

responsible for defending the interests of the Italian steel industry. The GOI and EC note that they have in the past participated in this proceeding (see August 1, 2000, Response of the EC at 3, and the August 1, 2000, Response of the GOI at 2).

On August 2, 2000, we received complete substantive responses from domestic interested parties, within the 30-day deadline specified in the *Sunset Regulations* under section 351.218(d)(3)(i), and a complete substantive response from Dalmine S.p.A. ("Dalmine"), a foreign producer and exporter of the subject merchandise, and a respondent interested party under section 771(9)(A) of the Act.

We received rebuttal comments from domestic interested parties and Dalmine, on August 7, 2000. Pursuant to 19 CFR 351.218 (e)(2)(i), the Department determined to conduct a full (240-day) sunset review of this order.<sup>1</sup>

### Scope of Review

The merchandise covered by this review is OCTG, hollow steel products of circular cross-section, including only oil well casing and tubing pipe, of iron (other than cast iron) or steel (both carbon and alloy), whether seamless or welded, whether or not conforming to American Petroleum Institute (API) or non-API specifications, whether finished or unfinished (including green tubes and limited service OCTG products). This scope does not cover casing or tubing pipe containing 10.5 percent or more of chromium, or drill pipe. The OCTG subject to this order are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers: 7304.20.10.10, 7304.20.10.20, 7304.20.10.30, 7304.20.10.40, 7304.20.10.50, 7304.20.10.60, 7304.20.10.80, 7304.20.20.10, 7304.20.20.20, 7304.20.20.30, 7304.20.20.40, 7304.20.20.50, 7304.20.20.60, 7304.20.20.80, 7304.20.30.10, 7304.20.30.20, 7304.20.30.30, 7304.20.30.40, 7304.20.30.50, 7304.20.30.60, 7304.20.30.80, 7304.20.40.10, 7304.20.40.20, 7304.20.40.30, 7304.20.40.40, 7304.20.40.50, 7304.20.40.60, 7304.20.40.80, 7304.20.50.15, 7304.20.50.30, 7304.20.50.45, 7304.20.50.60, 7304.20.50.75, 7304.20.60.15, 7304.20.60.30, 7304.20.60.45, 7304.20.60.60, 7304.20.60.75, 7305.20.20.00, 7305.20.40.00,

7305.20.60.00, 7305.20.80.00, 7306.20.10.30, 7306.20.10.90, 7306.20.20.00, 7306.20.30.00, 7306.20.40.00, 7306.20.60.10, 7306.20.60.50, 7306.20.80.10, and 7306.20.80.50. Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this proceeding is dispositive.

### Analysis of Comments Received

All issues raised in the substantive responses and rebuttals 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 Troy H. Cribb, Acting Assistant Secretary for Import Administration, dated October 23, 2000, which is hereby adopted by this notice. The issues discussed in the attached Decision Memo include the likelihood of continuation or recurrence of countervailable subsidies and the net subsidy likely to prevail were the order revoked. 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 the Central Records Unit, room B-099, of the main Commerce building.

In addition, a complete version of the Decision Memo can be accessed directly on the Web at [www.ia.ita.doc.gov/frn](http://www.ia.ita.doc.gov/frn), under the heading "Italy." The paper copy and electronic version of the Decision Memo are identical in content.

### Preliminary Results of Review

We preliminarily determine that revocation of the countervailing duty order on oil country tubular goods from Italy would be likely to lead to continuation or recurrence of countervailable subsidies at the rate listed below:

Producers/exporters	Net countervailable subsidy (percent)
All Producers/exporters from Italy .....	1.47

Any interested party may request a hearing within 30 days of publication of this notice in accordance with 19 CFR 351.310(c). Any hearing, if requested, will be held on December 18, 2000, in accordance with 19 CFR 351.310(d). Interested parties may submit case briefs no later than December 11, 2000, in accordance with 19 CFR 351.309(c)(1)(i). Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed not later than

December 15, 2000. The Department will issue a notice of final results of this sunset review, which will include the results of its analysis of issues raised in any such briefs, no later than February 28, 2001.

This five-year ("sunset") review and notice are in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: October 23, 2000.

**Troy H. Cribb,**

*Acting Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Closed Meeting of the U.S. Automotive Parts Advisory Committee (APAC)

**AGENCY:** International Trade Administration, Commerce.

**ACTION:** Notice.

**SUMMARY:** The APAC will have a closed meeting on November 13, 2000, at the U.S. Department of Commerce to discuss U.S.-made automotive parts sales in Japanese and other Asian markets.

**DATES:** November 13, 2000.

**FOR FURTHER INFORMATION CONTACT:** Dr. Robert Reck, U.S. Department of Commerce, Room 4036, Washington, DC 20230, telephone: 202-482-1418.

**SUPPLEMENTARY INFORMATION:** The U.S. Automotive Parts Advisory Committee (the "Committee") advises U.S. Government officials on matters relating to the implementation of the Fair Trade in Automotive Parts Act of 1998 (Public Law 105-261).

The Committee: (1) Reports to the Secretary of Commerce on barriers to sales of U.S.-made automotive parts and accessories in Japanese and other Asian markets; (2) reviews and considers data collected on sales of U.S.-made auto parts and accessories in Japanese and other Asian markets; (3) advises the Secretary of Commerce during consultations with other Governments on issues concerning sales of U.S.-made automotive parts in Japanese and other Asian markets; (4) assists in establishing priorities for the initiative to increase sales of U.S.-made auto parts and accessories to Japanese markets, and otherwise provide assistance and direction to the Secretary of Commerce in carrying out the intent of that section; and (5) assists the Secretary of Commerce in reporting to Congress by submitting an annual written report to

<sup>1</sup> See August 22, 2000, Memorandum for Jeffrey A. May, Re: Oil Country Tubular Goods from Italy: Adequacy of Respondent Interested Parties' Response to the Notice of Initiation.

the Secretary on the sale of U.S.-made automotive parts in Japanese and other Asian markets, as well as any other issues with respect to which the Committee provides advice pursuant to its authorizing legislation.

