

program for Products, including without limitation establishing, staffing, and operating a laboratory to conduct quality testing, promulgating quality standards or grades, inspecting Products samples, and publishing guidelines for and reports of the results of laboratory testing.

10. Applicant may conduct meetings of its Members, including meetings via telephone and other modes of communication as they decide appropriate, to engage in the activities described in paragraphs one through nine, above.

### Definitions

"Supplier" means a person who produces, provides, or sells Products or Export Trade Facilitation Services.

"Export Intermediary" means a person who acts as a distributor, representative, sales or marketing agent, or broker, or who performs similar functions, including providing or arranging for the provision of Export Trade Facilitation Services.

"Export Trade Facilitation Services" are activities that assist the progress of exporting, such as professional services in the areas of government relations and assistance with state and federal programs; foreign trade and business protocol; consulting; market research and analysis; collection of information on trade opportunities; marketing; negotiations; joint ventures; shipping; export management; export licensing; advertising; documentation and services related to compliance with customs requirements; insurance and financing; trade show exhibitions; organizational development; management and labor strategies; transfer of technology; transportation services; and facilitating the formation of shippers' associations.

### Members (Within the Meaning of 325.2(1) of the Regulations)

#### Suppliers of Products

The Amalgamated Sugar Company, LLC, 3184 Elder Street, Boise, ID 83705, Tel: (208)383-6500, Fax: (208)383-6688.

American Crystal Sugar Company, 101 North Third Street, Moorhead, MN 56560, Tel: 218-236-4400, Fax: 218-236-4422.

American Sugar Holdings, Inc. and American Sugar Refining, Inc. (a subsidiary of American Sugar Holdings, Inc.), 1 Federal Street, Yonkers, NY 10705, Tel: 914-963-2400, Fax: 914-476-4072.

Imperial Sugar Company, One Imperial Square, 8016 Highway 90-A, Sugar Land, TX 77478, Tel: 281-491-9181.

Michigan Sugar Company, 2600 South Euclid Avenue, Bay City, MI 48706, Tel: 989-686-0161, Fax: 989-686-3269.

Minn-Dak Farmers Cooperative, 7525 Red River Road, Wahpeton, ND 58075, Tel: 701-642-8411, Fax: 701-671-1369.

Sidney Sugars Incorporated, 101 North Third Street, Moorhead, MN 56560, Tel: 218-236-4400, Fax: 218-236-4422.

Southern Minnesota Beet Sugar Cooperative, P.O. Box 500, Renville, MN 56284, Tel: 320-329-8305, Fax: 320-329-3252.

Spreckels Sugar Company, Inc., P.O. Box 500, Renville, MN 56284, Tel: 320-329-8305, Fax: 320-329-3252.

United States Sugar Corporation, 111 Ponce de Leon Avenue, Clewiston, FL 33440, Tel: 863-983-8121, Fax: 863-983-9827.

Western Sugar Cooperative, 7555 East Hampden Avenue, Suite 600, Denver, CO 80231, Tel: 303-813-3500, Fax: 303-832-4084.

#### Export Intermediaries For Products

Domino Foods, Inc., 1 Federal Street, Yonkers, NY 10705-1079, Tel: 914-709-8053.

United Sugars Corporation, 7401 Metro Blvd., Suite 350, Edina, MN 55439, Tel: 952-896-0131, Fax: 952-896-0400.

ASEC has proposed that the following Terms and Conditions govern its proposed Export Trade Activities and Methods of Operation:

#### Terms and Conditions of Certificate

1. In engaging in Export Trade Activities and Methods of Operations, except as provided in paragraph 7, above, neither ASEC nor its Members shall intentionally disclose, directly or indirectly, to each other or any other Supplier of Product any information about its or any Supplier's costs, production, capacity, inventories, domestic prices, domestic sales, domestic orders, terms of domestic marketing or sale, or U.S. business plans, strategies or methods, unless: (1) Such information is already generally available to the trade or public; or (2) such disclosure is a material part of the negotiations for an actual or potential bona fide sale or purchase of Product and the disclosure is limited to that prospective purchaser or seller.

