

DEPARTMENT OF COMMERCE**International Trade Administration**

[C-307-804]

Gray Portland Cement and Cement Clinker From Venezuela; Final Results of Expedited Sunset Review of Suspended Countervailing Duty Investigation

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

ACTION: Notice of final results of expedited sunset review: gray portland cement and cement clinker from Venezuela.

SUMMARY: On August 2, 1999, the Department of Commerce ("the Department") initiated a sunset review of the suspended countervailing duty investigation on gray portland cement and cement clinker from Venezuela (64 FR 41915) pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act"). On the basis of a notice of intent to participate and adequate substantive response filed on behalf of a domestic interested party and inadequate response (in this case, no response) from respondent interested parties, the Department determined to conduct an expedited sunset review. As a result of this review, the Department finds that termination of the suspended countervailing duty investigation would be likely to lead to continuation or recurrence of a countervailable subsidy.

EFFECTIVE DATE: March 3, 2000.

FOR FURTHER INFORMATION CONTACT: Eun W. Cho or Melissa G. Skinner, Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-1698 or (202) 482-1560, respectively.

SUPPLEMENTARY INFORMATION:**The Applicable Statute**

Unless otherwise indicated, all citations to the Act are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act ("URAA"). In addition, unless otherwise indicated, all citations to the Department regulations are to 19 CFR part 351 (1999). Guidance on methodological or analytical issues relevant to the Department's conduct of sunset reviews is set forth in the Department Policy Bulletin 98:3—Policies Regarding the Conduct of Five-year ("Sunset") Reviews of

Antidumping and Countervailing Duty Orders; Policy Bulletin, 63 FR 18871 (April 16, 1998) (Sunset Policy Bulletin).

Background

On August 2, 1999, the Department initiated a sunset review of the suspended countervailing duty investigation on gray portland cement and cement clinker from Venezuela (64 FR 41915). We invited parties to comment. On the basis of a notice of intent to participate and adequate substantive response filed on behalf of a domestic interested party and inadequate response (in this case, no response) from respondent interested parties, the Department determined to conduct an expedited sunset review. The Department is conducting this sunset review in accordance with sections 751 and 752 of the Act.

In accordance with section 751(c)(5)(C)(v) of the Act, the Department may treat a review as extraordinarily complicated if it is a review of a transition order (*i.e.*, a suspension of an investigation in effect on January 1, 1995). This review concerns a transition suspended investigation within the meaning of section 751(c)(6)(C)(i) of the Act. Therefore, on December 3, 1999, the Department determined that the sunset review of the suspended countervailing duty investigation on portland cement from Venezuela is extraordinarily complicated and extended the time limit for completion of the final results of this review until not later than February 28, 2000, in accordance with section 751(c)(5)(B) of the Act.¹

Scope of Review

The products covered by this suspended investigation are gray portland cement and cement clinker ("portland cement") from Venezuela. Gray portland cement is a hydraulic cement and the primary component of concrete. Cement clinker, an intermediate material produced when manufacturing cement, has no use other than grinding into finished cement. Oil well cement is also included within the scope. Microfine cement was specifically excluded from the scope. Gray portland cement is currently classifiable under the Harmonized Tariff Schedule ("HTS") item number 2523.29, and cement clinker is currently classifiable under HTS item number 2523.10. Gray portland cement has also

been entered under item number 2523.90 as other hydraulic cements.

The HTS item numbers are provided for convenience and customs purposes. The written product description remains dispositive as to the scope of the product coverage.

Analysis of Comments Received

All issues raised in substantive responses by parties to this sunset review are addressed in the Issues and Decision Memorandum ("Decision Memo") from Jeffrey A. May, Director, Office of Policy, Import Administration, to Joseph A. Spetrini Acting Assistant Secretary, dated February 28, 2000, which is hereby adopted and incorporated by reference into this notice. The issues discussed in the attached Decision Memo include the likelihood of continuation or recurrence of countervailable subsidy and the magnitude of the net subsidy likely to prevail were the suspension agreement terminated. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendations in this public memorandum which is on file in B-099.

In addition, a complete version of the Decision Memo can be accessed directly on the Web at www.ita.doc.gov/import_admin/records/frn/, under the heading Venezuela. The paper copy and electronic version of the Decision Memorandum are identical in content.

