

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 terms of an APO is a sanctionable violation.

This administrative review and notice are in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: February 2, 2005.

Barbara E. Tillman,

Acting Assistant Secretary for Import Administration.

APPENDIX

List of Issues

1. Constructed Export Price (CEP) Offset
2. Date of Sale for Certain Home-Market Sales
3. Credit Expenses
4. Application of Adverse Facts Available for Sales to Bernier
5. Offsetting Margins with Above-Normal-Value Transactions
6. Offsetting Home-Market Commissions
7. Further Manufacturing Adjustments
8. Ministerial Errors: Interest Expenses, Home-Market Warranty Expenses, and Commission Expenses

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-351-826]

Notice of Final Results of Antidumping Duty Administrative Review: Small Diameter Circular Seamless Carbon and Alloy Steel Standard, Line and Pressure Pipe From Brazil

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

EFFECTIVE DATE: February 11, 2005.

FOR FURTHER INFORMATION CONTACT: Helen Kramer or Patrick Edwards at (202) 482-0405 or (202) 482-8029, respectively; AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street & Constitution Avenue, NW., Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

Background

On September 7, 2004, the Department of Commerce ("the Department") published in the **Federal Register** its preliminary results in this administrative review. *See Notice of Preliminary Results of Antidumping Duty Administrative Review*, 69 FR 54125 (September 7, 2004) ("Preliminary Results"). We invited parties to comment on the Preliminary

Results. On October 7, 2004, we received case briefs from the sole respondent, V&M do Brasil, S.A. ("VMB"), and the petitioner, United States Steel Corporation ("petitioner"). Both parties submitted rebuttal briefs on October 14, 2004. No public hearing was held. Pursuant to section 751(a)(3)(A) of the Tariff Act of 1930, as amended ("the Act"), the Department extended the time limit for the final results by 30 days, from January 5, 2005, to February 4, 2005. *See Notice of Extension of Time Limit for the Final Results of Antidumping Duty Administrative Review: Small Diameter Circular Seamless Carbon and Alloy Steel Standard, Line and Pressure Pipe from Brazil*, 69 FR 75916 (December 20, 2004).

Scope of the Order

For purposes of this review, the products covered by the order are seamless pipes produced to the ASTM A-335, ASTM A-106, ASTM A-53 and API 5L specifications and meeting the physical parameters described below, regardless of application. The scope of this order also includes all products used in standard, line, or pressure pipe applications and meeting the physical parameters below, regardless of specification.

For purposes of this order, seamless pipes are seamless carbon and alloy (other than stainless) steel pipes, of circular cross-section, not more than 114.3 mm (4.5 inches) in outside diameter, regardless of wall thickness, manufacturing process (hot-finished or cold-drawn), end finish (plain end, beveled end, upset end, threaded, or threaded and coupled), or surface finish. These pipes are commonly known as standard pipe, line pipe or pressure pipe, depending upon the application. They may also be used in structural applications. Pipes produced in non-standard wall thickness are commonly referred to as tubes.

The seamless pipes subject to this antidumping duty order are currently classifiable under subheadings 7304.10.10.20, 7304.10.50.20, 7304.31.60.50, 7304.39.00.16, 7304.39.00.20, 7304.39.00.24, 7304.39.00.28, 7304.39.00.32, 7304.51.50.05, 7304.51.50.60, 7304.59.60.00, 7304.59.80.10, 7304.59.80.15, 7304.59.80.20, and 7304.59.80.25 of the Harmonized Tariff Schedule of the United States ("HTSUS"). The following information further defines the scope of this order, which covers pipes meeting the physical parameters described above:

Specifications, Characteristics and Uses: Seamless pressure pipes are

intended for the conveyance of water, steam, petrochemicals, chemicals, oil products, natural gas, and other liquids and gasses in industrial piping systems. They may carry these substances at elevated pressures and temperatures and may be subject to the application of external heat. Seamless carbon steel pressure pipe meeting the ASTM standard A-106 may be used in temperatures of up to 1000 degrees Fahrenheit, at various American Society of Mechanical Engineers ("ASME") code stress levels. Alloy pipes made to ASTM standard A-335 must be used if temperatures and stress levels exceed those allowed for A-106 and the ASME codes. Seamless pressure pipes sold in the United States are commonly produced to the ASTM A-106 standard.

