

4. Regional Subsidies under the Economic Expansion Law of 1970
  - a. Expansion Real Estate Tax Exemption
  - b. Accelerated Depreciation
5. Reduced Social Security Contributions Pursuant to the Maribel Scheme (Article 35 of the Law of June 29, 1981)
6. 1987 ALZ Common Share Transaction Between the GOB and Sidmar (also identified as 1985 ALZ Share Subscriptions and Subsequent Transactions in the *CVD Order*)
7. Industrial Reconversion Zones:
  - a. Albufin
8. Belgian Industrial Finance Company ("Belfin") Loans
9. Societe Nationale de Credite a l'Industrie ("SNCI") Loans
10. Conversion of Sidmar's Debt to Equity (OCPC-to-PB) in 1985

#### B. Government of Flanders Programs

1. Regional subsidies under the 1970 Law
  - a. Corporate Income Tax Exemption
  - b. Capital Registration Tax Exemption
  - c. Government Loan Guarantees
  - d. 1993 Expansion Grant
2. Special Depreciation Allowance
3. Preferential Short-Term Export Credit
4. Interest Rate Rebates

#### C. Programs of the European Commission

1. ECSC Article 54 Loans and Interest Rebates
2. ECSC Article 56 Conversion Loans, Interest Rebates and Redeployment Aid
3. European Social Fund Grants
4. European Regional Development Fund Grants
5. Resider II Program

#### III. Issues for Which More Information Is Required

On May 1, 2008, the Department sought information from U&A concerning amounts appearing in its 2005 and 2006 financial statements. U&A submitted some requested information on May 8, 2008, and May 13, 2008. In addition, in its May 22, 2008, response to petitioners' pre-preliminary comments, U&A stated that it had inadvertently not included all of its divisions and cross-owned companies in its submitted total sales and export data. After reviewing the provided documentation, we have determined that we do not have sufficient information at this time to make a finding on these amounts or the revised sales value and export data. Therefore, we intend to seek further information on these amounts and

revised data and to issue an interim analysis describing our preliminary findings with respect to these items before the final results so that parties will have the opportunity to comment.

#### Preliminary Results of Review

In accordance with 19 CFR 351.221(b)(4)(i), we calculated an individual subsidy rate for U&A, the only producer/exporter subject to this administrative review. For the period January 1, 2006, through December 31, 2006, we preliminarily determine the net subsidy rate for U&A to be 0.48 percent *ad valorem*. This rate is less than 0.5 percent. Consequently, if these preliminary results are adopted in our final results of this review, the Department will instruct CBP to liquidate shipments of SSPC by U&A<sup>2</sup> entered or withdrawn from warehouse, for consumption from January 1, 2006, through December 31, 2006, without regard to countervailing duties. See 19 CFR 351.106(c)(1). These instructions will be issued fifteen days after publication of the final results of this review.

The final results of this review shall be the basis for future deposits of estimated duties. If the cash deposit rate calculated in the final results is zero or *de minimis*, no cash deposit will be required. The cash deposit requirement, when imposed, shall remain in effect until further notice.

We will instruct CBP to continue to collect cash deposits for non-reviewed companies covered by this order at the most recent company-specific rate applicable to the company. Accordingly, the cash deposit rate that will be applied to non-reviewed companies covered by this order will be the rate for that company established in the investigation or most recent administrative review. See *CVD Order*. The "all others" rate shall apply to all non-reviewed companies that have not received an individual rate.

#### Public Comment

Interested parties may submit written arguments in case briefs within 30 days of the date of publication of this notice.

<sup>2</sup> During the current review U&A has placed the following information on the record. In 2002, ALZ in Belgium merged with Uguine, a French producer of stainless steel sheet and strip, to become U&A. The Department has reviewed the information provided by U&A with regard to the merger and evaluated the company and its affiliates for receipt of countervailable subsidies. In addition, we have reviewed entry data provided by U.S. Customs and Border Protection ("CBP") to confirm that U&A is the only manufacturer of subject merchandise exported from Belgium during the period of review. Therefore, for countervailing duty review purposes, we will consider ALZ to be U&A for cash deposit and assessment purposes.

See 19 CFR 351.309(c)(ii). Rebuttal briefs, limited to issues raised in case briefs, may be filed not later than five days after the date of filing the case briefs. See 19 CFR 351.309(d). Parties who submit briefs in this proceeding should provide a summary of the arguments not to exceed five pages and a table of statutes, regulations, and cases cited. See 19 CFR 351.309(c)(2) and (d)(2). Copies of case briefs and rebuttal briefs must be served on interested parties in accordance with 19 CFR 351.303(f).

Interested parties may request a hearing within 30 days after the date of publication of this notice. See 19 CFR 351.310(c). Unless otherwise specified, the hearing, if requested, will be held two days after the scheduled date for submission of rebuttal briefs. See 19 CFR 351.310(d)(1).

The Department will publish a notice of the final results of this administrative review within 120 days from the publication of these preliminary results. See section 751(a)(3)(A) of the Act.

