

3. We revised the surrogate value for hydrochloric acid to reflect less aberrational data. See *Decision Memorandum* at Comment 4.

4. We revised the surrogate value for brokerage and handling to include a more representative and contemporaneous source of surrogate data. See *Decision Memorandum* at Comment 5.

5. We revised the surrogate value for labor to reflect the Department's updated wage rate regression calculation. See *Decision Memorandum* at Comment 6.

**Continuation of Suspension of Liquidation**

In accordance with section 735(c)(1)(B)(ii) of the Act, we are directing the Customs Service to continue suspension liquidation of entries of subject merchandise from the PRC, with the exception of merchandise exported by Shanghai BaoSteel International Economic and Trading Co., Ltd. which was produced by Hangzhou Hongyuan Sporting Goods Company, Ltd., and merchandise exported by China Nanyang Import & Export corporation which was produced by Tianjin Shenyuan Steel Company, Ltd. or Tianjin Sunny Steel Products Company, Ltd., that are entered, or withdrawn from warehouse, for consumption on or after December 4, 2002 (the date of publication of the *Preliminary Determination* in the **Federal Register**). We will instruct the Customs Service to require a cash deposit or the posting of a bond equal to the weighted-average amount by which NV exceeds the U.S. price, as indicated in the chart below. These suspension-of-liquidation instructions will remain in effect until further notice.

**Final Determination**

We determine that the following weighted-average percentage margins exist for the period October 1, 2001, through March 31, 2002:

Manufacturer/Exporter	Weighted-average margin (percent)
Shanghai BaoSteel International Economic and Trading Co., Ltd .....	0.00
Hebei Metals and Minerals Imports and Export Corporation	6.60
China Nanyang Import & Export Corporation .....	1.42
PRC-Wide Rate .....	15.61

The PRC-wide rate applies to all entries of the merchandise under investigation except for entries from Hebei, entries from Nanyang which were produced by

Tianjin Shenyuan Steel company, Ltd. or Tianjin Sunny Steel Products Company, Ltd., and entries from BaoSteel which were produced by Hangzhou Hongyuan Sporting Goods Company, Ltd.

**International Trade Commission Notification**

In accordance with section 735(d) of the Act, we have notified the International Trade Commission (ITC) of our determination. As our final determination is affirmative, the ITC will determine, within 45 days, whether these imports are materially injuring, or threaten material injury to, the U.S. industry. If the ITC determines that material injury, or threat of material injury does not exist, the proceeding will be terminated and all securities posted will be refunded or cancelled. If the ITC determines that such injury does exist, the Department will issue an antidumping duty order directing Customs officials to assess antidumping duties on all imports of subject merchandise entered for consumption on or after the effective date of the suspension of liquidation.

**Notification Regarding Administrative Protective Order (APO)**

This notice also serves as a reminder to parties subject to APO of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This determination is issued and published in accordance with sections 735(d) and 777(i)(1) of the Act.

Dated: April 18, 2003.

**Joseph A. Spetrini,**  
*Acting Assistant Secretary for Import Administration.*

**Appendix—Decision Memorandum**

- Comment 1: Department's Acceptance of New Information
- Comment 2: Use of BaoSteel's Market Economy Steel Value
- Comment 3: Surrogate Value Selection for Steel Coil and Packing Materials
- Comment 4: Surrogate Value Selection for Powder Coating, Coal, and Hydrochloric Acid
- Comment 5: Surrogate Value Selection for Selection for Brokerage and Handling
- Comment 6: Surrogate Value Selection for Labor
- Comment 7: Exclusion of Labor Costs from Calculation of Surrogate Overhead and SG&A Ratios

Comment 8: Use of Gross, Rather Than Net, Material Costs in the Calculation of Surrogate Overhead and SG&A Ratios

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[I.D.041403I]

**Endangered and Threatened Wildlife; Sea Turtle Conservation Requirements**

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

**ACTION:** Notice of Issuance of permit.

**SUMMARY:** Notice is hereby given that shrimp fishermen in the Gulf and Atlantic Areas have been issued a permit to use Turtle Excluder Devices (TEDs) in accordance with allowable configurations under a final rule amending the TED regulations February 21, 2003, prior to the final rule taking effect. The permit allows fishermen to use the new TEDs to maximize shrimp retention and eliminate operational difficulties and facilitates fishermen's transition to the new TED configurations.

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

Southeast Region, NMFS, 9721 Executive Center Drive North, St. Petersburg, FL 33702-2432; phone (727)570-5301; fax (727)570-5320.

**FOR FURTHER INFORMATION CONTACT:** David Bernhart ([david.bernhart@noaa.gov](mailto:david.bernhart@noaa.gov)) or Robert Hoffman ([robert.hoffman@noaa.gov](mailto:robert.hoffman@noaa.gov)), (727)570-5312.

**SUPPLEMENTARY INFORMATION:** On February 21, 2003, NMFS published a final rule (68 FR 8456) amending the TED regulations affecting shrimp trawl fishermen. The final rule takes effect April 15, 2003, in the Atlantic Area and August 21, 2003, in the Gulf Area. The primary element of the final rule is the requirement for fishermen to modify the openings of their TEDs to allow the escape of large sea turtles.

On March 14, 2003, the NMFS Southeast Region, received an application for a permit from Mr. Noah Saunders, Jr., on behalf of shrimp trawl fishermen in the Gulf and South Atlantic. The request was for fishermen to be allowed to use the gear configurations specified in the final rule

amending the TED regulations, during the transition period before the final rule takes effect. NMFS, Southeast Region accepted the request as an application under 50 CFR 223.207(e)(2), which provides that NMFS may issue permits, subject to such conditions and restrictions as NMFS deems appropriate, authorizing public or private experimentation aimed at improving shrimp retention efficiency of existing approved TEDs and at developing additional TEDs. The authority to issue such permits has been delegated to the NMFS Southeast Regional Administrator.

