

circumstances determination after close of business ("COB") on March 3, 1995 and the deadline for submitting comments to the determination was March 6, 1995, petitioner indicates that it was not allotted "sufficient time" to comment on the Department's analysis.

Respondent states that, while the Department could have based its negative preliminary critical circumstances determination on factors other than the CPSC ban and its effect on shipments, the Department correctly found that critical circumstances do not exist.

*DOC Position:* We first note that the Department's preliminary negative critical circumstance determination was not based solely on the effect of the CPSC ban on Thai Merry's shipments during the post-petition period. In making the negative preliminary critical circumstances determination, the Department stated that its decision was "[b]ased on (1) an evaluation of apparent domestic consumption during the pre- and post-petition period, as calculated by petitioner, (2) Thai Merry's share of domestic consumption during the pre- and post-petition periods, (3) the shipment data provided by respondent as compared to previous periods, and (4) consideration of the circumstances surrounding the large increase in shipment in May 1994 \* \* \*" (see, page 7 of unpublished version of the Department's March 3, 1995 preliminary negative critical circumstances **Federal Register** notice). Because no additional information has been provided by petitioner that conflicts with our preliminary determination, we continue to find that critical circumstances do not exist.

With regard to petitioner's claim that it did not have sufficient time to analyze the Department's preliminary negative critical circumstances determination, we note that petitioner did not request additional information under administrative protective order ("APO") (i.e., the Department's February 27, 1995 analysis memo) with which to make its analysis until late in the afternoon of March 6, 1995 (i.e., the deadline date). Additionally, we note that on March 6, 1995, the Department offered petitioner an extension for filing comments on the preliminary negative critical circumstances determination if requested. Petitioner specifically declined to make an extension request (see, March 7, 1995 memo to case file from David R. Boyland, Case Analyst, Office of Countervailing Investigations).

**Continuation of Suspension of Liquidation**

We are directing the Customs Service to continue to suspend liquidation of all entries of disposable lighters, that are entered, or withdrawn from warehouse, for consumption on or after October 24, 1994, the date of publication of our affirmative determination in the **Federal Register**. The Customs Service shall require a cash deposit or the posting of a bond equal to the estimated amount by which the FMV of the merchandise of this investigation exceeds the USP, as shown below. This suspension of liquidation will remain in effect until further notice. The weighted-average dumping margins are as follows:

| Producer/manufacturer/exporter | Weighted-average margin percentage |
|--------------------------------|------------------------------------|
| Thai Merry .....               | 25.04                              |
| All Others .....               | 25.04                              |

**International Trade Commission (ITC) Notification**

In accordance with section 735(d) of the Act, we have notified the ITC of our determination. The ITC will now determine, within 45 days, whether these imports are materially injuring, or threatening 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 order directing Customs officials to assess antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation.

**Notification to Interested Parties**

This notice also serves as the only reminder to parties of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 353.34(d). Failure to comply is a violation of the APO.

This determination is published pursuant to section 735(d) of the Act and 19 CFR 353.20(a)(4).

Dated: March 8, 1995.

**Susan G. Esserman,**  
Assistant Secretary for Import Administration.

[FR Doc. 95-6523 Filed 3-15-95; 8:45 am]  
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**National Oceanic and Atmospheric Administration**

[I.D. 030795B]

**Marine Mammals**

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

**ACTION:** Receipt of application for a scientific research permit (P418A).

**SUMMARY:** Notice is hereby given that Mason Weinrich of the Cetacean Research Unit, P.O. Box 159, Gloucester, MA 01930, has applied in due form for a permit to take humpback whales (*Megaptera novaeangliae*), fin whales (*Balaenoptera physalus*), right whales (*Eubalaena glacialis*), and sei whales (*Balaenoptera borealis*) for the purpose of scientific research.

**DATES:** Written comments must be received on or before April 17, 1995.

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

Permits Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910, (301/713-2289);

Director, Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930-2298 (508/281-9250).

Written data or views, or requests for a public hearing on this request, should be submitted to the Chief, Permits Division, F/PR1, Office of Protected Resources, 1335 East-West Highway, Silver Spring, MD 20910, within 30 days of the publication of this notice. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate.

Concurrent with the publication of this notice in the **Federal Register**, the Secretary of Commerce is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

**SUPPLEMENTARY INFORMATION:** The subject permit is 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 Fish and Wildlife (50 CFR part 222).