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

Dated: May 30, 2008.

**David M. Spooner,**

*Assistant Secretary for Import Administration.*

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

RIN 0648-XI31

##### Marine Mammals; File Nos. 715-1706 and 545-1761

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

**ACTION:** Notice; receipt of applications for amendments.

**SUMMARY:** Notice is hereby given that Fred Sharpe, Ph.D., Alaska Whale Foundation, 4739 University Way NE, #1239, Seattle, Washington 98105 has requested an amendment to scientific research Permit No. 751-1706-00; and North Gulf Oceanic Society (Craig O. Matkin, Principal Investigator), 2030 Mary Allen Avenue, Homer, AK 99603 has requested an amendment to Permit No. 545-1761-00.

**DATES:** Written, telefaxed, or e-mail comments must be received on or before July 7, 2008.

**ADDRESSES:** The amendment requests 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 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 request should be submitted 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 amendment 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 e-mail comments the following document identifiers: File No. 716-1705 (Fred Sharpe) or File No. 545-1761 (North Gulf Oceanic Society).

**FOR FURTHER INFORMATION CONTACT:** Amy Sloan or Carrie Hubard, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** The subject amendments to Permit No. 716-1705-00, issued on June 30, 2004, and Permit No. 545-1761-00 issued on September 16, 2005, are requested under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

Permit No. 716-1705-00 authorizes Dr. Sharpe to conduct research on the behavior, social structure, and foraging ecology of North Pacific humpback whales (*Megaptera novaeangliae*), including close approach for photo-identification and behavioral observation, takes by acoustic recordings and playbacks of conspecific sound, and takes by suction cup tagging with Crittercam/TDR dive tags. Dr. Sharpe is also permitted to conduct

opportunistic photo-identification and behavioral observation of killer whales (*Orcinus orca*). Research occurs in the waters of southeastern Alaska including Chatham Strait, Dixon Entrance, Cross Sound, and Icy Strait and the waters of Washington state. The permit expires on June 30, 2009.

The permit holder requests authorization to use a novel filming technique, a mini-helicopter, during an opportunistic, limited time period in southeast Alaska during July and August 2008. The applicant indicates that the use of the mini-helicopter would provide information that could be used for: (1) predicting energetic models of lunge-feeding humpback whales; (2) discerning physical positioning to determine whether lunge-feeding whales maintain specialized positions; and (3) studying the functional morphology of engulfment feeding. Such information would complement the already permitted behavioral study of lunge-feeding humpback whales. Based on video documentation of the use of the mini-helicopter to film humpback whales in foreign waters, this technique is not expected to result in added harassment to the whales, and in fact, is expected to reduce potential harassment from boat approaches.

Permit No. 545-1761-00 authorizes the North Gulf Oceanic Society to conduct population studies on numerous cetacean species with a particular emphasis on killer whales. The research focuses on the study of: (1) mating and social systems and feeding behavior of killer whales; and (2) diving behavior, feeding, movement and contaminant loads of several cetacean species. Takes may occur by close approach for vessel surveys, photo-identification, behavioral observation, passive acoustic recording, tagging, biopsy sampling, export of parts, and incidental harassment. Research takes place in waters off Alaska, including Glacier Bay/Icy Strait, Sitka Sound, Prince William Sound, Kenai Fjords, Resurrection Bay, Eastern Aleutian chain, and Kodiak Island. The permit expires on September 15, 2010.

The permit holder requests authorization to use the same mini-helicopter, during an opportunistic, limited time period in Alaska during August/September 2008. The mini-helicopter would be used to measure total body length of killer whales in order to assess individual growth, make population size comparisons, and model the energetic requirements of killer whales. Data obtained from the mini-helicopter would allow researchers to obtain proportional measurements of

blowhole-dorsal and full body length, which can be used to construct a regression to describe this relationship.

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, 2008.

**P. Michael Payne,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XH63

#### Permits; Foreign Fishing

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

**ACTION:** Notice of receipt of foreign fishing application; reopening of comment period.

**SUMMARY:** NMFS reopens the public review and comment period that closed May 30, 2008, for information regarding a foreign fishing application submitted under provisions of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

**DATES:** Comments must be received by June 20, 2008.

**ADDRESSES:** Send comments or requests for a copy of the application to NMFS, Office of International Affairs, 1315 East-West Highway, Silver Spring, MD 20910.

Comments on this notice may also be submitted by e-mail to [nmfs.foreignfishing@noaa.gov](mailto:nmfs.foreignfishing@noaa.gov). Include in the subject line the following document identifier: RIN 0648-XH63.

**FOR FURTHER INFORMATION CONTACT:** Christopher Rogers, Office of International Affairs, (301) 713-9090.

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 204(d) of the Magnuson-Stevens Act (16 U.S.C. 1824(d)) provides, among other things, that the Secretary of Commerce (Secretary) may issue a transshipment permit which authorizes a vessel other than a vessel of the United States to engage in fishing consisting solely of transporting fish or