

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 the court rulings, it is very important that those interested in this proposed action participate by the close of the 45 day comment period so that substantive comments and objections are made available to the Forest Service at a time when it can meaningfully consider them 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 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.

The responsible official, who is the Downieville District Ranger, Tahoe National Forest, will document the decision and reasons for the decision in the Record of Decision.

**William L. Haire,**  
Public Service Officer.

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## DEPARTMENT OF COMMERCE

### Bureau of Export Administration

#### Action Affecting Export Privileges; Teledyne Wah Chang, a Division of Teledyne Industries, Inc.

In the matter of: Teledyne Wah Chang, a division of Teledyne Industries, Inc., 1600 N.E. Old Salem Road, P.O. Box 460, Albany, Oregon 97321-6990, Respondent.

#### Order

The Office of Export Enforcement, Bureau of Export Administration, United States Department of Commerce (Department), having notified Teledyne Wah Chang, a division of Teledyne Industries, Inc. (hereinafter referred to as Teledyne Wah Chang), of its intention to initiate an administrative proceeding against it pursuant to

Section 13(c) of the Export Administration Act of 1979, as amended (50 U.S.C.A. app. §§ 2401-2420 (1991, Supp. 1993, and Pub. L. No. 103-277, July 5, 1994)) (the Act),<sup>1</sup> and Part 788 of the Export Administration Regulations (currently codified at 15 CFR Parts 768-799 (1994)) (the Regulations), based on allegations that Teledyne Wah Chang violated Sections 787.3(b), 787.a(a), 787.5(a)(1), and 787.6 of the Regulations in that:

(1) on or before October 5, 1989, Teledyne Wah Chang engaged in two separate conspiracies to export zirconium sponge and/or compacts from the United States contrary to the terms of validated export licenses issued by the Department;

(2) in carrying out those conspiracies, on six separate occasions, Teledyne Wah Chang, as a co-conspirator, made false or misleading statements of material fact to the Department on validated export license applications;

(3) in carrying out those conspiracies, on four separate occasions, Teledyne Wah Chang, as a co-conspirator, exported goods from the United States with reason to know that a violation of the Act or any regulation, order, or license issued under the Act would occur in connection with each such export; and

(4) in carrying out those conspiracies, on four separate occasions, Teledyne Wah Chang, as a co-conspirator, made false or misleading statements of material fact on Shipper's Export Declarations that were filed with the U.S. Customs Service;

The Department and Teledyne Wah Chang having entered into a Consent Agreement whereby the Department and Teledyne Wah Chang have agreed to settle this matter in accordance with the terms and conditions set forth therein and the terms of the Consent Agreement having been approved by me;

*It is therefore ordered,*

*First*, that a civil penalty of \$2,000,000 is assessed against Teledyne Wah Chang, all of which shall be paid to the Department within 30 days from the date of entry of this Order. Payment shall be made in the manner specified in the attached instructions.

*Second*, Teledyne Wah Chang, a division of Teledyne Industries, Inc., 1600 N.E. Old Salem Road, P.O. Box 460, Albany, Oregon 97321-6990, and all its successors, assigns, and officers, representatives, agents, and employees when acting on behalf of the company

shall, for a period of three years beginning on March 1, 1995, be denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction in the United States or abroad involving any commodity or technical data exported or to be exported from the United States, and subject to the Regulations.

A. Without limiting the generality of the foregoing, participation, either in the United States or abroad, shall include participation, directly or indirectly, in any manner or capacity: (i) as a party or as a representative of a party to any export license application submitted to the Department; (ii) in preparing or filing with the Department any export license application or request for reexport authorization, or any document to be submitted therewith; (iii) in obtaining from the Department or using any validated or general export license, reexport authorization, or other export control document; (iv) in carrying on negotiations with respect to, or in receiving, ordering, buying, selling, delivering, storing, using, or disposing of, in whole or in part, any commodities or technical data exported or to be exported from the United States and subject to the Regulations; and (v) in financing, forwarding, transporting, or other servicing of such commodities or technical data.

B. After notice and opportunity for comment as provided in Section 788.3(c) of the Regulations, any person, firm, corporation, or business organization related to Teledyne Wah Chang by affiliation, ownership, control, or position of responsibility in the conduct of grade or related services may also be subject to the provisions of this Order.

C. As provided by Section 787.12(a) of the Regulations, without prior disclosure of the facts to and specific authorization of the Office of Exporter Services, in consultation with the Office of Export Enforcement, no person may directly or indirectly, in any manner or capacity: (i) apply for, obtain, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to an export or reexport of commodities or technical data by, to, or for another person then subject to an order revoking or denying his export privileges or then excluded from practice before the Bureau of Export Administration; or (ii) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate: (a) in any transaction which may involve any commodity or technical data exported or to be exported from the United States; (b) in any reexport thereof; or (c) in any

<sup>1</sup> The Act expired on August 20, 1994. Executive Order No. 12924 (59 Fed. Reg. 43437, August 23, 1994) continued the Regulations in effect under the International Emergency Economic Power Act (50 U.S.C.A. §§ 1701-1706 (1991)).