

*Comment 4:* Surrogate Value for Coal  
*Comment 5:* Surrogate Value for Electricity

*Comment 6:* Ocean Freight

[FR Doc. E6-17267 Filed 10-16-06; 8:45 am]

BILLING CODE 3510-DS-S

## DEPARTMENT OF COMMERCE

### International Trade Administration

(A-428-825)

#### Stainless Steel Sheet and Strip in Coils From Germany: Notice of Rescission of Antidumping Duty Administrative Review

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

**SUMMARY:** The Department of Commerce (the Department) is rescinding its administrative review of the antidumping duty order on stainless steel sheet and strip in coils from Germany for the period July 1, 2005 to June 30, 2006.

**EFFECTIVE DATE:** October 17, 2006.

**FOR FURTHER INFORMATION CONTACT:** Tyler R. Weinhold, Deborah Scott, or Robert James at ( ), AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW, Washington, DC 20230; Telephone: (202) 482-2657 and (202) 482-0649, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On July 3, 2006, the Department published in the *Federal Register* its notice of opportunity to request an administrative review of the antidumping duty order on stainless steel sheet and strip in coils from Germany. See *Antidumping of Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 71 FR 37890 (July 3, 2006). In response, on July 31, 2006, German producers ThyssenKrupp Nirosta GmbH ("ThyssenKrupp Nirosta"), ThyssenKrupp Nirosta Prazisionsband GmbH ("TKNP"), ThyssenKrupp VDM GmbH ("TKVDM") (collectively, "TKN"), along with their affiliated U.S. importers ThyssenKrupp Nirosta North America, Inc. ("TKNNA") and ThyssenKrupp VDM USA, Inc. ("TKVDMUSA") requested an administrative review of the antidumping duty order on stainless steel sheet and strip in coils from

Germany for the period of review July 1, 2005, through June 30, 2006. Petitioners in this case did not request an administrative review. On August 30, 2006, the Department initiated an administrative review of TKN. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part*, 71 FR 51573 (August 30, 2006). On September 19, 2006, TKN submitted a letter withdrawing their request for an administrative review. See letter from TKN dated September 19, 2006.

#### Rescission of Review

Section 351.213(d)(1) of the Department's regulations provides that the Department will rescind an administrative review if the party that requested the review withdraws its request for review within 90 days of the date of publication of the notice of initiation of the requested review, or withdraws at a later date if the Department determines it is reasonable to extend the time limit for withdrawing the request. In response to TKN's withdrawal of their request for an administrative review, the Department hereby rescinds the administrative review of the antidumping duty order on stainless steel sheet and strip in coils from Germany for the period July 1, 2005 through June 30, 2006.

The Department will issue appropriate assessment instructions directly to U.S. Customs and Border Protection (CBP) within 15 days of the publication of this notice. The Department will direct CBP to assess antidumping duties for TKN at the cash deposit rate in effect on the date of entry for entries during the period July 1, 2005, through June 30, 2006.

#### Notification to Importers

This notice serves as a final reminder to importers of their responsibility under section 351.402(f) of the Department's regulations to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's assumption that reimbursement of antidumping duties occurred and subsequent assessment of double antidumping duties.

This notice also 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 section 351.305(a)(3) of the Department's regulations. Timely written notification of the return/

destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This notice is published in accordance with section 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: October 10, 2006.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. E6-17269 Filed 10-16-06; 8:45 am]

BILLING CODE 3510-DS-S

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 101106C]

#### Endangered and Threatened Species; Initiation of a Status Review under the Endangered Species Act (ESA) for the Black Abalone

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

**ACTION:** Notice; initiation of a status review under the ESA.

**SUMMARY:** We, NMFS, announce the initiation of an ESA status review of the black abalone (*Haliotis cracherodii*), and we solicit information on the species.

**DATES:** Information on the black abalone must be received by December 18, 2006.

**ADDRESSES:** You may submit information on the black abalone via mail to Melissa Neuman, NMFS, Southwest Region, 501 West Ocean Blvd., Suite 4200, Long Beach, CA, 90802-4213, e-mail at [black.abalone@noaa.gov](mailto:black.abalone@noaa.gov), or fax to 562-980-4027. Include in the subject line of any e-mail the following document identifier: Black abalone review.

**FOR FURTHER INFORMATION CONTACT:** Melissa Neuman, (562) 980-4115, [melissa.neuman@noaa.gov](mailto:melissa.neuman@noaa.gov), or Marta Nammack, (301)713-1401, [marta.nammack@noaa.gov](mailto:marta.nammack@noaa.gov).

**SUPPLEMENTARY INFORMATION:** We initiated an informal ESA status review of the black abalone on July 15, 2003, and we conducted a biological scoping workshop on January 29-30, 2004, which served to bring together individuals who have research experience with black abalone and/or experience conducting status reviews and/or stock assessments. A second workshop was convened on July 31-August 1, 2006, to discuss research

advancements since 2003, standardization of monitoring and assessment efforts, and gaps in our understanding of the species' long-term trends. At this time, we are formally announcing a status review of the black abalone. This species was harvested commercially and recreationally beginning in the mid-1800s with significant declines detected in the late 1970s, and withering syndrome continues to be a threat to the species.

