

antidumping duties on all appropriate entries. Because sampling and other simplification methods prevent entry-by-entry assessments, we will calculate wherever possible an exporter/importer-specific assessment rate for each class or kind of AFBs.

We will instruct the Customs Service to collect cash deposits of estimated antidumping duties on all appropriate entries in accordance with the procedures discussed in the Final Results (62 FR 2081) and as amended by this determination. These amended deposit requirements are effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice and shall remain in effect until publication of the final results of the next administrative reviews.

This notice serves as a final reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during the review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective orders (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 353.34(d). Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply is a violation of the APO.

This amendment of final results of reviews and notice are in accordance with section 751(f) of the Tariff Act (19 U.S.C. 1673(d)) and 19 CFR 353.28(c).

Dated: August 26, 1997.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 082197F]

Marine Mammals; Public Display Permit (PHF# 880-1426)

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

ACTION: Receipt of application.

SUMMARY: Notice is hereby given that the Big Apple Circus, 35 West 35th Street, New York, NY 10001, has applied in due form for a permit to import two Patagonian sea lions (*Otaria byronia*), from Lipperswil, Switzerland, for purposes of public display.

DATES: Written or telefaxed comments must be received on or before September 29, 1997.

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

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

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

Written comments or requests for a public hearing on this application, should be mailed to the Chief, Permits and Documentation Division, F/PR1, Office of Protected Resources, 1315 East-West Highway, 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. The holding of such a hearing is at the discretion of the Director, Office of Protected Resources.

Written comments may also be submitted by facsimile at (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. Please note that comments will not be accepted by email or other electronic media.

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.

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

The applicant requests authorization to import two male marine mammals from Switzerland where the animals are currently maintained at Conny-Land, a public display facility in Lipperswil, for exhibit with the circus during its 1997-

1998 season. During their 14-month stay in the United States, the animals will be accompanied by their trainer, Roberto Gasser of Conny-Land. When the sea lions are not traveling with the circus, they will be maintained at the applicant's new facility in Walden, NY. At the conclusion of the tour, the animals will be re-exported to Conny-Land.

The applicant has an exhibitor's license, No. 21-C-0061, from the U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) under the Animal Welfare Act (AWA), and plans have been submitted to APHIS for a new facility, to be completed in August 1997, at 39 Edmunds Lane, Walden, New York 12586. The new facility must also meet APHIS standards. As any issues relating to the care and maintenance of captive marine mammals are within the purview of APHIS, under the AWA, a copy of the application is also being sent to APHIS for review.

Each exhibition will be open to the public on a regularly scheduled basis with access that is not limited or restricted other than by charging an admission fee and will offer an educational program based upon the standards of both the AZA and the Alliance.

In addition to determining whether the applicant meets the public display criteria provided in sec. 104 (2)(a)(i-iii) of the MMPA, NMFS must determine whether the applicant has demonstrated that the proposed activity is humane and does not present any unnecessary risks to the health and welfare of marine mammals; that the proposed activity by itself or in combination with other activities, will not likely have a significant adverse impact on the species or stock; and that the applicant's expertise, facilities, and resources are adequate to accomplish successfully the objectives and activities stated in the application.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Dated: August 22, 1997.

Ann D. Terbush,

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

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