2. Participation by a Member in any Export Trade Activity or Method of Operation under the Certificate shall be entirely voluntary to that Member, subject to the provisions of paragraph 8, above, and subject to the honoring of contractual commitments for sales of Product in specific export transactions. A Member may withdraw from coverage

under the Certificate at any time by giving written notice to ASEC, a copy of which ASEC shall promptly transmit to the Secretary of Commerce and the Attorney General.

3. ASEC and its Members will comply with requests made by the Secretary of Commerce on behalf of the Secretary or the Attorney General for information or documents relevant to conduct under the certificate. The Secretary of Commerce will request such information or documents when either the Attorney General or the Secretary of Commerce believes that the information or documents are required to determine that the Export Trade, Export Trade Activities, or Methods of Operation of a person protected by this certificate of review continues to comply with the standards of Section 303(a) of the Act.

Dated: June 6, 2008.

**Jeffrey Anspercher,**

*Director, Export Trading Company Affairs.*

[FR Doc. E8-13200 Filed 6-11-08; 8:45 am]

BILLING CODE 3510-DR-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-549-817]

#### Certain Hot-Rolled Carbon Steel Flat Products From Thailand: Final Results of Antidumping Duty Administrative Review and Partial Rescission of Antidumping Duty Administrative Review

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

**SUMMARY:** The Department of Commerce (the Department) has conducted an administrative review of the antidumping duty order on certain hot-rolled carbon steel flat products from Thailand produced and/or exported by G Steel Public Company Limited (G Steel). The period of review (POR) is November 1, 2005 through October 31, 2006. Based on our analysis of comments received, we have made certain adjustments and clerical error corrections for these final results which change the margin. This administrative review also covers Nakornthai Strip Mill Public Co., Ltd. (NSM), an exporter that did not have any U.S. sales or shipments during the POR, and for which the Department is rescinding this review. The final results are listed below in the "Final Results of Review" section.

**EFFECTIVE DATE:** June 12, 2008.

**FOR FURTHER INFORMATION CONTACT:** Dena Crossland or Stephen Bailey,

Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave., NW., Washington, DC 20230; telephone: (202) 482-3362 and (202) 482-0193, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On December 7, 2007, the Department published the preliminary results and partial rescission of its administrative review of the antidumping duty order on certain hot-rolled carbon steel flat products (hot-rolled steel) from Thailand. *See Certain Hot-Rolled Carbon Steel Flat Products From Thailand: Preliminary Results of Antidumping Duty Administrative Review and Partial Rescission*, 72 FR 69187 (December 7, 2007) (*Preliminary Results*).

We invited parties to comment on our *Preliminary Results*. We received case briefs from respondent G Steel and a domestic interested party, Nucor Corporation (Nucor), on January 7, 2008. Additionally, on January 7, 2008, NSM submitted a letter to the Department, in which it stated that it supported the Department's preliminary determination to rescind the review with respect to NSM because it did not have any entries, exports, or sales of subject merchandise to the United States during the POR. We received rebuttal briefs from G Steel, Nucor, and United States Steel Corporation (petitioner) on January 11, 2008. Since no party requested a hearing, no public hearing was held.

##### Final Partial Rescission

In our *Preliminary Results*, we preliminarily rescinded the review with respect to NSM because it had no entries of hot-rolled steel from Thailand during the POR. *See Preliminary Results*. We have received no new information contradicting this decision. Therefore, we are rescinding the administrative review with respect to NSM.

##### Scope of the Antidumping Duty Order

The products covered by this antidumping duty order are certain hot-rolled carbon steel flat products of a rectangular shape, of a width of 0.5 inch or greater, neither clad, plated, nor coated with metal and whether or not painted, varnished, or coated with plastics or other non-metallic substances, in coils (whether or not in successively superimposed layers), regardless of thickness, and in straight lengths, of a thickness of less than 4.75 mm and of a width measuring at least 10 times the thickness. Universal mill

plate (*i.e.*, flat-rolled products rolled on four faces or in a closed box pass, of a width exceeding 150 mm, but not exceeding 1250 mm, and of a thickness of not less than 4.0 mm, not in coils and without patterns in relief) of a thickness not less than 4.0 mm is not included within the scope of this order.

