

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 review unless otherwise excluded. The following products, by way of example, are outside or specifically excluded from the scope of this review:

- 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 review 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 review, 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 under review is dispositive.

Background

On November 26, 2003, Nucor, and on November 28, 2003, U.S. Steel (Petitioners) requested an administrative review of the antidumping duty order on certain hot-rolled carbon steel flat products from Thailand. On December 24, 2003, the Department published in the **Federal Register** (68 FR 74550-02) Notice of Initiation of Antidumping and Countervailing Duty Administrative Review. On March 19, 2003, both Nucor and U.S. Steel withdrew their requests for review. The applicable regulation, 19 CFR 351.213(d)(1), states that if a party that requested an administrative review withdraws the request within 90 days of the publication of the notice of initiation of the requested review, the Secretary will rescind the review. Given that Nucor and U.S. Steel were the only parties to request the administrative review, and their withdrawal requests are timely, we are rescinding this review of the antidumping duty order on certain hot-rolled carbon steel flat products from Thailand covering the period November 1, 2002 to October 31, 2003.

This notice is issued and published in accordance with section 777(i) of the Act and 19 CFR 351.213(d)(4).

Dated: March 31, 2004.

Jeffery A. May,

Acting Assistant Secretary for Import Administration.

[FR Doc. 04-7874 Filed 4-6-04; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 012304B]

Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish of the Gulf of Alaska; Exempted Fishing Permit

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

ACTION: Issuance of an Exempted Fishing Permit (EFP).

SUMMARY: NMFS announces the issuance of EFP 04-01 to the Alaska Fisheries Development Foundation (applicant). The EFP authorizes the applicant to develop and test hook-and-line gear for rockfish harvest in the Southeast Outside District (SEO) of the Gulf of Alaska (GOA) that historically had been harvested with trawl gear. This EFP is necessary to provide information not otherwise available through research or commercial fishing operations. The intended effect of this action is to promote the purposes and policies of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

ADDRESSES: Copies of the EFP and the Environmental Assessment (EA) prepared for the EFP are available from Lori J. Durall, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802.

FOR FURTHER INFORMATION CONTACT: Melanie Brown, 907-586-7228 or melanie.brown@noaa.gov.

SUPPLEMENTARY INFORMATION: The Fishery Management Plan for Groundfish of the Gulf of Alaska authorizes the issuance of EFPs to fish for groundfish in a manner that would otherwise be prohibited under existing regulations. The procedures for issuing EFPs are set out at 50 CFR 679.6.

On February 5, 2004, NMFS announced in the **Federal Register** the receipt of an application for an EFP (69 FR 5509). The applicant requested authorization to develop and test hook-and-line gear for rockfish harvest in the SEO of the GOA. Pacific ocean perch, pelagic shelf rockfish, and other slope rockfish historically have been

harvested in this area by trawl gear. Trawling in the SEO has been prohibited since March 23, 1998 (63 FR 8356, February 19, 1998). This EFP will provide information not otherwise available through research or commercial fishing operations because it is not economically feasible for vessels to participate in an experiment of this extent and rigor during the commercial fisheries. The goal of this project is to improve the utilization of rockfish species in the SEO in ways that are consistent with Magnuson-Stevens Act national standard 1, which directs that conservation and management measures must achieve optimum yield from each fishery, and national standard 5, which seeks to promote efficiency in the utilization of fishery resources.

The Regional Administrator has approved the EFP application and has issued EFP 04-01 to the applicant. Details of the project are in the environmental assessment prepared for this action (see **ADDRESSES**). The project has two phases: (1) development of two hook-and-line gear types that can be effectively handled on typical Southeast Alaska fishing vessels and that successfully target rockfish species, and (2) comparative testing of the gear types developed in Phase I in terms of catch of target rockfish species per unit of effort and incidental catch of nontarget species. Because this project is in two phases, the applicant is permitted to conduct Phase I activities only, with permitting for Phase II contingent on the final report from Phase I and the Alaska Fisheries Science Center's approval of the experimental design for Phase II. The time period of the project is April 15, 2004, through April 15, 2005, with the possibility to extend the permit up to 12 months in case unforeseen events delay completion of the project.

