

refurbishment, and that neither it, nor a party related to it or under contract to it, will remove the modules from the motherboards after importation, except as necessary in the course of repair or refurbishment of the motherboards, in which case any subject memory modules removed from the motherboards will be destroyed.

The scope of this order does not include DRAMS or memory modules that are re-imported for repair or replacement, as stated in the *Final Scope Ruling*, provided that the importing company can demonstrate that the DRAMS or memory modules are being re-imported for repair or replacement to the satisfaction of CBP.

The DRAMS subject to this order are currently classifiable under subheadings 8542.21.8005 and 8542.21.8020 through 8542.21.8030 of the Harmonized Tariff Schedule of the United States ("HTSUS"). The memory modules containing DRAMS from Korea, described above, are currently classifiable under subheadings 8473.30.10.40 and 8473.30.10.80 of the HTSUS. Removable memory modules placed on motherboards, described above, are classifiable under subheading 8471.50.0085, 8517.30.5000, 8517.50.1000, 8517.50.5000, 8517.50.9000, 8517.90.3400, 8517.90.3600, 8517.90.3800,

8517.90.4400 and 8543.89.9600. Although the HTSUS subheadings are provided for convenience and customs purposes, the department's written description of the scope of this order remains dispositive.

#### Scope Rulings

On December 29, 2004, the Department received a request from Cisco Systems, Inc. ("Cisco"), to determine whether removable memory modules placed on motherboards that are imported for repair or refurbishment are within the scope of the countervailing duty ("CVD order"). The Department initiated a scope inquiry pursuant to 19 CFR 351.225(e) on February 4, 2005. On June 16, 2005, the Department issued a preliminary scope ruling, finding that removable memory modules placed on motherboards that are imported for repair or refurbishment are within the scope of the CVD order. See Memorandum from Julie H. Santoboni to Barbara E. Tillman, "Preliminary Scope Ruling," dated June 16, 2005. On July 5, 2005, and July 22, 2005, comments on the preliminary scope ruling were received from Cisco. On July 6, 2005, and July 15, 2005, comments were received from Micron.

On January 12, 2006, the Department issued a final scope ruling, finding that removable memory modules placed on

motherboards that are imported for repair or refurbishment are not within the scope of the CVD order if the importer certifies that it will destroy any memory modules that are removed during repair or refurbishment. See *Final Scope Ruling*. The scope of the CVD order was clarified to CBP in message number 6037201, dated February 6, 2006.

#### Amended Final Results

In accordance with section 751(h) of the Act and 19 CFR 351.224(e), we have determined that the Department made certain ministerial errors in the *Final Results* and, therefore, we are amending the *Final Results* to correct these ministerial errors. For a detailed discussion of the ministerial error allegations and the Department's analysis, see Memorandum to Stephen J. Claeys, *Countervailing Duty Administrative Review: Dynamic Random Access Memory Semiconductors from the Republic of Korea*, regarding Ministerial Error Allegations for Final Results, dated March 31, 2006, which is on file in the Central Records Unit ("CRU"), room B-099 of the main Department building.

The revised countervailing duty rate for Hynix for the period April 7, 2003, through December 31, 2003, is listed below:

Producer/Exporter	Original Final Rate	Amended Final Rate
Hynix Semiconductor, Inc. ....	58.22%	58.11%

#### Assessment Rates

The Department will instruct CBP to liquidate shipments of DRAMS by Hynix entered or withdrawn from warehouse, for consumption from April 7, 2003, through December 31, 2003, at 58.11 percent *ad valorem* of the entered value. We will also instruct CBP to take into account the "provisional measures cap" in accordance with 19 CFR 351.212(d).

#### Cash Deposits

The Department also intends to instruct CBP to collect cash deposits of estimated countervailing duties at 58.11 percent *ad valorem* of the entered value on all shipments of the subject merchandise from Hynix, entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice. This cash deposit rate shall remain in effect until publication of the final results of the next administrative review.

We are issuing and publishing these amended final results and notice in

accordance with sections 751(a)(1), 751(h) and 771(i)(1) of the Act.

Dated: April 4, 2006.

David M. Spooner,

Assistant Secretary for Import Administration.

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#### DEPARTMENT OF COMMERCE

##### International Trade Administration [C-122-815]

##### Pure Magnesium and Alloy Magnesium From Canada: Notice of Extension of Time Limit for 2004 Administrative Reviews

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**EFFECTIVE DATE:** April 11, 2006.

**FOR FURTHER INFORMATION CONTACT:** Andrew McAllister, AD/CVD Operations, Office 1, Import Administration, International Trade

Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone (202) 482-1174.

#### SUPPLEMENTARY INFORMATION:

##### Statutory Time Limits

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended ("the Act"), requires the Department of Commerce ("Department") to issue the preliminary results of an administrative review within 245 days after the last day of the anniversary month of an order for which a review is requested and a final determination within 120 days after the date on which the preliminary results are published. If it is not practicable to complete the review within the time period, section 751(a)(3)(A) of the Act allows the Department to extend these deadlines to a maximum of 365 days and 180 days, respectively.

