

(Fed. Cir. 2005) (“*Eurodif II*”), which affirmed *Eurodif I*.

On January 5, 2006, the CIT remanded the case to the Department for action consistent with the decisions of the Federal Circuit in *Eurodif I* and *Eurodif II*. See *Eurodif S.A., Compagnie Generale Des Matieres Nucleaires, and Cogema Inc. et. al. v. United States*, Slip. Op. 06–3 (CIT, January 5, 2006). Specifically, the CIT directed the Department to revise its final determination and order in accordance with the decisions in *Eurodif I* and *Eurodif II*.

On March 2, 2006, the Department issued its final results of redetermination and recalculated the subsidy rate applicable to *Eurodif*, to comply with the decisions of *Eurodif I* and *Eurodif II*. See LEU Remand Redetermination. On May 18, 2006, the CIT sustained the Department’s redetermination in all respects and, thus, affirmed the Department’s revised analysis and calculations. See *Eurodif S.A., Compagnie Generale Des Matieres Nucleaires, and Cogema Inc. et. al. v. United States*, Slip. Op. 06–76 (CIT, May 18, 2006).

#### Suspension of Liquidation

The Federal Circuit, in *Timken*, held that the Department must publish notice of a decision of the CIT or the Federal Circuit, which is not “in harmony” with the Department’s final determination or results. Publication of this notice fulfills that obligation. The Federal Circuit also held that the Department must suspend liquidation of the subject merchandise until there is a “conclusive” decision in the case. Therefore, pursuant to *Timken*, the Department must continue to suspend liquidation pending the expiration of the period to appeal the CIT’s May 18, 2006, decision.

In the event that the CIT’s ruling is not appealed, the Department will publish an amended final results and liquidate relevant entries covering the subject merchandise.

Dated: May 31, 2006.

**David M. Spooner,**

*Assistant Secretary for Import Administration.*

[FR Doc. E6–8941 Filed 6–7–06; 8:45 am]

**BILLING CODE: 3510–DS–S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### ENVIRONMENTAL PROTECTION AGENCY

#### Coastal Nonpoint Pollution Control Program: Approval Decision on Minnesota Coastal Nonpoint Pollution Control Program

**AGENCY:** National Oceanic and Atmospheric Administration, U.S. Department of Commerce, and the U.S. Environmental Protection Agency.

**ACTION:** Notice of Intent to Approve the Minnesota Coastal Nonpoint Program.

**SUMMARY:** Notice is hereby given of the intent to fully approve the Minnesota Coastal Nonpoint Pollution Control Program (coastal nonpoint program) and of the availability of the draft Approval Decisions on conditions for the Minnesota coastal nonpoint program. Section 6217 of the Coastal Zone Act Reauthorization Amendments (CZARA), 16 U.S.C. 1455b, requires States and Territories with coastal zone management programs that have received approval under section 306 of the Coastal Zone Management Act to develop and implement coastal nonpoint programs. Coastal States and Territories were required to submit their coastal nonpoint programs to the National Oceanic and Atmospheric Administration (NOAA) and the U.S. Environmental Protection Agency (EPA) for approval in July 1995. NOAA and EPA conditionally approved the Minnesota coastal nonpoint program on June 23, 2003. NOAA and EPA have drafted approval decisions describing how Minnesota has satisfied the conditions placed on its program and therefore has a fully approved coastal nonpoint program.

NOAA and EPA are making the draft decisions for the Minnesota coastal nonpoint program available for a 30-day public comment period. If comments are received, NOAA and EPA will consider whether such comments are significant enough to affect the decision to fully approve the program.

Copies of the draft Approval Decisions can be found on NOAA Web site at <http://coastalmanagement.noaa.gov/czm/6217/findings.html> or may be obtained upon request from: Helen Bass, Coastal Programs Division (N/ORM3), Office of Ocean and Coastal Resource Management, NOS, NOAA, 1305 East-West Highway, Silver Spring, Maryland, 20910, phone (301) 713–3155, x175, e-mail [Helen.Bass@noaa.gov](mailto:Helen.Bass@noaa.gov)

**DATES:** Individuals or organizations wishing to submit comments on the draft Approval Decisions should do so by July 10, 2006.

**ADDRESSES:** Comments should be made to: John King, Chief, Coastal Programs Division (N/ORM3), Office of Ocean and Coastal Resource Management, NOS, NOAA, 1305 East-West Highway, Silver Spring, Maryland 20910, phone (301) 713–3155, x188, e-mail [John.King@noaa.gov](mailto:John.King@noaa.gov).

**FOR FURTHER INFORMATION CONTACT:** John Kuriawa, Coastal Programs Division, (N/ORM3), Office of Ocean and Coastal Resource Management, NOS, NOAA, 1305 East-West Highway, Silver Spring, Maryland, 20910, phone (301) 713–3155, x202, e-mail [John.Kuriawa@noaa.gov](mailto:John.Kuriawa@noaa.gov). (Federal Domestic Assistance Catalog 11.419 Coastal Zone Management Program Administration)

Dated: June 1, 2006.

**John H. Dunnigan,**

*Assistant Administrator for Ocean Services and Coastal Zone Management, National Oceanic and Atmospheric Administration.*

**Benjamin H. Grumbles,**

*Assistant Administrator, Office of Water, Environmental Protection Agency.*

[FR Doc. 06–5197 Filed 6–7–06; 8:45 am]

**BILLING CODE 3510–08–M**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 060106A]

#### Marine Mammals; File No. 116–1843

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice; receipt of application.

**SUMMARY:** Notice is hereby given that Sea World, Inc., 7007 Sea World Drive, Orlando, Florida 32821, has applied in due form for a permit to import three beluga whales (*Delphinapterus leucas*) for the purposes of public display.

**DATES:** Written or telefaxed comments must be received on or before July 10, 2006.

**ADDRESSES:** The application and related documents are available for review upon written request or by appointment in the following offices:

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 713–2289; fax (301) 427–2521; and

Southeast Region, NMFS, 263 13th Avenue South, Saint Petersburg, Florida 33701; phone (727) 824-5312; fax (727) 824-5309.

Written comments or requests for a public hearing on this application should be mailed to the Chief, Permits, Conservation and Education Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate.

Comments may also be submitted by facsimile at (301)427-2521, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period.

Comments may also be submitted by e-mail. The mailbox address for providing e-mail comments is *NMFS.Pr1Comments@noaa.gov*. Include in the subject line of the e-mail comment the following document identifier: File No. 116-1843.

**FOR FURTHER INFORMATION CONTACT:**

Jennifer Skidmore or Kate Swails, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), and the regulations governing the taking and importing of marine mammals (50 CFR part 216).

The applicant requests authorization to import three male, adult beluga whale (*Delphinapterus leucas*) from the Marineland of Canada in Ontario, Canada to Sea World of Florida in Orlando, Florida. The applicant requests this import for the purpose of public display. The receiving facility, Sea World of Florida, 7007 Sea World Drive, Orlando, Florida 32821 is: (1) open to the public on regularly scheduled basis with access that is not limited or restricted other than by charging for an admission fee; (2) offers an educational program based on professionally accepted standards of the AZA and the Alliance for Marine Mammal Parks and Aquariums; and (3) holds an Exhibitor's License, number 58-C-0077, issued by the U.S. Department of Agriculture under the Animal Welfare Act (7 U.S.C. 2131 - 59).

In addition to determining whether the applicant meets the three public display criteria, NMFS must determine whether the applicant has demonstrated that the proposed activity is humane and does not represent any unnecessary risks to the health and welfare of marine mammals; that the proposed activity by

itself, or in combination with other activities, will not likely have a significant adverse impact on the species or stock; and that the applicant's expertise, facilities and resources are adequate to accomplish successfully the objectives and activities stated in the application.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: June 2, 2006.

**P. Michael Payne,**

*Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. E6-8959 Filed 6-7-06; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Telecommunications and Information Administration

[Docket No. 060602142-6142-01]

#### The President's Spectrum Policy Initiative Spectrum Sharing Innovation Test-Bed

**AGENCY:** National Telecommunications and Information Administration, U.S. Department of Commerce

**ACTION:** Notice of Inquiry.

**SUMMARY:** The reports developed by the U.S. Department of Commerce in response to the President's Spectrum Policy Initiative included a recommendation that the National Telecommunications and Information Administration (NTIA) and the Federal Communications Commission (FCC) develop a plan to increase sharing of spectrum between Federal and non-Federal users which includes evaluation of technologies that are proposed to enhance sharing.<sup>1</sup> This Notice seeks

<sup>1</sup> *Spectrum Policy for the 21st Century -- The President's Spectrum Policy Initiative: Report 1 Recommendations of the Federal Government Spectrum Task Force and Spectrum Policy for the 21st Century -- The President's Spectrum Policy Initiative: Report 2 Recommendations From State and Local Governments and Private Sector Responders*, National Telecommunications and Information Administration, U.S. Department of Commerce (June 2004), available at <http://www.ntia.doc.gov/reports/>.

public comment to address the implementation of the Spectrum Sharing Innovation Test-Bed (Test-Bed) where Federal and non-Federal users can study the feasibility of increasing the efficient use of the spectrum.

**DATES:** Written comments and papers in response to this Notice are requested to be submitted on or before July 10, 2006.

**ADDRESSES:** Submit an original and two copies of written comments to the Office of the Chief Counsel, National Telecommunications and Information Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Room 4713, Attention: Spectrum Sharing Innovation Test-Bed Notice, Washington, DC 20230. Paper submissions should include a three and one-half inch computer diskette in HTML, ASCII, Word, or WordPerfect format (please specify version). Diskettes should be labeled with the name and organizational affiliation of the filer, and the name of the word processing program used to create the document. Alternatively, comments and papers may be submitted electronically to [testbed@ntia.doc.gov](mailto:testbed@ntia.doc.gov). Comments submitted via electronic mail also should be submitted in one or more of the formats specified above. Comments submitted in response to this Notice will be posted on NTIA's Web site.

**FOR FURTHER INFORMATION CONTACT:** For questions about this Notice, contact: Edward Drocella, National Telecommunications and Information Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Room 6725, Washington, DC 20230, (202) 482-2608, or [edrocella@ntia.doc.gov](mailto:edrocella@ntia.doc.gov).

#### SUPPLEMENTARY INFORMATION:

##### *I. Background*

In May 2003, President Bush established the Spectrum Policy Initiative to promote the development and implementation of a United States spectrum policy for the 21st century. In response to the Spectrum Policy Initiative, the Secretary of Commerce established a Federal Government Spectrum Task Force and initiated a series of public meetings to address policies affecting spectrum use by the Federal, state, and local governments, and the private sector. The recommendations resulting from these activities were included in two reports released by the Secretary of Commerce in June 2004 (Commerce Reports). Based on the recommendations contained in these reports, the President directed the federal agencies on November 30, 2004, to plan the implementation of the