Seamless standard pipes are most commonly produced to the ASTM A-53 specification and generally are not intended for high temperature service. They are intended for the low temperature and pressure conveyance of water, steam, natural gas, air and other liquids and gasses in plumbing and heating systems, air conditioning units, automatic sprinkler systems, and other related uses. Standard pipes (depending on type and code) may carry liquids at elevated temperatures but must not exceed relevant ASME code requirements.

Seamless line pipes are intended for the conveyance of oil and natural gas or other fluids in pipelines. Seamless line pipes are produced to the API 5L specification.

Seamless pipes are commonly produced and certified to meet ASTM A-106, ASTM A-53 and API 5L specifications. Such triple certification of pipes is common because all pipes meeting the stringent ASTM A-106 specification necessarily meet the API 5L and ASTM A-53 specifications. Pipes meeting the API 5L specification necessarily meet the ASTM A-53 specification. However, pipes meeting the A-53 or API 5L specifications do not necessarily meet the A-106 specification. To avoid maintaining separate production runs and separate inventories, manufacturers triple-certify the pipes. Since distributors sell the vast majority of this product, they can thereby maintain a single inventory to service all customers.

The primary application of ASTM A-106 pressure pipes and triple-certified pipes is in pressure piping systems by refineries, petrochemical plants and chemical plants. Other applications are in power generation plants (electrical-fossil fuel or nuclear), and in some oil field uses (on shore and off shore) such as for separator lines, gathering lines

and metering runs. A minor application of this product is for use as oil and gas distribution lines for commercial applications. These applications constitute the majority of the market for the subject seamless pipes. However, A-106 pipes may be used in some boiler applications.

The scope of this order includes all seamless pipe meeting the physical parameters described above and produced to one of the specifications listed above, regardless of application, and whether or not also certified to a non-covered specification. Standard, line and pressure applications and the above-listed specifications are defining characteristics of the scope of this order. Therefore, seamless pipes meeting the physical description above, but not produced to the ASTM A-335, ASTM A-106, ASTM A-53, or API 5L standards shall be covered if used in a standard, line or pressure application.

For example, there are certain other ASTM specifications of pipe which, because of overlapping characteristics, could potentially be used in A-106 applications. These specifications generally include A-162, A-192, A-210, A-333, and A-524. When such pipes are used in a standard, line or pressure pipe application, such products are covered by the scope of this order.

Specifically excluded from this order are boiler tubing and mechanical tubing, if such products are not produced to ASTM A-335, ASTM A-106, ASTM A-53 or API 5L specifications and are not used in standard, line or pressure applications. In addition, finished and unfinished oil country tubular goods ("OCTG") are excluded from the scope of this order, if covered by the scope of another antidumping duty order from the same country. If not covered by such an OCTG order, finished and unfinished OCTG are included in this scope when used in standard, line or pressure applications. Finally, also excluded from this order are redraw hollows for cold-drawing when used in the production of cold-drawn pipe or tube.

Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this order is dispositive.

Analysis of Comments Received

The issues raised in the case briefs by parties to this administrative review are addressed in the Issues and Decision Memorandum to Joseph A. Spetrini, Acting Assistant Secretary for Import Administration, from Barbara E. Tillman, Acting Deputy Assistant Secretary ("Decision Memorandum"), which is hereby adopted by this notice. A list of the issues addressed in the

Decision Memorandum is appended to this notice. The Decision Memorandum is on file in the Central Records Unit in Room B-099 of the main Commerce building, and can also be accessed directly on the Web at <http://www.ia.ita.doc.gov/frn>. The paper copy and electronic version of the Decision Memorandum are identical in content.

