

diffused layer which is less than 1 micrometer in thickness and the other side coated with a three-layer coating composed of a base nickel-iron-diffused coating layer, with a middle coating layer of annealed and softened pure nickel and a surface coating layer of hard, luster-agent-added nickel which is not heat-treated; with combined coating thickness for all three layers of more than 2 micrometers; surface roughness (RA-microns) 0.18 or less; with SEM not revealing oxides greater than 1 micron; and inclusion groups or clusters shall not exceed 5 microns in length; or (D) products having one side coated with a nickel-iron-diffused layer which is less than 1 micrometer in thickness and the other side coated with a three-layer coating composed of a base nickel-iron-diffused coating layer, with a middle coating layer of annealed and softened pure nickel and a surface coating layer of hard, pure nickel which is not heat-treated; with combined coating thickness for all three layers of more than 2 micrometers; surface roughness (RA-microns) 0.18 or less; SEM not revealing oxides greater than 1 micron; and inclusion groups or clusters shall not exceed 5 microns in length.

Analysis of Comments Received

As stated above, the only comments the Department received on the Preliminary Results were from two respondents, NKK and Nippon, who each expressed support of the Department's analysis and decision. Since we received no comments in opposition to the Preliminary Results, we find it is not necessary to discuss these comments which were in support of the Department's decision.

Changes Since the Preliminary Results

As none of the submitted comments recommended changing the Preliminary Results and as the Department's analysis has not changed regarding any aspect of the Preliminary Results, we have not changed our results from the Preliminary Results.

Final Results

After our analysis, the Department found the following: (1) The increase of imports from Japan to the United States of corrosion-resistant steel ("CRS") with boron-added was only temporary; (2) there were imports to the United States from Japan of boron-added CRS at the time the scope of the order was proposed by the domestic industry and published by the Department; (3) there are commercially and metallurgically viable reasons for the addition of boron in the context of the Continuous Annealing Process ("CAP"), which was

used by the two respondents who exported the vast majority of the boron-added CRS to the United States; and (4) under the five factor test normally applied to determine if an article has been altered in form or appearance in minor respects so as to result in circumvention of the order, which includes an analysis of the overall physical characteristics, the expectations of the ultimate users, the use of the merchandise, the channels of marketing and the cost of modification, we found that, for companies that use the CAP, the addition of boron is not a minor alteration. Therefore, the evidence on the record of this inquiry, taken as a whole, leads to our final results that the United States imports of boron-added corrosion-resistant carbon steel flat products from the respondents were not minor alterations of the subject merchandise, within the meaning of section 781(c) of the Act, and are not circumventing the antidumping duty order on CRS from Japan.

We are issuing and publishing this notice in accordance with section 781(c) of the Act and §351.225(i) of the Department's regulations.

Dated: May 29, 2003.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-791-810]

Certain Hot-Rolled Carbon Steel Flat Products From South Africa: Notice of Rescission of Countervailing Duty Administrative Review for the Period January 1, 2001, Through December 31, 2001

AGENCY: Import Administration, International Trade Administration, U.S. Department of Commerce.

SUMMARY: In response to a timely request from Bethlehem Steel Corporation, National Steel Corporation, and United States Steel Corporation (petitioners), the Department of Commerce (the Department) initiated an administrative review of the countervailing duty order on certain hot-rolled carbon steel flat products from South Africa, covering the period January 1, 2001, to December 31, 2001. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part*, 68 FR 3009 (January 22, 2003).

Because petitioners have submitted a withdrawal of their request for an administrative review, and there was no request for review from any other interested party, the Department is rescinding this review in accordance with § 351.213(d)(1) of the Department's regulations.

EFFECTIVE DATE: June 5, 2003.

FOR FURTHER INFORMATION CONTACT: Mark Hoadley or Julio Fernandez, AD/CVD Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-3148 or (202) 482-0961, respectively.

SUPPLEMENTARY INFORMATION:

Background

On December 23, 2002, the Department published a notice of opportunity to request an administrative review of the countervailing duty order on certain hot-rolled carbon steel flat products from South Africa. See *Notice of Opportunity to Request Administrative Review of Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation* (67 FR 78219). On December 31, 2002, the Department received a timely request from petitioners for an administrative review covering the period from January 1, 2001 through December 31, 2001, in accordance with 19 CFR 351.213(b)(1).

The Department published a notice of initiation of this countervailing duty administrative review on January 22, 2003. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part*, 68 FR 3009 (January 22, 2003). This review covered two manufacturers/exporters of the subject merchandise, Iscor, Ltd. and Saldanha Steel, Ltd., for the period January 1, 2001 through December 31, 2001. On April 24, 2003, petitioners withdrew their request for review.

In accordance with 19 CFR 351.213(d), the Department will rescind an administrative review, "if a party that requested the review withdraws the request within 90 days of the date of publication of notice of initiation of the requested review." See 19 CFR 351.213(d)(1). The Department is authorized to extend this deadline if it decides that it is reasonable to do so. Although petitioners submitted their withdrawal request 92 days after the initiation publication date, *i.e.*, after the 90-day period had expired, the Department has decided that it is reasonable to extend the deadline and accept the request. Petitioners were the

only parties to request this review, and the review has not progressed beyond a point where it would have been unreasonable to allow petitioners to withdraw their request for review. *See Certain In-Shell Raw Pistachios from Iran: Rescission of Antidumping Duty Administrative Review*, 68 FR 16764 (April 7, 2003). Additionally, we conclude that this withdrawal does not constitute an "abuse" of our procedures. *See Antidumping Duties; Countervailing Duties; Final Rule*, 62 FR 27296, 27317 (May 19, 1997). Thus, the Department is rescinding the countervailing duty administrative review on certain hot-rolled carbon steel flat products from South Africa for the period January 1, 2001 through December 31, 2001. The Department will issue appropriate assessment instructions to the United States Bureau of Customs and Border Protection.