#### Comments Solicited

To support this status review, we are soliciting information on the following topics: (1) long-term trends in abundance throughout the species range; (2) potential factors for the species' decline throughout its range (e.g., overharvesting, natural predation, disease, habitat loss etc.); (3) status of the black abalone fishery in Mexico; (4) implication of low population size for black abalone conservation; (5) factors important for black abalone management; (6) current estimate of population size and available habitat; (7) knowledge of various life history parameters (size/age at maturity, fecundity, length of larval stage, larval dispersal dynamics, etc.); and (8) projections on population growth or decline and risk of extinction. See **DATES** and **ADDRESSES** for guidance on how, by when, and where to send information.

Dated: October 10, 2006.

**James H. Lecky,**

*Director, Office of Protected Resources,  
National Marine Fisheries Service.*

[FR Doc. E6-17247 Filed 10-16-06; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 101106D]

#### Endangered and Threatened Species; Revision of Species of Concern List, Candidate Species Definition, and Candidate Species List

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

**ACTION:** Notice; revision of species of concern list, candidate species definition, and species considered as candidates.

**SUMMARY:** We, NMFS, revise: our species of concern list by adding three and removing six species; our definition of candidate species; and our candidate species list by adding four species and

removing two. We solicit information and comments on the status of, and research and stewardship opportunities for, species of concern.

**DATES:** These actions are effective on October 17, 2006.

**ADDRESSES:** Send comments and documentation regarding the status of any species of concern to the Chief of Endangered Species, NMFS, Office of Protected Resources, 1315 East-West Highway, F/PR3, Silver Spring, MD 20910. Comments may also be submitted by e-mail at [soc.list@noaa.gov](mailto:soc.list@noaa.gov). Include in the subject line of the e-mail comment the following document identifier: Species of Concern List.

#### FOR FURTHER INFORMATION CONTACT:

Marta Nammack at (301)713-1401, ext. 180, [marta.nammack@noaa.gov](mailto:marta.nammack@noaa.gov), for general information on the Species of Concern program; Kim Damon-Randall at (978) 281-9300 x6535, [kimberly.damon-randall@noaa.gov](mailto:kimberly.damon-randall@noaa.gov), for information on the newly designated species of concern.

**SUPPLEMENTARY INFORMATION:** The regulations implementing section 4 of the ESA (5 U.S.C. 1533) define "candidate" as "any species being considered by the Secretary [of Commerce or Interior] for listing as an endangered or a threatened species, but not yet the subject of a proposed rule" (50 CFR 424.02). Such a designation does not confer any procedural or substantive protections of the ESA on the candidate species.

"Species of concern" are species about which we have some concerns regarding status and threats, but for which insufficient information is available to indicate a need to list the species under the ESA (69 FR 19975; April 15, 2004). Species can qualify as both species of concern and candidate species. This discussion is limited to species under NMFS jurisdiction and does not apply to the regulatory practices of the U.S. Fish and Wildlife Service.

#### Definition of Candidate Species

On April 15, 2004, (69 FR 19975) we stated that we would limit use of the term "candidate species" to refer to (1) species that are the subject of a petition to list and for which we have determined that listing may be warranted, pursuant to section 4(b)(3)(A), and (2) species for which we have determined, following a status review, that listing is warranted (whether or not they are the subject of a petition). However, in order to be consistent, we intend to include non-petitioned species for which we have

announced the initiation of a formal status review in our definition of candidate species. "Candidate species" will henceforth refer to (1) species that are the subject of a petition to list and for which we have determined that listing may be warranted, pursuant to section 4(b)(3)(A), and (2) species that are not the subject of a petition but for which we have announced the initiation of a status review in the **Federal Register**. In other words, any species that is undergoing a status review that we have announced in a **Federal Register** notice will be considered a candidate species.

#### Species of Concern

In our April 15, 2004, notice establishing the species of concern list (69 FR 19975), we described factors that we consider when identifying species of concern. Rationale for identifying each species of concern is available at <http://www.nmfs.noaa.gov/pr/species/concern>. We intend to publish annual updates of our species of concern list in the **Federal Register**. Table 1 at the end of this Notice lists the current species of concern. We are adding three species to and removing six species from the species of concern list. Also, two species are removed from the candidate species list, while four species of concern are added to the candidate list because they are undergoing formal status reviews.

Initiation of a status review does not mean that an ESA listing is imminent. Even after a status review has been conducted, it is possible that the available information will be insufficient to make a determination on the status of the species or that the information will indicate that an ESA listing is not warranted. Species of concern status serves to promote conservation and research efforts for these species.

#### Adding Three Species of Concern

We have identified three new species of concern: the porbeagle (*Lamna nasus*), alewife (*Alosa pseudoharengus*), and blueback herring (*Alosa aestivalis*). A short synopsis of their status and factors for decline are presented here. More detailed information on these species is available at <http://www.nmfs.noaa.gov/pr/species/concern/>.

The porbeagle is a slow growing coastal shark, with a relatively late age at maturity. It has been overfished over the last four decades, resulting in a 90 percent loss of the sexually mature population. In 2006 the International Union for Conservation of Nature and Natural Resources assessed the status of