Changes Since the Preliminary Results

Based on our analysis of comments received, we have made adjustments to the product model matching and weighting criteria, the short-term interest rate, credit expense, inventory carrying costs, indirect selling expenses, total cost of manufacturing, general and administrative ("GA") expense, interest revenue, packing, and inland freight expense used in calculating the final dumping margin in this proceeding. The adjustments are discussed in detail in the Decision Memorandum.

Final Results of Review

As a result of our review, we determine that V&M do Brasil is the successor to Mannesmann, S.A., and that the following weighted-average margin exists for the period of August 1, 2002, through July 31, 2003:

| Producer | Weighted-average margin (percentage) |
|---------------------|--------------------------------------|
| V&M do Brasil | 12.67 |

Assessment

The Department will determine, and U.S. Customs and Border Protection ("CBP") shall assess, antidumping duties on all appropriate entries, pursuant to 19 CFR 351.212(b). The Department calculated importer-specific duty assessment rates on the basis of the ratio of the total amount of antidumping duties calculated for the examined sales to the total entered value of the examined sales for that importer. Where the assessment rate is above *de minimis*, we will instruct CBP to assess duties on all entries of subject merchandise produced by VMB. The Department will issue appropriate assessment instructions directly to CBP within 15 days of publication of these final results of review.

Cash Deposits

Furthermore, the following deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of seamless carbon and certain alloy steel standard, line and pressure pipe from Brazil entered, or withdrawn from

warehouse, for consumption on or after the publication date of these final results, as provided by section 751(a) of the Act: (1) For the company covered by this review, the cash deposit rate will be the rate listed above; (2) for merchandise exported by producers or exporters not covered in this review but covered in the investigation, the cash deposit rate will continue to be the company-specific rate from the final determination; (3) if the exporter is not a firm covered in this review or the investigation, but the producer is, the cash deposit rate will be that established for the producer of the merchandise in these final results of review or in the final determination; and (4) if neither the exporter nor the producer is a firm covered in this review or the investigation, the cash deposit rate will be 124.94 percent, the "All Others" rate established in the less-than-fair-value investigation. These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402 (f) 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 presumption that reimbursement of antidumping duties occurred, and in the subsequent assessment of double antidumping duties.

This notice also is the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. 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.

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

Dated: February 4, 2005.

Joseph A. Spetrini,
Acting Assistant Secretary for Import Administration.

Appendix—Issues in Decision Memorandum

Comment 1: Product Matching to Similar Merchandise
Comment 2: CEP Offset
Comment 3: Interest Rate
Comment 4: Credit Expenses

Comment 5: Inventory Carrying Costs
 Comment 6: Reversal of Bad Debt Expense
 Comment 7: Adjustment to Cost of Manufacturing
 Comment 8: GA Expense Ratio
 Comment 9: Clerical Errors
 a. Home Market Interest Revenue
 b. U.S. Packing Expense
 c. Home Market Inland Insurance

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 020205G]

International Whaling Commission; Intersessional Revised Management Scheme Working Group Meeting; Nominations

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

ACTION: Request for nominations.

SUMMARY: This notice is a call for nominees for one non-federal position to the U.S. Delegation to the March 2005 International Whaling Commission (IWC) intersessional Revised Management Scheme (RMS) Working Group meeting.

DATES: All nominations for the U.S. Delegation to the IWC intersessional RMS Working Group meeting must be received by March 4, 2005.

ADDRESSES: All nominations for the U.S. Delegation to the IWC intersessional RMS Working Group meeting should be addressed to Rolland Schmitt, U.S. Commissioner to the IWC, and sent via post to: Cheri McCarty, 13708, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910. Prospective Congressional advisors to the delegation should contact the Department of State directly.

FOR FURTHER INFORMATION CONTACT: Cheri McCarty, 301-713-2322, Ext. 114.

