

Administrative Review in accordance with Court Decision

SUMMARY: On August 27, 2001, the United States Court of International Trade (“CIT”) affirmed the remand determination of the 1994–95 administrative review for Companhia Ferroligas Minas Gerais-Minasligas (“Minasligas”), Companhia Brasileira Carbureto de Calcio (“CBCC”), Eletrosilex Belo Horizonte (“Eletrosilex”), and Rima Industrial S/A (“RIMA”) by the Department of Commerce (“the Department”) arising from the antidumping duty order on silicon metal from Brazil. *See American Silicon Technologies v. United States*, No. 97–02–00267, Slip Op. 2001–109 (August 27, 2001). CBCC timely appealed the CIT’s judgment. On January 15, 2002 the CIT stayed its judgment and extended the injunction solely in respect to CBCC’s entries. *See American Silicon Technologies v. United States*, No. 97–02–00267, Slip Op. 2002–5 (January 15, 2002). After recalculation of the dumping margins for Minasligas, Eletrosilex, and RIMA, we are amending the final results of the review in this matter. We will instruct the U.S. Customs Service to liquidate Eletrosilex, Minasligas, and RIMA’s entries subject to these amended final results.

EFFECTIVE DATE: May 17, 2002.

FOR FURTHER INFORMATION CONTACT:

Marlene Hewitt, Antidumping/Countervailing Duty Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington DC 20230; telephone (202) 482–1385.

SUPPLEMENTARY INFORMATION:

Background

On July 31, 1991 the Department issued an antidumping duty order on silicon metal from Brazil. *See Antidumping Duty Order: Silicon Metal from Brazil*, 56 FR 36135 (July 31, 1991). On January 14, 1997, the Department published its final results of the 1994–1995 administrative review (fourth review) of silicon metal for five Brazilian manufacturers/exporters, CBCC, Minasligas, Eletrosilex, RIMA, and Camargo Correa Metais (“CCM”). *See Silicon Metal from Brazil; Final Results of Antidumping Administrative Review and Determination Not to Revoke in Part*, 62 FR 1970 (January 14, 1997) (“Final Results”).

On August 18, 1997, the U.S. Court of International Trade (“CIT”) issued an order directing the Department to consider the alleged ministerial errors

and correct any ministerial errors identified in the allegations and contained in the *Final Results*. *See American Silicon Technologies v. United States*, No. 97–02–00267, Slip Op. 97–113 (August 18, 1997). The Department subsequently corrected the ministerial errors and published an amended final. *See Silicon Metal from Brazil; Amended Final Results of Antidumping Administrative Review*, 62 FR 54087 (October 17, 1997) (“Amended Final Results”).

On April 9, 1999 the CIT issued an order remanding to the Department the Amended Final Results. *See American Silicon Technologies v. United States*, No. 97–02–00267, Slip Op. 99–34 (April 9, 1999). In its April 9, 1999 order, the CIT instructed the Department to: recalculate CBCC’s financial expenses with the instruction that Commerce base those expenses upon the consolidated financial statements of CBCC and its immediate parent Solvay do Brasil; recalculate cost of production (“COP”) for Minasligas based upon an accounting methodology which is non-distortionary and reasonably reflective of actual costs; reconsider CBCC’s depreciation expenses; reconsider RIMA’s COP and constructed value (“CV”); reconsider Eletrosilex’s financial expenses; reconsider CBCC’s and RIMA’s COP and CV regarding cost of internally-produced charcoal; reconsider CBCC’s and RIMA’s COP and CV regarding supervisory labor costs; reconsider CBCC’s CV regarding IPI taxes; reconsider Rima’s and CBCC’s CV profit regarding profit ratios determined from non-CBCC financial statements; reconsider Minasligas’ interest income expense; and reconsider Minasligas’ CV profit. The CIT affirmed the *Amended Final Results* as to all other issues.

On September 23, 1999, the Department filed its redetermination on remand.

On August 27, 2001, the CIT sustained the Department’s redetermination on remand. *See American Silicon Technologies v. United States*, No. 97–02–00267, Slip Op. 2001–109 (August 27, 2001).

CBCC timely appealed the CIT’s judgment. On January 15, 2002 the CIT stayed its judgment and extended the injunction solely in respect to CBCC’s entries. *See American Silicon Technologies v. United States*, No. 97–02–00267, Slip Op. 2002–5 (January 15, 2002).

Litigation in this case is final and conclusive for Minasligas, Eletrosilex, CCM, and RIMA. We are therefore amending our final results of review for the period July 1, 1994 through June 30, 1995.

The revised weighted-average margin for the above companies are as follows:

Manufacturer/Exporter	Margin (percent)
Minasligas	9.68
Eletrosilex	13.18
RIMA	81.61
CCM	35.23

Accordingly, the Department will determine, and the U.S. Customs Service (“Customs”) will assess, antidumping duties on all entries of subject merchandise from Minasligas, Eletrosilex, CCM, and RIMA, in accordance with these amended final results. For assessment purposes, we have calculated importer-specific duty assessment rates for each class or kind of merchandise based on the ratio of the total amount of antidumping duties calculated for the examined sales to the total quantity of sales examined. The Department will issue appraisement instructions directly to Customs. The above rate will not affect Minasligas, Eletrosilex, CCM, and RIMA’s cash deposit rates currently in effect, which continue to be based on the margins found to exist in the most recently completed review.