Final Results of Review

We determine that termination of the suspended countervailing duty investigation would be likely to lead to continuation or recurrence of countervailable subsidy. However, we have no information whether the program, which gave rise to the net countervailable subsidy in the investigation, has been altered to effectuate any change in the net countervailable subsidy since the subsidy agreement. Consequently, we cannot determine the net countervailable subsidy likely to prevail under the instant review.

This notice also serves as the only reminder to parties subject to administrative protective orders ("APO") of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305 or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

We are issuing and publishing this determination and notice in accordance

¹ See Extension of Time Limit for Final Results of Five-Year Reviews, 64 FR 67847 (December 3, 1999).

with sections section 751(c), 752, and 777(i) of the Act.

Dated: February 28, 2000.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. 00-5212 Filed 3-2-00; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 022900C]

Atlantic Sea Scallop Fishery Management Plan Framework Adjustment 13; Proposed Information Collection; Request for Comments

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

ACTION: Proposed Collection; comment request.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before May 2, 2000.

ADDRESSES: Direct all written comments to Linda Engelmeier, Departmental Forms Clearance Officer, Department of Commerce, Room 5327, 14th and Constitution Avenue NW, Washington DC 20230 (or via Internet at LEngelme@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to David M. Gouveia, NMFS, 1 Blackburn Drive, Gloucester, MA 01930, 978-281-9280.

SUPPLEMENTARY INFORMATION:

I. Abstract

The regulations implementing Framework Adjustment 11 to the Atlantic Sea Scallop Fishery Management Plan (FMP) established the Georges Bank Sea Scallop Exemption Program (SEP), which provided vessels permitted in the limited access scallop program short-term access to the groundfish closed area on Georges Bank.

The Vessel Monitoring System (VMS) was considered to be one of the major tools for monitoring and enforcing the regulations pertaining to the SEP. Vessels participating in the SEP were required to use a VMS unit for the purposes of monitoring Days-At-Sea under the scallop regulations. This submission requests comments on similar collection-of-information requirements, as well as new requirements, for the proposed Framework Adjustment 13 to the Atlantic Sea Scallop FMP. The collection-of-information requirements are: (1) monthly reporting of intention to fish in the SEP through the VMS e-mail; (2) daily reporting of scallops kept, Fishing Vessel Trip Report log page, and, for observed trips, scallops kept and yellowtail flounder caught on observed tows through the VMS e-mail messaging system for vessels fishing in the SEP; (3) installation of a VMS unit on occasional and general category vessels; (4) notice requirements for observer deployment; (5) documentation of installation of a VMS unit; (6) declaration into the SEP through the VMS prior to leaving the dock; (7) an increase in the polling frequency of the VMS from once every hour to once every thirty minutes; (8) requirements for research proposals utilizing a research set-aside in the allocations; and (9) requirements for final reports from research conducted with the research set-aside.

II. Method of Collection

A combination of reporting methods will be involved, including forms, e-mail communications, phone calls, and automatic electronic transmissions.

III. Data

OMB Number: None

Form Number: None

Type of Review: Regular submission

Affected public: Business and other for-profit

Estimated Number of Respondents: 408

Estimated Time Per Response: 2 minutes for a monthly e-mail notifications of intent to fish in the SEP; 10 minutes for an e-mail messaging of catch; 1 hour for the installation of a VMS unit; 2 minutes for a notification for purposes of observer deployment, 5 minutes for submitting proof of VMS installation; 2 minutes for declaring into the SEP through the VMS prior to leaving the dock; 30 seconds for each additional automated VMS report; 56 hours for a research proposal; and 440 hours for a final report from research conducted with research set-asides.

Estimated Total Annual Burden Hours: 10,474

Estimated Total Annual Cost to Public: \$593,422

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and /or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: February 25, 2000.

Linda Engelmeier,

Departmental Forms Clearance Officer, Office of Chief Information Officer.

[FR Doc. 00-5222 Filed 3-2-00; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 022900B]

Southwest Region Logbook Family of Forms; Proposed Information Collection; Request for Comments

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

ACTION: Proposed collection; comment request.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before May 2, 2000.