dumping of subject merchandise. Therefore, *Asahi* lends no support to Kolon's arguments.

Kolon's claim that the Department's reinstatement regulation has no statutory authority is without merit. Specifically, Kolon implies that the Act requires an injury determination by the Commission prior to the imposition of an order, and that, because the order on PET film from Korea has been partially revoked as to Kolon, a new petition must be filed with respect to Kolon, and separate affirmative determinations must be made by the Commission and the Department concerning injury and dumping. We find this argument unavailing. In the instant case, the Department made its final determination of dumping and the Commission made its final injury determination. *See Order*. Additionally, the antidumping duty order on PET film from Korea remains in place. Therefore, the Commission has found that dumping of PET film from Korea causes material injury to the domestic industry; that finding was undisturbed by the partial revocation of Kolon. Further, that revocation was premised on the absence of dumping rather than the absence of injury and was expressly conditioned on the possibility of reinstatement should dumping resume.

The partial revocation of the order with respect to Kolon did not nullify the validity of the underlying injury and less than fair value determinations that resulted in the issuance of an antidumping duty order which remains in force, particularly when the partial revocation is the result of behavior subsequent to those earlier determinations. The Commission's injury determination, furthermore, does not examine the injury caused by discrete companies, but rather the injury caused by all dumped exports originating in a particular exporting country. Even if one or more exporters in that country may have been revoked from the order on the basis of absence of dumping, all dumped exports of subject merchandise from that country continue to cause or threaten material injury, pursuant to the Commission's affirmative injury determination. Thus, unless all exporters are revoked from the order, the order continues to exist, as does the potential for reinstatement. Kolon itself agreed to such a reinstatement as a condition of its partial revocation, if the Department were to conclude that it has sold the merchandise at below NV. Thus, a new injury finding specific to Kolon is neither necessary nor appropriate for reinstatement pursuant to 19 CFR 351.222(h)(2)(i)(B).

In requesting revocation, Kolon filed a certification from a company official pursuant to the Department's regulations that it agree to the immediate reinstatement of the order, so long as any exporter or producer is subject to the order, if the Secretary concludes that it, subsequent to the revocation, sold PET film at less than NV. *See Revocation*. Several other companies remain subject to the antidumping duty order on PET film from Korea. The information submitted by Petitioners in their letters of July 19, 2006, September 20, 2006, and November 9, 2006 concerning Kolon's COP, and home market and U.S. sales activity, suggest Kolon might have resumed dumping subsequent to Kolon's revocation from the order. Petitioners allege underselling of PET film in the United States at prices between 29 percent and 72 percent below NV during the July 1, 2005, through June 30, 2006 period. Accordingly, the Department has properly determined to initiate a changed circumstances review to determine whether to reinstate Kolon in the order.

Moreover, Kolon's claim that it was never found by the Department to be dumping is also misplaced. First, Kolon dropped its court challenge to the first administrative review. Thus, Kolon's argument that the Department would have calculated a *de minimis* margin for Kolon for the first administrative review is speculation unsubstantiated by the record. More importantly, whether Kolon was or was not found to be dumping during the first administrative review is irrelevant to our basis for initiating a changed circumstances review. Petitioners have provided credible evidence that Kolon has resumed selling subject merchandise at prices below NV subsequent to its revocation from the Order. Moreover, Kolon voluntarily agreed to reinstatement in the order upon evidence that it had resumed dumping in the United States, provided that other companies remain subject to the *Order*. Presently, several companies remain subject to the *Order*. The standard for initiation of a changed circumstances review under section 751(b) of the Act is whether the request shows changed circumstances that warrant review. The Department finds that the Petitioners' changed circumstances review request, which suggests above *de minimis* dumping margins for Kolon, satisfies that standard.

Based on the foregoing, we find that Petitioners have provided sufficient evidence to initiate a changed circumstances review in which we will determine whether Kolon should be reinstated within the order of PET film from Korea. However, as the Department has yet to make a finding that Kolon did, in fact, sell subject merchandise at below NV, we will not order any border measures at this time.

The Department will publish in the **Federal Register** a notice of preliminary results of changed circumstances review in accordance with 19 CFR 351.221(b)(4) and 351.221(c)(3)(i), which will set forth the Department's preliminary factual and legal conclusions. Pursuant to 19 CFR 351.221(b)(4)(ii), interested parties will have an opportunity to comment on the preliminary results. The Department will issue its final results of review in accordance with the time limits set forth in 19 CFR 351.216(e).

This notice is published in accordance with sections 751(b)(1) and 777(i)(1) of the Act and 19 CFR 351.221(b) of the Department's regulations.

Dated: December 27, 2006.

Stephen J. Claeys,

Acting Assistant Secretary for Import Administration.

[FR Doc. E6–22642 Filed 1–4–07; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

A–570–806

Silicon Metal from the People's Republic of China: Notice of Correction of Continuation of Antidumping Duty Order

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

EFFECTIVE DATE: January 5, 2007.

FOR FURTHER INFORMATION CONTACT: Michael Quigley or Juanita Chen, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482–4047 or (202) 482–1904, respectively.

