiates the scoping process, which guides the development of the EIS. At this stage of the planning process, site-specific public comments are being requested to determine the scope of the analysis, and identify significant issues and alternatives to the Proposed Action. The estimated date for issuance of the draft environmental impact statement is May 2006.

Scoping Process

The Forest Service, in conjunction with Montana State agencies, will hold public scoping meetings in Libby, Montana, Bonners Ferry, Idaho; and noxon, Montana during the week of August 15, 2005. Specific location and time of the meetings will be published in the local newspapers approximately one week prior to the meeting date. A scoping document is available upon request or an electronic copy may be viewed at: <http://www.fs.fed.us/rl/kootenai/projects/montanore>.

Early Notice of Importance of Public Participation in Subsequent Environmental Review

A draft EIS will be prepared for comment. The comment period on the draft EIS ends 60 days from the date the Environmental Protection Agency publishes the notice of availability in the **Federal Register**.

The Forest Service believes, at this early stage, it is important to give reviewers notice of several court rulings related to the public participation in the environmental review process. First, reviewers of a draft EIS must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewer's 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 EIS stage but that are not raised until after completion of the final EIS 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 60 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 assist the Forest Service in identifying and considering issues and concerns on the Proposed Action, comments on the draft EIS should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft EIS. Comments may also address the adequacy of the draft EIS or the merits of the alternatives formulated and discussed in the statement. 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 CFR 1501.7 and 1508.22; Forest Service Handbook 1909.15, Section 21)

Dated: July 7, 2005.

Cami Winslow,

Acting Forest Supervisor, Kootenai National Forest.

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CENTRAL INTELLIGENCE AGENCY

Fleet Alternative Fuel Use and Vehicle Acquisition Report for Fiscal Years 2004 and 2005 (Through June 2005)

AGENCY: Central Intelligence Agency.
ACTION: Notice of availability.

SUMMARY: Pursuant to the Energy Policy Act of 1992 (EPA) (42 U.S.C. 13218(b)) and Executive Order 13149, the Central Intelligence Agency gives notice of its intention to make its Fleet Alternative Fuel Use and Vehicle Acquisition Report for Fiscal Years 2004 and 2005 (through June 2005) available on-line as of July 14, 2005, at <http://www.cia.gov/cia/reports/afvreports/2005/index.html> and at <http://www.cia.gov/cia/reports/afvreports/2005/report.pdf>.

FOR FURTHER INFORMATION CONTACT: Public Communications Branch, Central Intelligence Agency, telephone (703) 482-0623.

Dated: July 8, 2005.

Edmund Cohen,

Director, Information Management Services.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-588-804]

Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof from Japan: Notice of Court Decision Not in Harmony

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

SUMMARY: On June 27, 2005, the United States Court of International Trade (CIT) affirmed the Department of Commerce's (the Department's) redetermination on remand of the final results of the antidumping duty administrative reviews on antifriction bearings (other than tapered roller bearings) and parts thereof from Japan. See *NSK Ltd. v. United States*, Consol. Court No. 98-07-02527, slip op. 05-77 (CIT 2005). The Department is now issuing this notice of court decision not in harmony.

EFFECTIVE DATE: July 14, 2005.

FOR FURTHER INFORMATION: Yang Jin Chun or Richard Rimlinger, AD/CVD Operations, Office 5, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-5760 or (202) 482-4477, respectively.

SUPPLEMENTARY INFORMATION:

Background

On June 18, 1998, the Department published the final results of administrative reviews of the antidumping duty orders on antifriction bearings (other than tapered roller bearings) and parts thereof from Japan for the period May 1, 1996, through April 30, 1997. See *Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof from France, et al.; Final Results of Antidumping Duty Administrative Reviews*, 63 FR 33320 (June 18, 1998). NSK Ltd. and NSK Corporation (hereafter "NSK") filed a lawsuit challenging the final results. On July 8, 2002, the CIT affirmed the Department's decision to classify NSK's repacking expenses as a selling expense