This notice is published in accordance with sections 751(a)(1) and 777(i) of the Tariff Act (19 U.S.C. 1675(a)(1) and 1677f(i)) and 19 CFR 351.221.

Dated: May 13, 2002.

Faryar Shirzad,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 051002E]

New England 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 New England Fishery Management Council (Council) is scheduling a public meeting of its Groundfish Advisory Panel in May 2002. Recommendations from the committee will be brought to the full Council for formal consideration and action, if appropriate.

DATES: The meeting will be held on Friday, May 31, 2002, at 9:30 a.m.

ADDRESSES: The meeting will be held at the Sheraton Ferncroft, 50 Ferncroft Road, Danvers, MA 01923; telephone: (978) 777-2500.

Council address: New England Fishery Management Council, 50 Water Street, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Paul J. Howard, Executive Director, New England Fishery Management Council; (978) 465-0492.

SUPPLEMENTARY INFORMATION: The Groundfish Advisory Committee will meet to review the final report of the Council's Capacity Committee. This report suggests alternatives for reducing fishing capacity in the groundfish fleet. The Advisors have been asked to comment on the proposed measures, including whether they will make rationale business sense for those vessel owners who may choose to take advantage of the alternatives. The Advisors will develop recommendations which will be reported to the Groundfish Committee and the full Council at a later date. The Advisory Panel may also address alternatives under development for Amendment 13 to the Northeast Multispecies Fishery Management Plan (FMP). Any recommendations of the Panel will be considered by the Groundfish Committee at a future date. Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Paul J. Howard (see **ADDRESSES**) at least 5 days prior to the meeting dates.

Dated: May 13, 2002.

Richard W. Surdi,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 02-12474 Filed 5-16-02; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration [I.D. 051002H]

North Pacific Fishery Management Council; Public Meetings

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

ACTION: Notice of meetings of the North Pacific Fishery Management Council (Council) and its advisory committees.

SUMMARY: The North Pacific Fishery Management Council (Council) and its advisory committees will hold public meetings June 3-12, 2002, in Dutch Harbor, AK.

DATES: The Council's Advisory Panel will begin at 8 a.m., Monday, June 3, and continue through Saturday, June 8, 2002. The Scientific and Statistical Committee will begin at 8 a.m. on Monday, June 3, and continue through Wednesday, June 5, 2002.

The Council will begin its plenary session at 8 a.m. on Wednesday, June 5, continuing through noon Wednesday, June 12. All meetings are open to the public except executive sessions.

ADDRESSES: The Grand Aleutian Hotel, 498 Salmon Way, Dutch Harbor, AK 99692.

Council address: North Pacific Fishery Management Council, 605 W. 4th Ave., Suite 306, Anchorage, AK 99501-2252.

FOR FURTHER INFORMATION CONTACT: Council staff, telephone: 907-271-2809.

SUPPLEMENTARY INFORMATION: Council Plenary Session: The agenda for the Council's plenary session will include the following issues. The Council may take appropriate action on any of the issues identified.

1. Reports:

- (a) Executive Director's Report.
- (b) State Fisheries Report by Alaska Dept. of Fish and Game.
- (c) NMFS Management Report.
- (d) NMFS & U.S. Coast Guard Enforcement Surveillance reports.

2. Gulf of Alaska Groundfish Rationalization: Receive committee report and provide direction, as necessary.

3. Essential Fish Habitat: Receive committee report and provide direction, as necessary.

4. Bering Sea/Aleutian Islands (BSAI) Crab Rationalization:

- (a) Identify preferred alternative for rationalization.
- (b) Finalize alternatives for the Environmental Impact Statement for the

BSAI King and Tanner Crab Fishery Management Plan.

5. Community Development Quotas: Final action on alternatives for program policy changes.

6. Draft Programmatic Groundfish Supplemental Environmental Impact Statement: finalize alternatives for analysis.

7. Steller Sea Lion Issues: final action on two proposed amendments.

8. American Fisheries Act:

- (a) Initial review of improved retention/utilization adjustments.

(b) Final action on single geographic location amendment.

(c) Review committee report on pollock bycatch measures, if available, and provide further direction.

9. Research Priorities: review and recommend research priorities.

10. Groundfish Management:

(a) Initial review of proposed changes to the annual harvest specification process.

(b) Review workplan and provide direction for an analysis of differential gear impacts.

(c) Final action on alternatives to allocate BSAI Pacific cod harvests between pot catcher processors and pot catcher vessels.

11. Review staff tasking and provide direction.

12. Discuss annual management cycle. Scientific and Statistical Committee (SSC): The SSC agenda will include the following issues:

1. Research priorities (Item #9 on the Council agenda)

2. Harvest specification process (Item 110(a) on the Council agenda)

3. Draft Groundfish Programmatic SEIS (Item 16 on the Council agenda)

4. Review data collection information.

5. Review impacts methodology.

Advisory Panel: The Advisory Panel will address the same agenda issues as the Council, with the exception of the Reports under Item #1 of the Council agenda.

Although non-emergency issues not contained in this agenda may come before these groups for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, these issues may not be the subject of formal action during the meeting. Action will be restricted to those issues specifically identified in the agenda listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency.