

antidumping duty orders would likely lead to continuation or recurrence of dumping, and notified the ITC of the magnitude of the margins likely to prevail were the orders to be revoked. *See Silicomanganese from India, Kazakhstan, and Venezuela: Final Results of Expedited Five-Year ("Sunset") Review of the Antidumping Duty Orders*, 72 FR 42393 (August 2, 2007).

On November 28, 2007, the ITC determined, pursuant to section 751(c) of the Act, that revocation of the antidumping duty orders on silicomanganese from India, Kazakhstan, and Venezuela would likely lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. *See Silicomanganese from India, Kazakhstan, and Venezuela*; 72 FR 67965 (December 3, 2007), and USITC Publication 3963 (November 2007), (Inv. No. 731-TA-929-931) (Review).

#### Scope of the Orders

For purposes of these orders, the products covered are all forms, sizes and compositions of silicomanganese, except low-carbon silicomanganese, including silicomanganese briquettes, fines and slag. Silicomanganese is a ferroalloy composed principally of manganese, silicon and iron, and normally contains much smaller proportions of minor elements, such as carbon, phosphorous and sulfur. Silicomanganese is sometimes referred to as ferrosilicon manganese. Silicomanganese is used primarily in steel production as a source of both silicon and manganese. Silicomanganese generally contains by weight not less than 4 percent iron, more than 30 percent manganese, more than 8 percent silicon and not more than 3 percent phosphorous.

Silicomanganese is properly classifiable under subheading 7202.30.0000 of the Harmonized Tariff Schedule of the United States (HTSUS). Some silicomanganese may also be classified under HTSUS subheading 7202.99.5040.

The low-carbon silicomanganese excluded from this scope is a ferro alloy with the following chemical specifications: minimum 55 percent manganese, minimum 27 percent silicon, minimum 4 percent iron, maximum 0.10 percent phosphorus, maximum 0.10 percent carbon and maximum 0.05 percent sulfur. Low-carbon silicomanganese is used in the manufacture of stainless steel and special carbon steel grades, such as motor lamination grade steel, requiring a very low carbon content. It is

sometimes referred to as ferromanganese-silicon. Low-carbon silicomanganese is classifiable under HTSUS subheading 7202.99.5040. This scope covers all silicomanganese, regardless of its tariff classification. Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope remains dispositive.

#### Continuation of Orders

As a result of the determinations by the Department and the ITC that revocation of the antidumping duty orders would likely lead to continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department hereby orders the continuation of the antidumping duty orders on silicomanganese from India, Kazakhstan, and Venezuela. U.S. Customs and Border Protection will continue to collect antidumping duty cash deposits at the rates in effect at the time of entry for all imports of subject merchandise.

The effective date of continuation of these orders will be November 30, 2007. Pursuant to sections 751(c)(2) and 751(c)(6)(A) of the Act, the Department intends to initiate the next five-year review of these orders not later than October 2012.

This five-year (sunset) review and this notice are in accordance with section 751(c) of the Act and published pursuant to section 777(i)(1) of the Act.

Dated: December 10, 2007.

**David M. Spooner,**

*Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### National Institute of Standards and Technology

#### 93rd Interim Meeting Notification of the National Conference on Weights and Measures

**AGENCY:** National Institute of Standards and Technology, Commerce.

**ACTION:** Notice of a public meeting of the Conference in January 2008.

**SUMMARY:** The Interim Meetings of the 93rd National Conference on Weights and Measures (NCWM) will be held January 27 to 30, 2008, in Albuquerque, New Mexico. The majority of the meetings are open to the public, but registration is required. The NCWM is an organization of weights and measures

officials of the states, counties, and cities of the United States, federal agencies, and private sector representatives. These meetings bring together government officials and representatives of business, industry, trade associations, and consumer organizations on subjects related to the field of weights and measures technology, administration and enforcement. Pursuant to (15 U.S.C. 272(b)(6)), the National Institute of Standards and Technology (NIST) supports the NCWM as one of the means it uses to solicit comments and recommendations on revising or updating a variety of publications related to legal metrology. NIST participates to promote uniformity among the states in laws, regulations, methods, and testing equipment that comprise the regulatory control of commercial weighing and measuring devices and other practices used in trade and commerce. Publication of this notice on the NCWM's behalf is undertaken as a public service; NIST does not endorse, approve, or recommend any of the proposals contained in this notice or in the publications of the NCWM mentioned below. Please see NCWM Publication 15, which contains detailed meeting agendas and schedules, registration and hotel reservation information at <http://www.ncwm.net>.

**DATES:** January 27-30, 2008.

**ADDRESSES:** The Hyatt Regency Albuquerque, Albuquerque, New Mexico.

#### FOR FURTHER INFORMATION CONTACT:

Carol Hockert, Chief, NIST, Weights and Measures Division, 100 Bureau Drive, Stop 2600, Gaithersburg, MD 20899-2600 or by telephone (301) 975-5507, or e-mail: [Carol.Hockert@nist.gov](mailto:Carol.Hockert@nist.gov).

**SUPPLEMENTARY INFORMATION:** The following are brief descriptions of some of the significant agenda items that will be considered along with other issues at the NCWM Interim Meeting. Comments will be taken on these and other issues during several public comment sessions. At this stage, the items are proposals. This meeting also includes work sessions in which the Committees may also accept comments and where they will finalize recommendations for NCWM consideration and possible adoption at its Annual Meeting to be held July 13 to 17, 2008, at the Sheraton Burlington Hotel in Burlington, Vermont. The Committees may withdraw or carry over items that need additional development.

The Specifications and Tolerances Committee will consider proposed

amendments to NIST Handbook 44, "Specifications, Tolerances, and other Technical Requirements for Weighing and Measuring Devices (NIST Handbook 44)." Those items address weighing and measuring devices used in commercial measurement applications, that is, devices that are normally used to buy from or sell to the general public or used for determining the quantity of product sold among businesses. Issues on the agenda of the NCWM Laws and Regulations Committee relate to proposals to amend NIST Handbook 130, "Uniform Laws and Regulations in the area of legal metrology and engine fuel quality" and NIST Handbook 133 "Checking the Net Contents of Packaged Goods." This notice contains information about significant items on the NCWM Committee agendas, but is not inclusive of all agenda items. As a result, the following items are not consecutively numbered.

#### NCWM Specifications and Tolerances Committee

The following items are proposals to amend NIST Handbook 44:

#### General Code

Item 310-2. Appendix D—Definition of Electronic Devices, Software-Based: This item removes the terms "built-for-purpose" and "not-built-for-purpose" and instead defines software-based devices as either "embedded software devices (Type P)" or "programmable or loadable metrological software devices (Type U)".

#### Liquid-Measuring Devices

Item 330-1. Temperature Compensation for Liquid-Measuring Devices Code: This is a proposal to add provisions to Handbook 44 to allow retail motor fuel dispensers to be equipped with the automatic means to deliver product with the volume compensated to a reference temperature. (See also Item 232-1 below under the Laws and Regulations Committee.)

#### Vehicle Tank Meters

Item 331-1. Meter Size (Marking Requirements): This is a proposal to require meter size markings on vehicle tank meters, except for milk meters.

Item 331-3. Automatic Temperature Compensation for Refined Petroleum Products: This proposal adds provisions to Handbook 44, which defines the period of use and conditions of use when selling fuel through a device equipped with automatic temperature compensation capabilities.

#### Multiple Dimension Measuring Devices

Item 358-1. A.1. General., Note 7 in Table S.4.1.b., and Appendix D. Definitions: This proposal adds new definitions for a "hexahedron" and an "irregularly shaped object" and clarifies a complex marking requirement that currently exists in this code.

Items 358-2. Value of Dimension/Volume Division Value, 358-3 Position Test and 358-4 Test Objects: These proposals add requirements to those devices capable of measuring irregularly shaped objects.

#### NCWM Laws and Regulations Committee

The following item is a proposal to amend NIST Handbook 130:

#### Method of Sale of Commodities Regulation

Item 232-1. Temperature Compensation for Petroleum Products: Several proposals will be considered that would allow temperature compensation to take place on a voluntary or mandatory basis or limit compensation to metering systems with certain flow capacities or specific sales applications. Most of the proposals would allow compensation to occur only if certain conditions are met by the seller.

Item 232-2. Biodiesel and Fuel Ethanol Labeling: This item requires the identification and labeling of biodiesel fuels and blends at retail service stations.

Dated: December 19, 2007.

**Richard F. Kayser,**

*Acting Deputy Director.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[Docket No. 071221887-7889-01]

**RIN 0648-XE55**

#### Endangered and Threatened Species; "Not Warranted" Endangered Species Act Listing Determination for the Atlantic White Marlin

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

**ACTION:** Notice of finding under the Endangered Species Act and availability of status review document.

**SUMMARY:** We, NMFS, announce our finding that listing the Atlantic white

marlin (*Tetrapturus albidus*) as an endangered or threatened species under the Endangered Species Act (ESA) is not warranted, and we announce the availability of the status review document.

**DATES:** The finding announced in this notice was made on December 26, 2007.

**ADDRESSES:** A copy of the status review document may be downloaded from the following web address: <http://sero.nmfs.noaa.gov>. Requests for a hard copy of the status review document should be addressed to Dr. Stephanie Bolden, NMFS Southeast Regional Office, 263 13<sup>th</sup> Avenue South, St. Petersburg, FL 33701.

**FOR FURTHER INFORMATION CONTACT:** Stephanie Bolden, NMFS, Southeast Regional Office (727) 824-5312, or Marta Nammack, NMFS, Office of Protected Resources (301) 713-1401.

#### SUPPLEMENTARY INFORMATION:

#### Background

In August 2001, we received a petition from the Biodiversity Legal Foundation (subsequently renamed the Center for Biological Diversity, or CBD) and James R. Chambers requesting us to list the Atlantic white marlin (*Tetrapturus albidus*) as a threatened or endangered species under the ESA. We convened a status review team (SRT) to assess the species' status and the degree of threat to the species with regard to section 4(a)(1) factors in the ESA. The 2002 SRT determined that two of these section 4(a)(1) factors were of concern for white marlin: overutilization and the inadequacy of existing regulatory mechanisms. While the 2002 SRT concluded that the white marlin stock had not declined to levels at which it was then in danger of extinction, it noted that the stock could decline to a level that would warrant ESA protection if fishing mortality was not reduced significantly and relatively quickly. After considering the conclusions of the 2002 SRT, we determined that listing white marlin was not warranted (67 FR 57204; September 9, 2002). Subsequently, CBD and the Turtle Island Restoration Network (TIRN) filed a complaint in the district court for the District of Columbia challenging our listing decision. A settlement agreement was reached wherein it was agreed that we would revisit the status of the white marlin following the 2006 stock assessment by the International Commission for the Conservation of Atlantic Tunas (ICCAT).

Following ICCAT's completion of its 2006 white marlin stock assessment, we announced that a status review of the Atlantic white marlin was initiated and