

which the benefits were received, and would not have provided a benefit during the POI. If the Department treated these grants as non-recurring, because the amount of the bridge funding grants approved by the GOO for these companies under this program was less than 0.5 percent of each company's sales in the year in which the grants were approved, these grants would be expensed prior to the POI in accordance with 19 CFR 351.524(b)(2). Thus, regardless of whether they were treated as recurring or non-recurring, no countervailable benefit was provided to either Maple Leaf/Elite or BSG during the POI under this program.

#### Verification

In accordance with section 782(i)(1) of the Act, we will verify the information submitted by the respondents prior to making our final determination.

#### ITC Notification

In accordance with section 703(f) of the Act, we will notify the ITC of our determination. In addition, we are making available to the ITC all nonprivileged and nonproprietary information relating to this investigation. We will allow the ITC access to all privileged and business proprietary information in our files, provided the ITC confirms that it will not disclose such information, either publicly or under an administrative protective order, without the written consent of the Assistant Secretary for Import Administration.

In accordance with section 705(b)(3) of the Act, if our final determination is affirmative, the ITC will make its final determination within 75 days after the Department makes its final determination.

#### Public Comment

Case briefs for this investigation must be submitted no later than one week after the issuance of the last verification report. Rebuttal briefs must be filed within five days after the deadline for submission of case briefs. A list of authorities relied upon, a table of contents, and an executive summary of issues should accompany any briefs submitted to the Department. Executive summaries should be limited to five pages total, including footnotes.

Section 774 of the Act provides that the Department will hold a public hearing to afford interested parties an opportunity to comment on arguments raised in case or rebuttal briefs, provided that such a hearing is requested by an interested party. If a request for a hearing is made in this investigation, the hearing will

tentatively be held two days after the deadline for submission of the rebuttal briefs at the U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230. Parties should confirm by telephone the time, date, and place of the hearing 48 hours before the scheduled time.

Interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for Import Administration, U.S. Department of Commerce, Room 1870, within 30 days of the publication of this notice. Requests should contain: (1) The party's name, address, and telephone; (2) the number of participants; and (3) a list of the issues to be discussed. Oral presentations will be limited to issues raised in the briefs.

This determination is published pursuant to sections 703(f) and 777(i) of the Act.

Dated: August 16, 2004.

**James J. Jochum,**  
*Assistant Secretary for Import Administration.*

[FR Doc. 04-19278 Filed 8-20-04; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-002]

#### Continuation of Antidumping Duty Order: Chloropicrin From the People's Republic of China

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

**ACTION:** Notice of Continuation of Antidumping Duty Order: Chloropicrin from the People's Republic of China.

**SUMMARY:** As a result of the determination by the Department of Commerce ("the Department") and the International Trade Commission ("Commission") that revocation of this antidumping duty order would be likely to lead to continuation or recurrence of dumping and material injury to an industry in the United States, the Department is publishing notice of the continuation of the antidumping duty order on chloropicrin from the People's Republic of China ("PRC").

**EFFECTIVE DATE:** August 23, 2004.

**FOR FURTHER INFORMATION CONTACT:** Martha V. Douthit, Office of Policy, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and

Constitution Ave., NW, Washington, DC 20230; telephone: (202) 482-5050.

#### SUPPLEMENTARY INFORMATION:

##### Background

On March 1, 2004, the Department initiated and the Commission instituted a sunset review of the antidumping duty order on chloropicrin from the PRC, pursuant to section 751(c) of the Tariff Act of 1930, as amended, ("the Act").<sup>1</sup> As a result of its review, the Department found that revocation of the antidumping duty order would be likely to lead to continuation or recurrence of dumping and notified the Commission of the magnitude of the margins likely to prevail were the order revoked.<sup>2</sup>

On August 10, 2004, the Commission determined, pursuant to section 751(c) of the Act, that revocation of the antidumping duty order on chloropicrin from the PRC would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.<sup>3</sup>

##### Scope of the Order

The merchandise subject to this antidumping duty order is chloropicrin, also known as trichloronitromethane. A major use of the product is as a pre-plant soil fumigant (pesticide). Such merchandise is currently classifiable under Harmonized Tariff Schedule ("HTS") item number 2904.90.50. The HTS item number is provided for convenience and customs purposes. The written description remains dispositive.

##### Determination

As a result of the determinations by the Department and the Commission that revocation of this antidumping duty order would likely lead to continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department hereby orders the continuation of the antidumping duty order on chloropicrin from the PRC. The effective date of continuation of this order will be the date of publication in the **Federal Register** of this Notice of Continuation. Pursuant to sections 751(c)(2) and 751(c)(6) of the Act, the Department intends to initiate the next five-year review of this order not later than July 2009.

<sup>1</sup> See *Initiation of Five-year (≥Sunset≥) Reviews*, 69 FR 9585 (March 1, 2004).

<sup>2</sup> See *Chloropicrin from the People's Republic of China; Final Results of the Expedited Sunset Review*, 69 FR 40601 (July 6, 2004).

<sup>3</sup> See *Chloropicrin from China*, 69 FR 48520 (August 10, 2004) and USITC Publication 3712 (August 2004), Investigation No. 731-TA-130 (Second Review).

Dated: August 17, 2004.

**James J. Jochum,**

*Assistant Secretary for Import Administration.*

[FR Doc. 04-19279 Filed 8-20-04; 8:45 am]

BILLING CODE 3510-DS-S

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Application for Duty-Free Entry of Scientific Instrument

Pursuant to section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89-651; 80 Stat. 897; 15 CFR part 301), we invite comments on the question of whether an instrument of equivalent scientific value, for the purposes for which the instrument shown below is intended to be used, is being manufactured in the United States.

Comments must comply with 15 CFR 301.5(a)(3) and (4) of the regulations and be filed within 20 days with the Statutory Import Programs Staff, U.S. Department of Commerce, Washington, DC 20230. Applications may be examined between 8:30 a.m. and 5 p.m. in Suite 4100W, U.S. Department of Commerce, Franklin Court Building, 1099 14th Street, NW., Washington, DC.

*Docket Number:* 04-015. *Applicant:* North Carolina State University, Campus Box 7212, Raleigh, NC 27695-7212. *Instrument:* Cryogen-Free Superconductive Magnet System. *Manufacturer:* Cryogenic Limited, United Kingdom. *Intended Use:* The instrument is intended to be used to study properties of newly synthesized magnetic materials, phase separation phenomena and cluster nanostructure in lanthanide-doped optically-active glasses, and structural arrangements of membrane proteins and phospholipid nanoassemblies including:

1. Zero-field splitting energy for effective integer spin-systems of coupled spins that are spectroscopically silent at lower magnetic fields.
2. Spin-polarization phenomena in novel magnetic materials synthesized at the University.
3. Transmembrane location of membrane proteins.

Additionally, the instrument will be used for quantum computing experiments with essentially pure quantum state attained at magnetic fields above 11 Tesla for an ensemble of quantum dots and for experiments to lift degeneracy of quantum states of electronic spins by applying magnetic field.

Application accepted by  
Commissioner of Customs: August 4,  
2004.

**Gerald A. Zerdy,**

*Program Manager, Statutory Import Programs Staff.*

[FR Doc. 04-19271 Filed 8-20-04; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### University of California, Santa Cruz; Notice of Decision on Application for Duty-Free Entry of Electron Microscope

This decision is made pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5 p.m. in Suite 4100W, Franklin Court Building, U.S. Department of Commerce, 1099 14th Street, NW., Washington, DC.

*Docket Number:* 04-014.

*Applicant:* University of California, Santa Cruz.

*Instrument:* Electron Microscope, Model JEM-1230.

*Manufacturer:* JEOL, Japan.

*Intended Use:* See notice at 69 FR 43805.

*Order Date:* January 29, 2004.

*Comments:* None received.

*Decision:* Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as the instrument is intended to be used, was being manufactured in the United States at the time the instrument was ordered.

*Reasons:* The foreign instrument is a conventional transmission electron microscope (CTEM) and is intended for research or scientific educational uses requiring a CTEM. We know of no CTEM, or any other instrument suited to these purposes, which was being manufactured in the United States either at the time of order of the instrument OR at the time of receipt of the application by U.S. Customs and Border Protection.

**Gerald A. Zerdy,**

*Program Manager, Statutory Import Programs.*

[FR Doc. 04-19269 Filed 8-20-04; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 081304B]

#### Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Application for an Exempted Fishing Permit

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

**ACTION:** Notice of receipt of an application for an exempted fishing permit; request for comments.

**SUMMARY:** NMFS announces receipt of an application for an exempted fishing permit (EFP) from the California Department of Fish and Game (CDFG). This EFP application applies to limited entry groundfish vessels that are used to fish for flatfish in Federal waters south of 40°10' N. lat. If awarded, this EFP would allow qualifying vessels to use a flatfish-selective small footrope trawl net to catch and retain groundfish in the trawl rockfish conservation area (RCA) and to retain groundfish species in excess of cumulative trip limits. Participating vessels would be required to use and carry state-sponsored samplers. This EFP proposal is intended to promote the objectives of the Pacific Coast Groundfish Fishery Management Plan (FMP) by providing data that can be used to enhance management of the groundfish fishery.

**DATES:** Comments must be received by September 7, 2004.

**ADDRESSES:** You may submit comments, identified by "I.D. 081304B" by any of the following methods:

- E-mail: [EFP2004CAFlatfish.nwr@noaa.gov](mailto:EFP2004CAFlatfish.nwr@noaa.gov). Include the I.D. number above in the subject line of the message.

- Fax: 206-526-6736, Attn: Becky Renko.

- Mail: D. Robert Lohn, Administrator, Northwest Region, NMFS, 7600 Sand Point Way NE, Seattle, WA 98115-0070, Attn: Becky Renko.

**FOR FURTHER INFORMATION CONTACT:** Becky Renko (206) 526-6140 or Carrie Nordeen at (206) 526-6144.

**SUPPLEMENTARY INFORMATION:** This action is authorized by the FMP and implementing regulations at 50 CFR 600.745.

The purpose of this exempted fishing activity would be to collect data on the rate at which unintended species, particularly overfished shelf rockfish such bocaccio and canary rockfish, are