##### Background

On September 28, 2005, the Department published a notice of

initiation of administrative reviews of the countervailing duty orders on pure magnesium and alloy magnesium from Canada, covering the period January 1, 2004, through December 31, 2004. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 70 FR 56631 (September 28, 2005). The preliminary results for the countervailing duty administrative reviews of pure magnesium and alloy magnesium from Canada are currently due no later than May 3, 2006.

#### **Extension of Time Limits for Preliminary Results**

The Department requires additional time to review and analyze Norsk Hydro Canada Inc.'s ("NHCI") request for revocation of the orders in part. Moreover, the Department requires additional time for the possibility of verification in these reviews, and it is thus not practicable to complete these reviews within the original time limit (*i.e.*, May 3, 2006). Therefore, the Department is extending the time limit for completion of these preliminary results to not later than July 12, 2006, in accordance with section 751(a)(3)(A) of the Act.

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: April 5, 2006.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Import Administration.*

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## **DEPARTMENT OF COMMERCE**

### **National Oceanic and Atmospheric Administration**

[I.D. 040506B]

#### **Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits**

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

**ACTION:** Notice; receipt of Exempted Fishing Permit application.

**SUMMARY:** The Assistant Regional Administrator for Sustainable Fisheries, Northeast Region, NMFS (Assistant Regional Administrator) has decided that the subject Exempted Fishing Permit (EFP) application contains all the required information and warrant's farther consideration. The Assistant Regional Administrator has also made a preliminary determination that the activities authorized under the EFP would be consistent with the goals and objectives of the Northeast (NE) Multispecies Fishery Management Plan (FMP). Based on preliminary review of this project, a Categorical Exclusion (CE) from requirements to prepare either an Environmental Impact Statement (EIS) or an Environmental Assessment (EA) under the National Environmental Policy Act (NEPA) appears to be justified. However, further review and consultation may be necessary before a final determination is made to issue the EFP. Therefore, NMFS announces that the Assistant Regional Administrator proposes to recommend that an EFP be issued that would allow two commercial fishing vessels to conduct fishing operations that are otherwise restricted by the regulations governing the fisheries of the Northeastern United States. The EFP, which would enable researchers to investigate the feasibility of using low profile gillnets to catch flounders while limiting roundfish bycatch, would allow for exemptions from the FMP as follows: Gulf of Maine (GOM) Rolling Closure Areas I, II, III, IV, and V.

Regulations under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed EFPs.

**DATES:** Comments must be received on or before April 26, 2006.

**ADDRESSES:** Written comments should be sent to Patricia A. Kurkul, Regional Administrator, NMFS, Northeast Regional Office, 1 Blackburn Drive, Gloucester, MA 01930. Mark the outside of the envelope "Comments on the GOM Low Profile Gillnet Study." Comments may also be sent via facsimile (fax) to (978) 281-9135, or submitted via e-mail to the following address: [DA6-32@noaa.gov](mailto:DA6-32@noaa.gov).

**FOR FURTHER INFORMATION CONTACT:** Mark Grant, Fishery Management

Specialist, (978) 281-9145, fax (978) 281-9135.

**SUPPLEMENTARY INFORMATION:** A complete application for an EFP was submitted on March 2, 2006, by Dr. Pingguo He of the University of New Hampshire (UNH) for a project funded by the Northeast Consortium. The primary goal of this joint project with the Massachusetts Division of Marine Fisheries is to test lower vertical profile flounder gillnets to reduce the catch of roundfish, such as cod, while retaining flounders, such as winter flounder, in inshore western GOM waters. Researchers anticipate that, if the experimental net is successful, data gathered during this study may be useful in the establishment of a Special Access Program for the use of NE multispecies B days-at-sea (DAS) in a future action.

The project would be conducted between May 1, 2006, and April 30, 2007, and would include flume tank trials and 45 days of at-sea trials. Two types of low profile gillnets, each 8 meshes deep with variations in flotation and hanging ratio, would be compared with three commercial cod and flounder gillnets, each 25 meshes deep. The participating vessels would fish the nets in fleets of 10 nets, two nets per type, alternately rigged so that two experimental nets can be compared with the three control nets. One vessel would fish six fleets per day; the other would fish eight fleets per day. The nets would be soaked for 24 hr before hauling.

All specimens caught would be sampled and measured. All undersized or otherwise protected fish would be returned to the sea as quickly as practicable after measurement and examination. The overall fishing mortality is estimated to be 30 percent of the average commercial fishing mortality that would result from the proposed number of DAS. The researcher anticipates that a total of 11,000 lb (4,990 kg) of fish would be harvested throughout the course of the study and there would be 8,420 lb (3,819 kg) of regulatory discards (see Table 1). All legal-sized fish, within the possession limit, would be sold, with the proceeds returned to the project for the purpose of enhancing future research.