The EFP is necessary to allow the applicant to develop and test hook-and-line gear for rockfish in the SEO with certain exemptions from fishery closures, prohibited species catch (PSC) limits, and fish retention and discard requirements. The exemptions are necessary to allow the permit holder to efficiently conduct the testing and to reduce potential impacts on other hook-and-line fisheries. The EFP provides exemptions from: (1) hook-and-line fishery closures under 50 CFR 679.7(a)(2) due to reasons other than overfishing concerns, (2) individual fishing quota retention requirements under 50 CFR 679.7(f)(11), (3) PSC limits for halibut under the GOA annual harvest specifications (69 FR 9261, February 27, 2004) and 50 CFR 679.21(d)(4)(iii)(C), and (4) maximum retainable amounts for rockfish fisheries

under 50 CFR 679.20(e). The total amount of groundfish allowed to be harvested is 179 metric tons (mt), including a 10 mt limit on sablefish. Because sufficient total allowable catch (TAC) amounts are available in the SEO for the rockfish species likely to be taken during the project, all groundfish, except sablefish, will be deducted from the annual TAC amounts specified in the annual harvest specifications (69 FR 9261, February 27, 2004). Hook-and-line sablefish is fully allocated and managed under the individual fishing quota (IFQ) program pursuant to 50 CFR 679.40, therefore, no sablefish may be retained during the project nor counted against the annual sablefish TAC. Halibut mortality is limited to 2 mt.

Fishing contrary to notification of inseason actions, closures, or adjustments under 50 CFR 679.20, 679.21, and 679.25 is prohibited by 50 CFR 679.7(a)(2). The applicant is exempt from this prohibition to allow the project to proceed without interruption. The PSC limit for halibut may be reached during the project time period, requiring the closure of the hook-and-line fisheries in accordance with 50 CFR 679.25. Because the amounts of halibut bycatch in the hook-and-line Pacific cod fishery has caused the closure of all hook-and-line fisheries (except demersal shelf rockfish) GOA-wide in the spring of 1999, 2000, and 2001, and in the fall of 2003, the closure of the hook-and-line fisheries in the GOA is likely. The halibut mortality during the project will not be counted against the PSC limit so that other hook-and-line fisheries will not be impacted by the project.

The EFP allows the retention and sale of all groundfish species (except sablefish) taken while fishing under the EFP to offset some of the costs of the project. The applicant is exempt from the maximum retainable amounts specified in Table 10 of 50 CFR part 679 for rockfish fisheries. Because demersal shelf rockfish (DSR) are managed by the State of Alaska, which has special provisions for the retention and sale of DSR, the EFP will not relieve the applicant from compliance with the State's DSR regulations at 5 AAC 28.171. These regulations require full retention of DSR but limit the numbers of DSR that may be sold for revenue to the harvester.

Because the applicant is required to discard all halibut and sablefish, the permit exempts the applicant from the retention requirement of 50 CFR 679.7(f)(11). Under this regulation, all halibut and sablefish are required to be retained if a person on the vessel has IFQ available for halibut or sablefish for

that class of vessel. Recruiting qualified individuals for the project would be difficult if the IFQ retention requirement was applied because the project does not provide an efficient use of IFQ. Because qualified participants are likely to be IFQ holders who would not want to use their IFQ during the project, the applicant is exempted from the retention requirements. All halibut and sablefish caught will be returned to the sea with minimal injury.

The applicant expects to harvest the following amounts of groundfish species during the project: 50 mt each of Pacific ocean perch, other slope rockfish, and pelagic shelf rockfish; 15 mt of rougheye/shortraker rockfish; 2 mt each of thornyhead rockfish and DSR; 10 mt of sablefish and 2 mt of halibut mortality. These levels of harvest and manner of harvest are determined to not have a significant impact on the human environment, as described in the EA (see **ADDRESSES**).

All fishing under the EFP will stop if the groundfish or halibut mortality limits in the EFP are reached. The Regional Administrator may modify the EFP to allow continuation of the project after consideration of factors including: (1) the present amount of harvest of groundfish species by the groundfish fisheries compared to the annual TACs, (2) the progress of the project to date, and (3) the potential impacts of any modification of the EFP. A draft report will be available to the public 60 days after the completion of Phase I. A final report of the results of the experiment will be made available to the public approximately six months after the end of Phase II.

Failure to comply with the terms and conditions of the EFP and all applicable provisions of 50 CFR parts 600 and 679, the Magnuson-Stevens Act, or any regulations promulgated thereunder, or any other applicable laws, may be grounds for revocation, suspension, or modification of this permit as well as civil or criminal sanctions imposed under those laws.

Classification

NMFS prepared an EA for this EFP. The Alaska Regional Administrator for NMFS concluded that no significant impact on the human environment will occur as a result of fishing under this EFP. A copy of the EA is available from NMFS (see **ADDRESSES**).

The Regional Administrator determined that fishing activities conducted pursuant to this EFP will not affect endangered and threatened species listed or critical habitat designated under the Endangered Species Act. Because fishing activities

under this EFP will have no effects on essential fish habitat, a consultation is not required under the essential fish habitat provisions of the Magnuson-Stevens Act.

This notice is exempt from review under E.O. 12866 and the Regulatory Flexibility Act (RFA). The analytical requirements of the RFA are inapplicable because prior notice and opportunity for public comment are not required for this notice.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: April 2, 2004.

