

## DEPARTMENT OF COMMERCE

## National Oceanic and Atmospheric Administration

[I.D. 042704B]

Submission for OMB Review;  
Comment Request

The Department of Commerce has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

*Agency:* National Oceanic and Atmospheric Administration (NOAA).

*Title:* Applications and Reporting Requirements for Incidental Taking of Marine Mammals by Specified Activities Under the Marine Mammal Protection Act.

*Form Number(s):* None.

*OMB Approval Number:* 0648-0151.

*Type of Request:* Regular submission.

*Burden Hours:* 12,376.

*Number of Respondents:* 56.

*Average Hours Per Response:* 229.

*Needs and Uses:* The taking by harassment, injury, or mortality of marine mammals is prohibited by the Marine Mammal Protection Act (MMPA) unless exempted or authorized by permit. The incidental take program authorizes the taking of marine mammals incidental to maritime activities (military, industry, scientific research). It is the responsibility of the activity to determine if it might have a "taking" and, if it does, to apply for an authorization. Applications are necessary in order for NOAA Fisheries

to know that an authorization is needed and to determine that the harassment, injury, or mortality can be authorized under the MMPA. The reporting requirements are mandated by the MMPA and are necessary to ensure that the determinations made by NOAA Fisheries in regard to the impact on marine mammals are valid. The public and other Federal, state and local agencies also review and comment on applications and reports.

*Affected Public:* Business or other for-profit organizations; not-for-profit institutions; Federal Government; State, Local or Tribal Government.

*Frequency:* On occasion.

*Respondent's Obligation:* Mandatory.

*OMB Desk Officer:* David Rostker, (202) 395-3897.

Copies of the above information collection proposal can be obtained by calling or writing Diana Hynek, Departmental Paperwork Clearance Officer, (202) 482-0266, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW, Washington, DC 20230 (or via e-mail at [dHynek@doc.gov](mailto:dHynek@doc.gov)).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to David Rostker, OMB Desk Officer, fax 202-395-7285, or e-mail [David\\_Rostker@omb.eop.gov](mailto:David_Rostker@omb.eop.gov).

Dated: April 23, 2004.

**Gwellnar Banks,**

*Management Analyst, Office of the Chief Information Officer.*

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## DEPARTMENT OF COMMERCE

## International Trade Administration

## Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review

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

**ACTION:** Notice of opportunity to request administrative review of antidumping or countervailing duty order, finding, or suspended investigation.

## Background

Each year during the anniversary month of the publication of an antidumping or countervailing duty order, finding, or suspension of investigation, an interested party, as defined in section 771(9) of the Tariff Act of 1930, as amended (the Act), may request, in accordance with section 351.213 (2002) of the Department of Commerce (the Department) Regulations, that the Department conduct an administrative review of that antidumping or countervailing duty order, finding, or suspended investigation.

*Opportunity to Request a Review:* Not later than the last day of May 2004, interested parties may request administrative review of the following orders, findings, or suspended investigations, with anniversary dates in May for the following periods:

	Period
<b>Antidumping Duty Proceeding</b>	
Argentina: Light-walled Rectangular Carbon Steel Pipe and Tubing A-357-802 .....	5/1/03-4/30/04
Belgium: Stainless Steel Plate in Coils, A-423-808 .....	5/1/03-4/30/04
Brazil:	
Iron Construction Castings, A-351-503 .....	5/1/03-4/30/04
Frozen Concentrated Orange Juice, A-351-605 .....	5/1/03-4/30/04
Canada:	
Softwood Lumber, A-122-838 .....	5/1/03-4/30/04
Stainless Steel Plate in Coils, A-122-830 .....	5/1/03-4/30/04
France: Antifriction Bearings, Ball and Spherical Plain, A-427-801 .....	5/1/03-4/30/04
Germany: Antifriction Bearings, Ball, A-428-801 .....	5/1/03-4/30/04
India: Silicomanganese, A-533-823 .....	5/1/03-4/30/04
Welded Carbon Steel Pipes and Tubes, A-533-502 .....	5/1/03-4/30/04
Indonesia: Extruded Rubber Thread, A-560-803 .....	5/1/03-4/30/04
Italy: Antifriction Bearings, Ball, A-475-801 .....	5/1/03-4/30/04
Stainless Steel Plate in Coils, A-475-822 .....	5/1/03-4/30/04
Japan: Antifriction Bearings, Ball, A-588-804 .....	5/1/03-4/30/04
Gray Portland Cement and Clinker, A-588-81 .....	5/1/03-4/30/04
Stainless Steel Angle, A-588-856 .....	5/1/03-4/30/04
Kazakhstan: Silicomanganese, A-834-807 .....	5/1/03-4/30/04
Republic of Korea:	
Malleable Cast Iron Pipe Fittings, A-580-507, Other than Grooved .....	5/1/03-4/30/04
Polyester Staple Fiber, A-580-812 .....	5/1/03-4/30/04
Stainless Steel Angle, A-580-846 .....	5/1/03-4/30/04
Stainless Steel Plate in Coils, A-580-831 .....	5/1/03-4/30/04
Singapore: Antifriction Bearings, Ball, A-559-801 .....	5/1/03-4/30/04