SUPPLEMENTARY INFORMATION: The Secretary of Commerce is charged with the responsibility of discharging the obligations of the United States under the International Convention for the Regulation of Whaling, 1946. The U.S. Commissioner has primary responsibility for the preparation and negotiation of U.S. positions on international issues concerning whaling and for all matters involving the IWC. He is staffed by the Department of Commerce and assisted by the Department of State, the Department of

the Interior, the Marine Mammal Commission, and by other agencies. The non-federal representative selected as a result of this nomination process is responsible for providing input and recommendations to the U.S. IWC Commissioner representing the positions of non-governmental organizations.

The intersessional RMS Working Group meeting will be held March 30–April 1, 2005, in Copenhagen, Denmark.

Dated: February 7, 2005.

Laurie Allen,

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

[FR Doc. 05-2689 Filed 2-10-05; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Public Comment for Enhancement of the Initial Integrated Ocean Observing System (IOOS)

AGENCY: National Ocean Service, NOAA, Department of Commerce.

ACTION: Notice of opportunity for written public comment.

SUMMARY: This notice announces the opportunity for the public to comment on the implementation and development of the U.S. Integrated Ocean Observing System (IOOS).

DATES: Ocean.US will host an Implementation Conference on Tuesday, May 3, 2005 and Wednesday, May 4, 2005. The purpose of this conference is to enable coordinated implementation of the First Annual IOOS Development Plan (available at <http://www.ocean.us>). The public is invited to submit written comments on the plan and priorities for implementation by close of business on Friday, April 22, 2005. Please submit comments via e-mail to k.stump@ocean.us or in written to Ms. Kristine Stump, Ocean.US, 2300 Clarendon Blvd., Suite 1350, Arlington, VA 22201.

ADDRESSES: The meeting location has yet to be determined.

FOR FURTHER INFORMATION CONTACT: For more information regarding this Notice, please contact Ms. Kristine Stump: Ocean.US telephone (703) 588-0855 or E-mail k.stump@ocean.us.

SUPPLEMENTARY INFORMATION: Ocean.US was established to plan and coordinate implementation of the U.S. Integrated Ocean Observing System (IOOS). The IOOS is the U.S. contribution to the Global Ocean Observing System and to

the oceans and coasts component of the Global Earth Observation System of Systems. The First Annual IOOS Development Plan and other planning documents can be viewed at <http://www.ocean.us>. The IOOS is a sustained network of sensors on buoys, ships, satellites, underwater vehicles, and other platforms that routinely supplies the data and information needed for rapid detection and timely predictions of changes in our Nation's coastal waters and on the high seas. An initial IOOS consisting of existing systems has been identified, and needs for enhancements have been submitted by IOOS stakeholders. Building on last year's First Annual IOOS Implementation Conference, this Second Annual IOOS Implementation Conference will allow stakeholders to contribute to updating and improving the First Annual IOOS Development Plan.

Dated: February 7, 2005.

Peter Gibson,

Acting Deputy Chief Financial Officer, For Ocean Services and Coastal Zone Management, National Oceanic and Atmospheric Administration.

[FR Doc. 05-2677 Filed 2-10-05; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[I.D. 100604B]

Notice of Availability of a Draft Environmental Impact Statement and Conservation Plan

AGENCY: National Marine Fisheries Service, NOAA, Commerce; Fish and Wildlife Service, Interior

ACTION: Notice of applications and availability of documents for public comment.

SUMMARY: This notice announces the availability of the Draft Environmental Impact Statement (DEIS) and conservation plan for public review and comment. The Washington Department of Natural Resources (WDNR), on behalf of the State of Washington, has submitted applications to the National Marine Fisheries Service (NMFS) and the Fish and Wildlife Service (FWS) (the Services) for incidental take permits under section 10 of the Endangered Species Act (ESA) of 1973 as amended. The conservation plan also serves as the