The TED configurations that will be required when the final rule takes effect generally match or exceed the current regulatory standards for TEDs. Thus, fishermen who transition to the new TED configurations, in advance of the rule taking effect, would be in compliance with both the current and future regulatory requirements. The final rule does lift two restrictions on TED configurations under the current regulations. Specifically: (a) currently, accelerator funnels may not be used with the double cover TED. Under the final rule, double cover offshore TEDs may be used with an accelerator funnel. The inside horizontal opening of the funnel must be at least 71 inches (180 cm) in offshore waters and in the inshore waters of Georgia and South Carolina and at least 44 inches (112 cm) in all other inshore waters; and (b) currently, webbing flaps on bottom-opening TEDs in the Shrimp Fishery-Sea Turtle Conservation Areas (SFSTCAs) must be shortened to extend no further than the posterior edge of the TED grid. Under the final rule, the 71-inch (180 cm) offshore TED may be used with a webbing flap extending up to 24 inches (61 cm) behind the posterior edge of the grid on top- and bottom-opening TEDs, in all waters, including the Shrimp Fishery-Sea Turtle Conservation Areas (SFSTCAs).

Because the final rule did not contain any special provisions for the transition period between its publication and effective dates, the specific changes in the final rule that are more permissive than the current TED requirements are technically not approved changes until the final rule takes effect. NMFS, in issuing the final rule however, determined that the newly required 71-inch (180 cm) and double cover offshore TEDs are far more effective than the TEDs approved under the current regulations and that the new TEDs can be used effectively with these changes. Mr. Saunders' permit application requested that fishermen be allowed to use TED configurations, consistent with

the final rule and including these more permissive changes, prior to the final rule taking effect.

#### Permit Issuance

On March 26, 2003, the Southeast Regional Administrator, NMFS, issued the requested permit, pursuant to 50 CFR 223.207(e)(2). Issuance of the permit is necessary to encourage the early transition by shrimp fishermen to the use of more effective TEDs, furthering NMFS' goal of sea turtle conservation. The newly required TEDs are more effective at releasing sea turtles than those currently required. The use of a funnel with the double cover offshore TED and a long flap with the 71-inch (180 cm) offshore TED have already been determined by NMFS to be effective modifications that may enhance shrimp retention on these highly effective TEDs. This permit will remove regulatory barriers to fishermen's transition to the newly required TEDs and will allow them to experiment with gear configurations to maximize their shrimp retention, prior to the final rule coming into effect.

Dated: April 21, 2003.

**Laurie K. Allen,**

*Acting Director, Office of Protected Resources,  
National Marine Fisheries Service.*

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**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 042103A]

#### Gulf of Mexico Fishery Management Council; Public Meetings

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The Gulf of Mexico Fishery Management Council (Council) will convene public meetings.

**DATES:** The meetings will be held on May 12-15, 2003.

**ADDRESSES:** These meetings will be held at the Edgewater Beach Resort, 11212 Front Beach Road, Panama City Beach, FL; telephone: 850-235-4044.

*Council address:* Gulf of Mexico Fishery Management Council, 3018 U.S. Highway 301 North, Suite 1000, Tampa, FL 33619.

**FOR FURTHER INFORMATION CONTACT:** Wayne E. Swingle, Executive Director,

Gulf of Mexico Fishery Management Council; telephone: (813) 228-2815.

#### SUPPLEMENTARY INFORMATION:

#### Council

##### May 14

8:30 a.m.—Convene.

8:45 a.m. - 12 noon—Receive public testimony on the Draft Coastal Migratory Pelagics (CMP) Regulatory Amendment and Draft Reef Fish Amendment 21. The draft CMP Regulatory Amendment sets standards for maximum sustainable yield (MSY), optimum yield (OY), overfished and overfishing for king and Spanish mackerel, and cobia. Draft Reef Fish Amendment 21 contains a proposal to extend the time period for the Madison/Swanson and Steamboat Lumps marine reserves beyond their June 16, 2004 expiration date. Final action to approve Reef Fish Amendment 21 will be taken at a subsequent meeting.

1:30 p.m. - 2:30 p.m.—Receive presentations on individual fishing quotas (IFQ).

2:30 p.m. - 4:30 p.m.—Receive the report of the Reef Fish Management Committee.

4:30 p.m. - 5 p.m.—(Closed Session) Receive the report of the Personnel Committee.

##### May 15

8:30 a.m. - 9 a.m.—Receive the Mackerel Management Committee report.

9 a.m. - 9:30 a.m.—Receive the Shrimp Management Committee report.

9:30 a.m. - 10:30 a.m.—Receive the Law Enforcement Committee report.

10:30 a.m. - 10:45 a.m.—Receive the Administrative Policy Committee report.

10:45 a.m. - 11 a.m.—Receive the Joint Reef Fish/Mackerel/Red Drum Management Committee report.

11 a.m. - 11:15 a.m.—Receive a report of the International Commission for the Conservation of Atlantic Tunas (ICCAT) Advisory Committee.

11:15 a.m. - 11:30 a.m.—Receive a report of the Gulf Safety Committee.

11:30 a.m. - 11:45 a.m.—Receive a report of the Logo Selection Committee.

11:45 a.m. - 12 noon—Receive Enforcement Reports.

12 noon - 12:15 p.m.—Receive the NMFS Regional Administrator's Report.

12:15 p.m. - 12:45 p.m.—Receive Director's Reports.

12:45 p.m. - 1 p.m.—Other Business.

#### Committees

##### May 12

8:30 a.m. - 10 a.m.—Closed Session - Convene the Personnel Committee.