	Period
Spain: Stainless Steel Angle, A-469-810 .....	5/1/03-4/30/04
South Africa: Stainless Steel Plate in Coils, A-791-805 .....	5/1/03-4/30/04
Taiwan: .....	
Certain Circular Welded Carbon Steel Pipe & Tubes, A-583-008 .....	5/1/03-4/30/04
Polyester Staple Fiber, A-583-833 .....	5/1/03-4/30/04
Stainless Steel Plate in Coils, A-583-830 .....	5/1/03-4/30/04
The People's Republic of China: .....	
Iron Construction Castings, A-570-502 .....	5/1/03-4/30/04
Pure Magnesium, A-570-832 .....	5/1/03-4/30/04
The United Kingdom: Antifriction Bearings, Ball, A-412-801 .....	5/1/03-4/30/04
Turkey: Welded Carbon Steel Pipe and Tube, A-489-501 .....	5/1/03-4/30/04
Venezuela: Silicomanganese, A-307-820 .....	5/1/03-4/30/04
<b>Countervailing Duty Proceedings</b>	
Belgium: Stainless Steel Plate in Coils, C-423-809 .....	1/1/03-12/31/03
Brazil: Iron Construction Castings, C-351-504 .....	1/1/03-12/31/03
Canada: Softwood Lumber, C-122-839 .....	4/1/03-3/31/04
Italy: Stainless Steel Plate in Coils, C-475-823 .....	1/1/03-12/31/03
South Africa: Stainless Steel Plate in Coils, C-791-806 .....	1/1/03-12/31/03
<b>Suspension Agreements</b>	
None.	

In accordance with section 351.213(b) the regulations, an interested party as defined by section 771(9) of the Act may request in writing that the Secretary conduct an administrative review. For both antidumping and countervailing duty reviews, the interested party must specify the individual producers or exporters covered by an antidumping finding or an antidumping or countervailing duty order or suspension agreement for which it is requesting a review, and the requesting party must state why it desires the Secretary to review those particular producers or exporters. If the interested party intends for the Secretary to review sales of merchandise by an exporter (or a producer if that producer also exports merchandise from other suppliers) which were produced in more than one country of origin and each country of origin is subject to a separate order, then the interested party must state specifically, on an order-by-order basis, which exporter(s) the request is intended to cover.

As explained in *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 69 FR 23954 (May 6, 2003), the Department has clarified its practice with respect to the collection of final antidumping duties on imports of merchandise where intermediate firms are involved. The public should be aware of this clarification in determining whether to request an administrative review of merchandise subject to antidumping findings and orders. See also the Import Administration Web site at <http://www.ia.ita.doc.gov>.

Six copies of the request should be submitted to the Assistant Secretary for Import Administration, International Trade Administration, Room 1870, U.S.

Department of Commerce, 14th Street & Constitution Avenue, NW., Washington, DC 20230. The Department also asks parties to serve a copy of their requests to the Office of Antidumping/Countervailing Enforcement, Attention: Sheila Forbes, in room 3065 of the main Commerce Building. Further, in accordance with section 351.303(f)(1)(i) of the regulations, a copy of each request must be served on every party on the Department's service list.

The Department will publish in the **Federal Register** a notice of "Initiation of Administrative Review of Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation" for requests received by the last day of May 2004. If the Department does not receive, by the last day of May 2004, a request for review of entries covered by an order, finding, or suspended investigation listed in this notice and for the period identified above, the Department will instruct the Customs Service to assess antidumping or countervailing duties on those entries at a rate equal to the cash deposit of (or bond for) estimated antidumping or countervailing duties required on those entries at the time of entry, or withdrawal from warehouse, for consumption and to continue to collect the cash deposit previously ordered.

This notice is not required by statute but is published as a service to the international trading community.

Dated: April 28, 2004.

**Holly A. Kuga,**

*Acting Deputy Assistant Secretary, Group II for Import Administration.*

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BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Initiation of Five-Year ("Sunset") Reviews

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

**ACTION:** Notice of initiation of Five-Year ("Sunset") Reviews.

**SUMMARY:** In accordance with section 751(c) of the Tariff Act of 1930, as amended ("the Act"), the Department of Commerce ("the Department") is automatically initiating five-year ("sunset") reviews of the antidumping and countervailing duty orders and of the suspended investigations listed below. The International Trade Commission ("the Commission") is publishing concurrently with this notice its notice of *Institution of Five-Year Review*, which covers these same orders and suspended investigations.

**FOR FURTHER INFORMATION CONTACT:** Hilary Sadler, Esq., Office of Policy, Import Administration, International Trade Administration, U.S. Department of Commerce at (202) 482-4340, or Mary Messer, Office of Investigations, U.S. International Trade Commission at (202) 205-3193.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Department's procedures for the conduct of sunset reviews are set forth in 19 CFR 351.218. Guidance on methodological or analytical issues relevant to the Department's conduct of sunset reviews is set forth in the Department's Policy Bulletin 98.3—*Policies Regarding the Conduct of Five-*