CORRECTION:

On December 21, 2006, the Department of Commerce (''Department'') published its continuation of the antidumping duty order on silicon metal from the People's Republic of China. *See Silicon Metal from the People's Republic of China: Continuation of Antidumping Duty Order*, 71 FR 76636 (December 21, 2006)

(''*Continuation Notice*''). Subsequent to the signature of the *Continuation Notice*, we identified an inadvertent error in the above–referenced notice.

Specifically, the ''Scope of the Order'' listed in the *Continuation Notice* was incorrect. It should read as follows:

Scope of the Order

The merchandise covered by this order is silicon metal containing at least 96.00 percent but less than 99.99 percent silicon by weight. Also covered by this antidumping order is silicon metal containing between 89.00 and 96.00 percent silicon by weight but which contains more aluminum than the silicon metal containing at least 96.00 percent but less than 99.99 percent silicon by weight. Silicon metal is currently provided for under subheadings 2804.69.10 and 2804.69.50 of the Harmonized Tariff Schedule of the United States (''HTSUS'') as a chemical product, but is commonly referred to as a metal. Semiconductor grade silicon (silicon metal containing by weight not less than 99.99 percent silicon and provided for in subheading 2804.61.00 of the HTSUS) is not subject to the order. Although the HTSUS item numbers are provided for convenience and for customs purposes, the written description remains dispositive.

Conclusion

This notice serves solely to correct the scope as it was detailed in the *Continuation Notice*. The Department's findings in the *Continuation Notice* remain unchanged. This notice is issued and published in accordance with section 777(i) of the Tariff Act of 1930, as amended.

Dated: December 27, 2006.

Stephen J. Claeys,

Deputy Assistant Secretary for Import Administration.

[FR Doc. E6–22641 Filed 1–4–07; 8:45 am]

BILLING CODE 3510–DS–S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 113006A]

Taking of Marine Mammals Incidental to Specified Activities; Construction of the East Span of the San Francisco-Oakland Bay Bridge

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

ACTION: Notice; proposed authorization for an incidental take authorization; request for comments.

SUMMARY: NMFS has received a request from the California Department of Transportation (CALTRANS) for renewal of an authorization to take small numbers of California sea lions, Pacific harbor seals, harbor porpoises, and gray whales, by harassment, incidental to construction of a replacement bridge for the East Span of the San Francisco-Oakland Bay Bridge (SF-OBB) in California. Under the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue an authorization to CALTRANS to incidentally take, by harassment, small numbers of these species of pinnipeds and cetaceans during the next 12 months.

DATES: Comments and information must be received no later than February 5, 2007.

ADDRESSES: Comments on the application should be addressed to P. Michael Payne, Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910–3225, or by telephoning the contact listed here. The mailbox address for providing email comments is *PR1.113006A@noaa.gov*. Comments sent via e-mail, including all attachments, must not exceed a 10–megabyte file size. A copy of the 2001 application, the 2006 renewal request, the January 2005 Marine Mammal and Acoustic Monitoring report, and the August 2006 Hydroacoustic Measurements report may be obtained by writing to this address or by telephoning one of the contacts listed here.

FOR FURTHER INFORMATION CONTACT: Shane Guan, NMFS, (301) 713–2289, ext 137, or Monica DeAngelis, NMFS, (562) 980–3232.

SUPPLEMENTARY INFORMATION:

Background

Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, notice of a proposed authorization is provided to the public for review.

Permission shall be granted if NMFS finds that the taking will have no more than a negligible impact on the species or stock(s) and will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses and that the permissible methods of taking and requirements pertaining to the mitigation, monitoring, and reporting of such taking are set forth. NMFS has defined ''negligible impact'' in 50 CFR 216.103 as ''...an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival.''

Section 101(a)(5)(D) of the MMPA established an expedited process by which citizens of the United States can apply for an authorization to incidentally take small numbers of marine mammals by harassment. Except with respect to certain activities not pertinent here, the MMPA defines ''harassment'' as:

> any act of pursuit, torment, or annoyance which (i) has the potential to injure a marine mammal or marine mammal stock in the wild [Level A harassment]; or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering [Level B harassment].

Section 101(a)(5)(D) establishes a 45–day time limit for NMFS review of an application followed by a 30–day public notice and comment period on any proposed authorizations for the incidental harassment of small numbers of marine mammals. Within 45 days of the close of the comment period, NMFS must either issue or deny issuance of the authorization.

Summary of Request

On October 16, 2006, CALTRANS sumbitted a request to NOAA requesting renewal of an IHA for the possible harassment of small numbers of California sea lions (*Zalophus californianus*), Pacific harbor seals (*Phoca vitulina richardsii*), harbor porpoises (*Phocoena phocoena*), and gray whales (*Eschrichtius robustus*) incidental to construction of a replacement bridge for the East Span of the SF-OBB, in San Francisco Bay (SFB or the Bay), California. An IHA was issued to CALTRANS for this activity on April 30, 2006 and it will expire on April 29, 2007 (71 FR 26750). A detailed description of the SF-OBB project and background information on the issuance of this IHA were provided in the November 14, 2003 (68 FR 64595) **Federal Register** notice and are not