

free of the central excise duty. As an element of the EOU program, the Central Excise Duty (CED) exemption is limited to exporters, and therefore specific under section 771(5A)(B) of the Act. However, based on the information in the record of this investigation, we are unable to determine whether the Purchase of Materials and other Inputs of Central Excise Duty provides a financial contribution in accordance with section 771(5)(D)(ii) of the Act, or a benefit in accordance with section 771(5)(E)(iv) of the Act. Therefore, for purposes of this preliminary determination, additional information is needed before making a decision with respect to this program. We will seek additional information from the GOI prior to our verification and final determination.

## 2. Duty Drawback on Furnace Oil Procured From Domestic Oil Companies

Under this element of the EOU program, an EOU procuring oil from domestic oil companies can file a drawback claim on a quarterly basis. As an element of the EOU program, this duty drawback program is limited to exporters and therefore specific under section 771(5A)(B) of the Act. However, based on the information in the record of this investigation, we are unable to determine whether the duty drawback of domestic furnace oil purchases provides a financial contribution in accordance with section 771(5)(D)(ii) of the Act, or a benefit in accordance with section 771(5)(E)(iv) of the Act. Therefore, for purposes of this preliminary determination, additional information is needed before making a decision with respect to this program. We will seek additional information from the GOI prior to our verification and final determination.

### Verification

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

### Suspension of Liquidation

In accordance with section 703(d)(1)(A)(i) of the Act, we have determined individual rates for Reliance, SAPL, Futura, and Elque. To calculate the "all others" rate, we weight-averaged the individual rates of Reliance, SAPL, Futura, and Elque's by each company's respective exports of subject merchandise made to the United States during the POI. These rates are summarized in the table below:

Producer/exporter	Subsidy rate
Reliance Industries Ltd.	30.24 % ad valorem
South Asia Petrochem Ltd.	19.13 % ad valorem
Futura Polyesters Ltd	1.62 % ad valorem
Elque Polyesters Ltd	12.02 % ad valorem
All Others .....	24.01 % ad valorem

In accordance with section 703(d)(1)(B) of the Act, we are directing U.S. Customs and Border Protection (CBP) to suspend liquidation of all entries of the subject merchandise from India, which are entered or withdrawn from warehouse, for consumption on or after the date of the publication of this notice in the **Federal Register**, and to require a cash deposit or the posting of a bond for such entries of the merchandise in the amounts indicated above. This suspension will remain in effect until further notice.

As provided for in the section 703(b)(4)(B) of the Act, for developing countries, any rate less than 2.0 percent ad valorem in an investigation is de minimis. Therefore, we preliminarily determine that countervailable subsidies are not being provided to Futura. Accordingly, for Futura, we will not direct CBP to suspend liquidation of entries of subject merchandise.

### 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 non-privileged and non-proprietary 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)(2) of the Act, if our final determination is affirmative, the ITC will make its final determination within 45 days after the Department makes its final determination.

### Notification of Parties

In accordance with 19 CFR 351.224(b), the Department will disclose to the parties the calculations for this preliminary determination within five days of its announcement. Unless otherwise notified by the Department, interested parties may submit case briefs within 50 days of the date of publication of the preliminary determination in accordance with 19 CFR 351.309(c)(i) of the Department's regulations. As part of

the case brief, parties are encouraged to provide a summary of the arguments not to exceed five pages and a table of statutes, regulations, and cases cited. Rebuttal briefs, which must be limited to issues raised in the case briefs, must be filed within five days after the case brief is filed.

In accordance with 19 CFR 351.310, we will hold a public hearing if requested, to afford interested parties an opportunity to comment on this preliminary determination. Individuals who wish to request a hearing must submit a written request within 30 days of the publication of this notice in the **Federal Register** to the Assistant Secretary for Import Administration, U.S. Department of Commerce, Room 1870, 14th Street and Constitution Avenue, NW., Washington, DC 20230. Parties will be notified of the schedule for the hearing and parties should confirm by telephone the time, date, and place of the hearing 48 hours before the scheduled time. Requests for a public hearing should contain: (1) Party's name, address, and telephone number; (2) the number of participants; and, (3) to the extent practicable, an identification of the arguments to be raised at the hearing.

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

Dated: August 23, 2004.

**James J. Jochum,**

*Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 082304D]

### Gulf of Mexico 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 Gulf of Mexico Fishery Management Council will convene public meetings.

**DATES:** The meetings will be held on September 13-17, 2004.

**ADDRESSES:** These meetings will be held at the Edgewater Beach Resort, 11212 Front Beach Road, Panama City, FL 34207.

*Council address:* Gulf of Mexico Fishery Management Council, 3018

North U.S. Highway 301, Suite 1000,  
Tampa, FL 33619; 850-235-4977.

**FOR FURTHER INFORMATION CONTACT:**  
Wayne E. Swingle, Executive Director,  
Gulf of Mexico Fishery Management  
Council; telephone: (813) 228-2815.

**SUPPLEMENTARY INFORMATION:**

**Council**

*Thursday September 16, 2004*

8:30 a.m. - Convene.

8:45 a.m. - 10 a.m. - Receive public testimony on the Reef Fish Amendment 23 (Vermilion Snapper Rebuilding Plan) and Applications for Exempted Fishing Permits (if any).

10 a.m. - 10:30 a.m. - Receive the Habitat Protection Committee report.

10:30 a.m. - 10:45 a.m. - Receive the report of the Joint Personnel/ Administrative Policy Committee.