Specifically included within the scope of this order are vacuum degassed, fully stabilized (commonly referred to as interstitial-free (IF)) steels, high strength low alloy (HSLA) steels, and the substrate for motor lamination steels. IF steels are recognized as low carbon steels with micro-alloying levels of elements such as titanium or niobium (also commonly referred to as columbium), or both, added to stabilize carbon and nitrogen elements. HSLA steels are recognized as steels with micro-alloying levels of elements such as chromium, copper, niobium, vanadium, and molybdenum. The substrate for motor lamination steels contains micro-alloying levels of elements such as silicon and aluminum.

Steel products to be included in the scope of this order, regardless of definitions in the Harmonized Tariff Schedule of the United States (HTSUS), are products in which: (i) Iron predominates, by weight, over each of the other contained elements; (ii) the carbon content is 2 percent or less, by weight; and (iii) none of the elements listed below exceeds the quantity, by weight, respectively indicated:

1.80 percent of manganese, or  
2.25 percent of silicon, or  
1.00 percent of copper, or  
0.50 percent of aluminum, or  
1.25 percent of chromium, or  
0.30 percent of cobalt, or  
0.40 percent of lead, or  
1.25 percent of nickel, or  
0.30 percent of tungsten, or  
0.10 percent of molybdenum, or  
0.10 percent of niobium, or  
0.15 percent of vanadium, or  
0.15 percent of zirconium.

All products that meet the physical and chemical description provided above are within the scope of this order unless otherwise excluded. The following products, by way of example, are outside or specifically excluded from the scope of this order:

- Alloy hot-rolled steel products in which at least one of the chemical elements exceeds those listed above (including, *e.g.*, American Society for Testing and Materials (ASTM) specifications A543, A387, A514, A517, A506).
- Society of Automotive Engineers (SAE)/American Iron & Steel Institute (AISI) grades of series 2300 and higher.

- Ball bearing steels, as defined in the HTSUS.

- Tool steels, as defined in the HTSUS.

- Silico-manganese (as defined in the HTSUS) or silicon electrical steel with a silicon level exceeding 2.25 percent.

- ASTM specifications A710 and A736.

- USS abrasion-resistant steels (USS AR 400, USS AR 500).

- All products (proprietary or otherwise) based on an alloy ASTM specification (sample specifications: ASTM A506, A507).

- Non-rectangular shapes, not in coils, which are the result of having been processed by cutting or stamping and which have assumed the character of articles or products classified outside chapter 72 of the HTSUS.

The merchandise subject to this order is classified in the HTSUS at subheadings: 7208.10.15.00, 7208.10.30.00, 7208.10.60.00, 7208.25.30.00, 7208.25.60.00, 7208.26.00.30, 7208.26.00.60, 7208.27.00.30, 7208.27.00.60, 7208.36.00.30, 7208.36.00.60, 7208.37.00.30, 7208.37.00.60, 7208.38.00.15, 7208.38.00.30, 7208.38.00.90, 7208.39.00.15, 7208.39.00.30, 7208.39.00.90, 7208.40.60.30, 7208.40.60.60, 7208.53.00.00, 7208.54.00.00, 7208.90.00.00, 7211.14.00.90, 7211.19.15.00, 7211.19.20.00, 7211.19.30.00, 7211.19.45.00, 7211.19.60.00, 7211.19.75.30, 7211.19.75.60, and 7211.19.75.90. Certain hot-rolled carbon steel flat products covered by this order, including: vacuum degassed fully stabilized; high strength low alloy; and the substrate for motor lamination steel may also enter under the following tariff numbers: 7225.11.00.00, 7225.19.00.00, 7225.30.30.50, 7225.30.70.00, 7225.40.70.00, 7225.99.00.90, 7226.11.10.00, 7226.11.90.30, 7226.11.90.60, 7226.19.10.00, 7226.19.90.00, 7226.91.50.00, 7226.91.70.00, 7226.91.80.00, and 7226.99.00.00. Subject merchandise may also enter under 7210.70.30.00, 7210.90.90.00, 7211.14.00.30, 7212.40.10.00, 7212.40.50.00, and 7212.50.00.00. Although the HTSUS subheadings are provided for convenience and CBP purposes, the written description of the merchandise is dispositive.