Bruce C. Morehead,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 033104B]

Marine Mammals; File Nos. 87-1743, 1066-1750

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

ACTION: Receipt of applications for permits.

SUMMARY: Notice is hereby given that the following applicants have applied in due form for a permit to take marine mammals: Daniel Costa, Department of Biology and Institute of Marine Sciences, University of California, Santa Cruz, California 95064 (File No. 87-1743); and Michael Williams, LGL, Alaska Research Associates, Inc., 1101 East 76th Avenue, Anchorage, Alaska 99518 (File No. 1066-1750).

DATES: Written, telefaxed, or e-mail comments must be received on or before May 7, 2004.

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

All documents: 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)713-0376;

File No. 87-1743: Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562)980-4001; fax (562)980-4018; and

File No. 1066-1750: Alaska Region, NMFS, P.O. Box 21668, Juneau, AK

99802-1668; phone (907)586-7221; fax (907)586-7249.

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 would also be submitted by facsimile to (301)713-0376, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period.

Comments would also be submitted by e-mail. The mailbox address for providing email comments is NMFS.Pr1Comments@noaa.gov. Include in the subject line of the e-mail comment the applicable document identifier: File No. 87-1743 or File No. 1066-1750.

FOR FURTHER INFORMATION CONTACT: Amy Sloan or Ruth Johnson, 301/713-2289.

SUPPLEMENTARY INFORMATION: The subject permits are 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), and the Fur Seal Act of 1966, as amended (16 U.S.C. 1151 *et seq.*).

Applications for permit

File No. 87-1743: The applicant, Daniel Costa, proposes to continue long-term behavioral, physiological, and life history research studies on northern elephant seals (*Mirounga angustirostris*) throughout their range. The proposed annual activities are described below.

Tagging and marking studies: Up to 1600 juvenile and 1250 adult seals of either sex would be captured, tagged, and marked, with up to 14, 250 animals incidentally harassed during these procedures.

Weigh, Measure, and Sample: Two hundred juveniles and 50 adults of either sex would be captured, sedated as necessary, weighed, measured (length/girth/ultrasound), and sampled (20 ml blood, flipper skin, blubber and muscle biopsy); 100 of the juveniles and all adults would be captured twice; up to 13,750 animals would be incidentally harassed during these activities.

Apply Satellite Tracking tags, Time-Depth Speed, Oceanography Recorders: Up to 50 juveniles and 100 adults of either sex would be captured,

chemically restrained, weighed and measured (length/girth/ultrasound), injected with Evans Blue dye for blood volume estimates, blood and biopsy sampled, tagged with a dive-depth-swim speed-oceanography instrument package and/or a satellite tracking transmitter and released, and up to 20 individuals would have stomach temperature telemeters placed using a gastric tube; seals would be re-captured, weighed, stomach lavaged, have instruments removed, and be released; up to 1200 seals would be incidentally harassed during these activities.

Translocation Studies of Diving: Up to 80 juveniles would be captured, sedated, handled as above, transported to Long Marine Laboratory (LML) or Sonoma State University and held overnight, transported to a different site and released at sea up to 200 km from Ano Nuevo; instruments would be attached as above; seals that return to the original capture site would be recaptured, sedated, have diving instruments removed and be weighed, measured, blood sampled and re-released. Of these: 60 would have a radio-transmitter, time-depth recorder, and satellite tracking transmitter attached; individuals would also have either a CTD (conductivity temperature and depth) tag or an acoustic data logger attached in addition to or instead of the time depth recorder; 10 would be injected with doubly-labeled water (oxygen 18 and tritiated water); 10 would be outfitted with a small video or digital camera, a radio transmitter and/or a satellite tag glued to the pelage; up to 800 seals would be incidentally harassed during capture operations.

Fasting Energetics and Metabolic Regulation Study: Up to 90 juveniles and 40 adults of either sex would be captured, handled (weighed and measured), catheterized in the extradural vein, blood sampled, and have one of the following administered: (a) glucose (0.5 g/kg as a 25 g/dl solution); (b) insulin (0.1-0.15 units/kg); (c) glucagon (0.03 mg/kg, not to exceed a total of 1 mg); or (d) a standard clinical tracer. Animals would be recaptured, blood sampled and weighed up to four times for each project. Up to 2,600 seals would be incidentally harassed during these activities.

Fasting Metabolic Study: Up to 40 juvenile seals would be captured, chemically restrained, transported and temporarily held at LML for up to 30 days, sedated, catheterized, blood sampled, ECG measured and released. Up to 400 seals would be incidentally harassed during capture operations.

Reproductive Energetics: Up to 60 animals (30 mother/pup pairs) would be