10:45 a.m. - 11 a.m. - Receive the report of the Budget Committee.

11 a.m. - 11:15 a.m. - Receive the Joint Reef Fish/Mackerel Management Committee report.

11:15 a.m. - 11:30 a.m. - Receive the Shrimp Management Committee report.

1 p.m. - 1:15 p.m. - Receive the Data Collection Committee report.

1:15 p.m. - 1:30 p.m. - Receive the Ecosystem Management Committee report.

1:30 p.m. - 3:30 p.m. - Receive the Reef Fish Management Committee report.

3:30 p.m. - 5 p.m. - Receive the Migratory Species Committee report.

*September 17, 2004*

8:30 a.m. - 9:30 a.m. - Receive the Sustainable Fisheries Committee report.

9:30 a.m. - 10:30 a.m. - Receive the Coral Management Committee report.

10:30 a.m. - 10:45 a.m. - Receive the Joint Advisory Panel (AP) Selection/ Scientific and Statistical Committee (SSC) Selection Committee report.

10:45 a.m. - 11 a.m. - Receive the International Commission for the Conservation of Atlantic Tunas (ICCAT) Advisory Committee report.

11 a.m. - 11:15 a.m. - Receive Enforcement Reports.

11:15 a.m. - 11:30 a.m. - Receive the NMFS Regional Administrator's Report.

11:30 a.m. - 11:45 a.m. - Receive Director's Reports.

11:45 a.m. - 12 noon - Other Business

12 noon - 12:15 p.m. - Election of Chair and Vice-Chair.

*September 13, 2004*

8:30 a.m. - 9:30 a.m. - The Joint Personnel/Administrative Policy Committees will review the disciplinary action section of the Council's Standard Operating Practices and Procedures

(SOPPS) and the Southeastern Data and Review (SEDAR) Process and Pool Section of SOPPS.

9:30 a.m. - 10:30 a.m. - The Budget Committee will review the 2005-09 budgets.

10:30 a.m. - 11:30 a.m. - The Joint Reef Fish/Mackerel Management Committee will review amendments for commercial limited access systems for reef fish and mackerels.

1 p.m. - 3:30 p.m. - The Shrimp Management Committee will discuss NOAA Fisheries' bycatch reduction device (BRD) technical developments; proposed revision of BRD certification rule; report on Shrimp Summit meeting; and Draft Shrimp Amendment 13/SEIS.

3:30 p.m. - 5:30 p.m. - The Ecosystem Management Committee will meet and presentations on the NOAA Fisheries' ecosystem management will be given. There will also be a presentation on the South Atlantic Fishery Management Council (SAFMC) approach to ecosystem management.

*September 14, 2004*

8 a.m. - 9:30 a.m. - The Data Collection Committee will meet to hear a presentation of the recreational data needs and data collection.

9:30 a.m. - 11 a.m. - The Habitat Protection Committee will review a Preliminary Public Hearing Draft of Generic Essential Fish Habitat (EFH) Amendment and a report on NOAA Fisheries' Liquid Natural Gas (LNG) Facilities Workshop.

11 a.m. - 5:30 p.m. - The Reef Fish Management Committee will meet to review the Final Reef Fish Amendment 23 for rebuilding vermilion snapper; an Options Paper for Reef Fish 18A pertaining to the grouper fishery; scoping comments on Red Snapper Individual Fishing Quota (IFQ) Profile; and public testimony on grouper quota and trip limits.

6:30 p.m. - 8:30 p.m. - NOAA Fisheries' Southeast Regional Office (SERO) will hold the Gulf Coast Recreational Data Forum in the same meeting room as the Council meeting. Dr. Roy Crabtree, SE Regional Administrator, SERO staff, and fisheries statistics staff from NOAA Fisheries Headquarters will be on hand to provide up-to-date program information and answer questions about NOAA Fisheries' recreational data collection program. The informal two-hour session is open to the public and will begin at 6:30 p.m. For more information on the Gulf Coast Recreational Data Forum, contact Michael Bailey at 727-570-5474.

*September 15, 2004*

8:30 a.m. - 10:30 a.m. - The Highly Migratory Species Committee will meet to suggest changes to the NOAA Fisheries HMS/Billfish Amendments.

10:30 a.m. - 1 p.m. - The Sustainable Fisheries Committee will suggest changes to the draft proposed guidelines for National Standard One.

2:30 - 4:30 p.m. - The Coral Management Committee will meet from to review the Oceana petition for rulemaking on deep-water coral and draft a Council letter commenting on it.

4:30 - 5:30 p.m. - The Joint Advisory Panel (AP)/Scientific and Statistical Committee (SSC) selection Committee will meet in a closed session to discuss the appointment of 2 persons to the Ad Hoc Red Snapper AP and appointment of members to the Ad Hoc Ecosystem SSC.

Although other non-emergency issues not on the agendas may come before the Council and Committees for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, those issues may not be the subject of formal action during these meetings. Actions of the Council and Committees will be restricted to those issues specifically identified in the agendas 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 action to address the emergency. The established times for addressing items on the agenda may be adjusted as necessary to accommodate the untimely completion of discussion relevant to other agenda items. In order to further allow for such adjustments and completion of all items on the agenda, the meeting may be extended from, or completed prior to the date established in this notice.

**Special Accommodations**

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Dawn Aring at the Council (see **ADDRESSES**) by September 2, 2004.

Dated: August 25, 2004.

**Alan D. Risenhoover,**

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