##### Analysis of Comments Received

The Department received case and rebuttal briefs from Nucor and G Steel. Additionally, the Department received a rebuttal brief from petitioner. All case and rebuttal briefs for the final results

are addressed in the "Issues and Decision Memorandum for the Final Results of Antidumping Duty Administrative Review and Partial Rescission of Antidumping Duty Administrative Review: Certain Hot-Rolled Carbon Steel Flat Products from Thailand" from Stephen J. Claeys, Deputy Assistant Secretary, Import Administration, to David M. Spooner, Assistant Secretary, Import Administration, dated June 4, 2008 (Decision Memo), which is hereby adopted by this notice. Additionally, certain issues that contain proprietary information and arguments are addressed in the memorandum "Analysis Memorandum for the Final Results of Administrative Review of Certain Hot-Rolled Carbon Steel Flat Products from Thailand: G Steel Public Company Limited" from Dena Crossland, Analyst, to The File, through Angelica L. Mendoza, Program Manager, AD/CVD Operations, Office 7, dated June 4, 2008 (Final Analysis Memo), which is also hereby adopted by this notice.

Attached to this notice as an appendix is a list of the issues that Nucor and G Steel have raised and to which we have responded in the Decision Memo. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendations in the Decision Memo, which is on file in the Department's Central Records Unit, located at 14th Street and Constitution Avenue, NW., Room 1117. In addition, a complete version of the Decision Memo can be accessed directly on the Import Administration Web site at <http://ia.ita.doc.gov/> under the heading **Federal Register** Notices. The paper copy and electronic version of the Decision Memo are identical in content.

### Changes Since the Preliminary Results

Based on our analysis of comments received, we made the following changes from the *Preliminary Results*:

(1) We revised our adverse facts available methodology by relying on G Steel's sales to unaffiliated customers and the sales from G Steel's resellers to end-users in the margin calculation, and excluding G Steel's sales to its affiliated resellers from the margin calculation. Therefore, we have not utilized the arm's-length test;

(2) We revised our adverse facts available methodology for purposes of the cost test by comparing the home market sales to unaffiliated customers to the CONNUM with the highest cost;

(3) We used home market net quantity, rather than home market gross quantity, in our analysis;

(4) We made adjustments for quantity and indirect selling expenses in G Steel's reseller databases; and

(5) We disregarded from our analysis G Steel's purchases of hot-rolled steel products from a certain supplier.

### Final Results of Review

We determine that the following dumping margin exists for the period November 1, 2005, through October 31, 2006:

| Manufacturer/exporter          | Margin (percent) |
|--------------------------------|------------------|
| G Steel Public Company Limited | 6.40             |

### Assessment Rates

The Department will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries, pursuant to section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.212(b). The Department calculated importer-specific duty assessment rates on the basis of the ratio of the total amount of antidumping duties calculated for the examined sales to the total entered value of the examined sales for that importer.

The Department clarified its "automatic assessment" regulation on May 6, 2003 (68 FR 23954). This clarification will apply to entries of subject merchandise during the period of review produced by companies included in these final results of review for which the reviewed companies did not know their merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction. For a full discussion of this clarification, see *Notice of Policy Concerning Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003). Antidumping duties for the rescinded company NSM, shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). The Department intends to issue assessment instructions to CBP 15 days after the date of publication of these final results of review.

### Cash Deposit Requirements

The following deposit requirements will be effective upon publication of this notice of final results of administrative review for all shipments of hot-rolled steel from Thailand entered, or withdrawn from warehouse,

for consumption on or after the date of publication, as provided by section 751(a)(1) of the Act: (1) The cash deposit rates for the reviewed companies will be the rates indicated above; (2) for previously investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, or in the less-than-fair-value (LTFV) investigation, but the manufacturer is, then the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 3.86 percent, the all-others rate established in the LTFV investigation (66 FR 49622; September 28, 2001). These deposit requirements shall remain in effect until further notice.

### Notification of Interested Parties

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective orders (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation, which is subject to sanction.

We are issuing and publishing these final results and notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: June 4, 2008.

**David M. Spooner,**  
Assistant Secretary for Import  
Administration.

### Appendix

*List of Comments and Issues in the Decision Memorandum*

Comment 1: Use of Adverse Facts Available.  
Comment 2: Affiliation.