This notice serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

This determination and notice are issued and published in accordance with 19 CFR 351.213(d)(4) and sections 751(a)(1) and 777(i)(1) of the Act.

Dated: May 30, 2003.

Barbara E. Tillman,

Acting Deputy Assistant Secretary for Import Administration, Group III.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 052003C]

Magnuson-Stevens Act Provisions; Atlantic Highly Migratory Species; Exempted Fishing Permits

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

ACTION: Notice of receipt of a request for exempted fishing permits (EFPs); request for comments.

SUMMARY: NMFS announces the receipt of a request for EFPs for tuna purse seine vessels to begin fishing prior to

the traditional start date in order to improve market conditions and to allow retention of all incidental catch of bluefin tuna between 73 and 81 inches. NMFS invites comments from interested parties on potential concerns should these EFPs be issued.

DATES: Written comments on this fishing activity will be considered by NMFS in issuing such EFPs if received on or before June 20, 2003.

ADDRESSES: Send comments to Christopher Rogers, Chief, Highly Migratory Species Management Division (F/SF1), NMFS, 1315 East-West Highway, Silver Spring, MD 20910. Comments also may be sent via facsimile (fax) to (301)713-1917. Comments will not be accepted if submitted via e-mail or Internet.

FOR FURTHER INFORMATION CONTACT: Sari Kiraly, 301-713-2347; fax: 301-713-1917.

SUPPLEMENTARY INFORMATION: EFPs are requested and issued under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*) and/or the Atlantic Tunas Convention Act (16 U.S.C. 971 *et seq.*). Regulations at 50 CFR 600.745 and 50 CFR 635.32 govern scientific research activity, exempted fishing, and exempted educational activity with respect to Atlantic HMS.

The East Coast Tuna Association (ECTA) has requested EFPs for five tuna purse seine vessels to begin fishing for their giant Atlantic bluefin tuna allocation on July 15, rather than the traditional start date of August 15. The ECTA believes that beginning the purse seine fishing season 30 days early could enhance marketing opportunities and therefore benefit the entire U.S. commercial bluefin tuna fishery.

ECTA also requests an exemption to allow these vessels to exceed the 10-percent tolerance level for incidental catch of bluefin tuna between 73 and 81 inches (185 to 206 cm). In their request, ECTA states that the minimum size tolerance was a restrictive factor limiting the success of last year's start date experiment and above normal water temperatures may also have been a contributing factor. ECTA also states that due to the prevalence of mixed schools of giant and large medium bluefin tuna throughout the fishing season, purse seine vessels would likely exceed the 10-percent tolerance for undersized fish. ECTA feels that the purse seine quota has not been caught in recent years because purse seine vessels have refrained from setting on mixed schools. ECTA notes that the purse seine vessels have the largest average minimum size of any of the U.S.

Atlantic tuna commercial categories and that most purse seine vessels targeting mixed schools would not catch bluefin tuna below 75 inches (190 cm). Thus, they are requesting an exemption from the 10 percent tolerance level in order to ensure the purse seine quota is filled, to increase fishing efficiency, and to reduce the potential for bycatch mortality.

NMFS invites comments from interested parties on potential concerns should these EFPs be issued.

Authority: 16 U.S.C. 971 *et seq.* and 16 U.S.C. 1801 *et seq.*

Dated: May 30, 2003.

Richard W. Surdi,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Marine Protected Areas Federal Advisory Committee; Public Meeting

AGENCY: National Ocean Service, NOAA, Department of Commerce.

ACTION: Notice of open meeting.

SUMMARY: Notice is hereby given of the first meeting of the Marine Protected Areas Federal Advisory Committee (MPAFAC) in Washington, DC.

DATES: The meeting will be held Tuesday, June 24, from 8:30 a.m. to 5:15 p.m., and Wednesday, June 25, from 8:30 a.m. to 4 p.m. These times and the agenda topics described below may be subject to change. Refer to the web page listed below for the most up-to-date meeting agenda.

ADDRESSES: The meeting will be held both days at the Commerce Department Auditorium, 1401 Constitution Avenue, NW., Washington, DC 20230. (Please use the main entrance on 14th Street).

FOR FURTHER INFORMATION CONTACT: Marjorie Ernst, Designated Federal Officer, MPAFAC, National Marine Protected Areas Center, NOAA, Rm. 12227, 1305 East-West Highway, Silver Spring, Maryland 20910. (Phone: 301-563-7111; Fax: 301-713-3110; E-mail: Marjorie.Ernst@noaa.gov; or visit the National MPA Center Web site at <http://www.mpa.gov>).

SUPPLEMENTARY INFORMATION: The MPAFAC, composed of external, knowledgeable representatives of stakeholder groups, has been established by the Department of Commerce to provide advice to the