The applicant seeks authorization to take annually by harassment a maximum of 400 individual humpback

whales, 250 individual fin whales, 50 individual sei whales, and 50 individual right whales in the Western North Atlantic. Proposed taking will be by close approach (within 100 yards) for photo-identification to continue long-term studies of distribution, demography, behavior, and ecology of the cetaceans inhabiting the Northeastern coastal waters of the United States.

Dated: March 10, 1995.

**Art Jeffers,**

*Acting Chief, Permits & Documentation Division, National Marine Fisheries Service.*  
[FR Doc. 95-6460 Filed 3-15-95; 8:45 am]

BILLING CODE 3510-22-F

[I.D. 030795A]

**Marine Mammals**

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

**ACTION:** Receipt of application for a scientific research permit (P773#54).

**SUMMARY:** Notice is hereby given that Bradford E. Brown, Ph.D., of the National Marine Fisheries Service, Southeast Fisheries Science Center, 75 Virginia Beach Drive, Miami, FL 33149, has applied in due form for a permit to take Atlantic bottlenose dolphins (*Tursiops truncatus*) for purposes of scientific research.

**DATES:** Written comments must be received on or before April 17, 1995.

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

Permits Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910 (301/713-2289);

Director, Southeast Region, NMFS, 9721 Executive Center Drive, N., St. Petersburg, FL 33702-2432 (813/893-3141).

Written data or views, or requests for a public hearing on this request, should be submitted to the Chief, Permits Division, F/PR1, Office of Protected Resources, 1335 East-West Highway, Silver Spring, MD 20910, within 30 days of the publication of this notice. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate.

Concurrent with the publication of this notice in the **Federal Register**, the Secretary of Commerce is forwarding copies of this application to the Marine

Mammal Commission and its Committee of Scientific Advisors.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216).

The applicant seeks authorization to take by harassment a maximum of 2,000 Atlantic bottlenose dolphins per year for the purpose of locating a maximum of 500 (over a 5-year period) dolphins suitable for take by capture for examination, sampling, marking, and release. The objectives of this study are to develop health assessment indices of dolphin populations and individuals in the southeast, and ultimately to assess the impact of human activities on specific populations.

Dated: March 10, 1995.

**Ann D. Terbush,**

*Chief, Permits & Documentation Division, National Marine Fisheries Service.*

[FR Doc. 95-6453 Filed 3-15-95; 8:45 am]

BILLING CODE 3510-22-F

[I.D. 030695F]

**Marine Mammals**

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

**ACTION:** Receipt of application for a scientific research permit (P532B).

**SUMMARY:** Notice is hereby given that Texas A&M University, Department of Marine Biology, Galveston, TX 77553-1675 (Principal Investigators: Dr. Randall W. Davis, Texas A&M, Dr. Michael A. Castellini, University of Alaska, and Dr. Terrie M. Williams, University of California-Santa Cruz) has applied in due form for a permit to take Steller sea lions (*Eumetopias jubatus*) for purposes of scientific research.

**DATES:** Written comments must be received on or before April 17, 1995.

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

Permits Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910 (301/713-2289);

Director, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668 (907/586-7221).

Written data or views, or requests for a public hearing on this request, should be submitted to the Chief, Permits Division, F/PR1, Office of Protected

Resources, 1335 East-West Highway, Silver Spring, MD 20910, within 30 days of the publication of this notice. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate.

Concurrent with the publication of this notice in the **Federal Register**, the Secretary of Commerce is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

**SUPPLEMENTARY INFORMATION:** The subject permit is 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 Fish and Wildlife (50 CFR part 222).

The applicants request authority to take up to 120 Steller sea lions (*Eumetopias jubatus*) annually for 5 years. Of these 40, each of the pups, females, and juveniles will be flipper tagged and dye marked, physiologically handled, blood, blubber and muscle biopsy sampled, and metabolic rate measured. Twenty each of the females and juveniles will carry a radio transmitter and miniature time-depth-stomach temperature recorder, be injected with Evans blue dye to determine plasma volume, have their lung volume measured using the helium dilution method, have an upper premolar no. 2 extracted for aging, and one - two whiskers clipped for stable isotope analysis. Each year up to 1,000 animals may be inadvertently harassed and up to six animals may accidentally die during the course of the research.

Dated: March 10, 1995.

**Ann D. Terbush,**

*Chief, Permits & Documentation Division, National Marine Fisheries Service.*

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**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

**Meeting of the Semiconductor Technology Council**

**ACTION:** Notice.

**SUMMARY:** Under the provisions of Public Law 92-463, the "Federal Advisory Committee Act," notice is hereby given that the Semiconductor Technology Council will hold its initial