Comment 3: Reseller Databases.  
 Comment 4: Clerical Errors.  
 Comment 5: Liquidation Instructions.

[FR Doc. E8-13267 Filed 6-11-08; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Availability of Seats for the Cordell Bank National Marine Sanctuary Advisory Council

**AGENCY:** National Marine Sanctuary Program (NMSP), National Ocean Service (NOS), National Oceanic and Atmospheric Administration, Department of Commerce (DOC).

**ACTION:** Notice and request for applications.

**SUMMARY:** The Cordell Bank National Marine Sanctuary (CBNMS or Sanctuary) is seeking applicants for the following vacant seats on its Sanctuary Advisory Council (Council): Education Primary. Applicants are chosen based upon their particular expertise and experience in relation to the seat for which they are applying; community and professional affiliations; philosophy regarding the protection and management of marine resources; and possibly the length of residence in the area affected by the Sanctuary. Applicants who are chosen as members should expect to serve 2-3 year terms, pursuant to the Council's Charter.

**DATES:** Applications are due by July 31st, 2008.

**ADDRESSES:** Application kits may be obtained on the Cordell Bank Web site at: <http://cordellbank.noaa.gov>, and from Cordell Bank National Marine Sanctuary, Rowena Forest, P.O. Box 159, Olema, CA 94950. Completed applications should be sent to the above mailing address or faxed to (415) 663-0315.

**FOR FURTHER INFORMATION CONTACT:** Rowena Forest/CBNMS, [Rowena.Forest@noaa.gov](mailto:Rowena.Forest@noaa.gov), P.O. Box 159, Olema, CA 94950, (415) 663-0314 x105.

**SUPPLEMENTARY INFORMATION:** The Advisory Council for Cordell Bank was established in 2002 to support the joint management plan review process currently underway for the CBNMS and its neighboring sanctuaries, Gulf of the Farallones and Monterey Bay National Marine Sanctuaries. The Council has members representing education, research, conservation, maritime activity, and community-at-large. The government seats are held by representatives from the National

Marine Fisheries Service, the United States Coast Guard, and the managers of the Gulf of the Farallones, Monterey Bay and Channel Islands National Marine Sanctuaries. The Council holds four regular meetings per year, and one annual retreat.

**Authority:** 16 U.S.C. Sections 1431, *et seq.* (Federal Domestic Assistance Catalog Number 11.429 Marine Sanctuary Program)

Dated May 30, 2008.

**Daniel J. Basta,**

*Director, National Marine Sanctuary Program, National Ocean Services, National Oceanic and Atmospheric Administration.*

[FR Doc. E8-12915 Filed 6-11-08; 8:45 am]

BILLING CODE 3510-NK-M

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XI33

#### Marine Mammals; File No. 13428

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

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

**SUMMARY:** Notice is hereby given that Niladri Basu, Ph.D., Department of Environmental Health Sciences, University of Michigan, 109 South Observatory Road, Ann Arbor, MI 48109-2029, has applied in due form for a permit to import tissues from baikal seals (*Phoca sibirica*) from Japan for the purpose of scientific research.

**DATES:** Written, telefaxed, or e-mail comments must be received on or before July 14, 2008.

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

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 Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930-2298; phone (978)281-9300; fax (978)281-9394.

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](mailto:NMFS.Pr1Comments@noaa.gov). Include in the subject line of the e-mail comment the following document identifier: File No. 13428.

#### 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 (MMPA; 16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216).

The applicant is requesting authorization to import 40 brain tissues from baikal seals. These samples were collected in 2005 under a joint agreement between the East-Siberian Research and Production Fisheries Center (Russia) and the Center for Marine Environmental Studies (Japan). The purpose of this study is to determine: (1) the types and amounts of heavy metals that baikal seals accumulate in specific brain regions; and (2) whether these exposures are a neurotoxicological concern by using novel biomarker technologies. A permit is requested for the duration of one year.

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 6, 2008.

**P. Michael Payne,**

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

[FR Doc. E8-13246 Filed 6-11-08; 8:45 am]

BILLING CODE 3510-22-S