At the meeting, committee members will discuss specific trade and sales expansion programs related to automotive parts trade policy between the United States and Japan and other Asian markets.

The Assistant Secretary for Administration, with the concurrence of the General Counsel formally determined on October 23, 2000, pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, that the November 13 meeting of the Committee and of any subcommittee thereof, dealing with privileged or confidential commercial information may be exempt from the provisions of the Act relating to open meeting and public participation therein because these items are concerned with matters that are within the purview of 5 U.S.C. 552b(c)(4) and (9)(B). A copy of the Notice of Determination is available for public inspection and copying in the Department of Commerce Records Inspection Facility, Room 6020, Main Commerce.

Dated: October 25, 2000.

**Robert O. Reck,**

*Acting Director, Office of Automotive Affairs.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 050500F]

#### Taking of Threatened or Endangered Marine Mammals Incidental to Commercial Fishing Operations; Issuance of Permit

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

**ACTION:** Notice of issuance of permit.

**SUMMARY:** NMFS hereby issues a permit for a period of 3 years, to authorize the incidental, but not intentional, taking of four stocks of threatened or endangered marine mammals by the California/Oregon (CA/OR) drift gillnet fishery. The four stocks are: fin whale, California/Oregon/Washington stock; humpback whale, California/Oregon/Washington-Mexico stock; Steller sea lion, eastern stock; and sperm whale,

California/Oregon/Washington stock. This authorization is based on a determination that this incidental take will have a negligible impact on the affected marine mammal stocks.

**DATES:** This permit is was issued on October 24, 2000, and is effective through October 24, 2003.

**ADDRESSES:** Copies of the reference materials and Environmental Assessment (EA) may be obtained from Protected Resources Division, National Marine Fisheries Service, Southwest Region, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213. Attention: Tim Price.

**FOR FURTHER INFORMATION CONTACT:** Tim Price, NMFS, Southwest Region, Protected Resources Division, (562) 980-4029.

**SUPPLEMENTARY INFORMATION:** Section 101(a)(5)(E) of the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1371(a)(5)(E)) requires the authorization of the incidental taking of individuals from marine mammal stocks listed as threatened or endangered under the Endangered Species Act (ESA) in the course of commercial fishing operations if NMFS determines that (1) the incidental mortality and serious injury will have a negligible impact on the affected species or stock; (2) a recovery plan has been developed or is being developed for such species or stock under the ESA; and (3) where required under section 118 of the MMPA, a monitoring program has been established, vessels engaged in such fisheries are registered in accordance with section 118 of the MMPA, and a take reduction plan has been developed or is being developed for such species or stock.

On June 6, 2000 (65 FR 35904), NMFS proposed the issuance of a permit, for a period of 3 years, to authorize the incidental, but not intentional, taking of four stocks of threatened or endangered marine mammals by the CA/OR drift gillnet fishery under section 101(a)(5)(E) of the MMPA.

Four letters of comment were received concerning the proposal for issuance of a permit. All of these letters were in opposition to the issuance of a permit.

*Comment 1:* Two commenters requested that the comment period be extended to provide additional time to prepare a detailed response.

*Response:* NMFS believes that a 45-day comment period was sufficient time for public comment and is consistent with the process established at 50 CFR 229.20 for issuance of a permit to authorize the incidental take of threatened or endangered marine

mammals species under section 101(a)(5)(E) of the MMPA.

*Comment 2:* One commenter felt that a permit should not be issued if the permit would allow the incidental taking of threatened or endangered species under the ESA.

*Response:* Under section 101(a)(5)(E) of the MMPA, the Secretary of Commerce (Secretary) must allow the incidental, but not intentional, taking of marine mammals from a species or stock designated as depleted because of its listing as an endangered or threatened species under the ESA if the Secretary determines that the incidental mortality and serious injury from commercial fisheries will have a negligible impact on such species or stock, that a recovery plan has been developed or is being developed, and that the provisions of section 118 are being met. The Secretary cannot refuse to issue a permit under section 101(a)(5)(E) if the conditions set forth in the MMPA have been met.

*Comment 3:* One commenter stated that NMFS should not issue a 101(a)(5)(E) permit to the CA/OR drift gillnet fishery because there is incidental take of sperm whales, marlin, skipjack tuna, and blue sharks.

*Response:* The potential biological removal (PBR) level for the California/Oregon/Washington sperm whale stock is 2.0 whales per year. The CA/OR drift gillnet fishery is the only fishery likely to incidentally take a sperm whale from this stock. Using a 3-year average (1997-1999), the mean annual mortality and serious injury rate from the CA/OR drift gillnet fishery is estimated to be 1.7 sperm whales. In 1998, one sperm whale was observed killed in a net that was not in compliance with the Pacific Offshore Cetacean Take Reduction Plan (Plan) developed for the CA/OR drift gillnet fishery. The Pacific Offshore Cetacean Take Reduction Team (Team) recommended no further strategies to reduce sperm whale entanglements be implemented until the effectiveness of pingers is better understood. The estimated annual mortality using a 3-year average is less than PBR and would cause no more than a 10-percent increase in the time needed to achieve recovery. NMFS has determined that an activity that slows the rate of recovery of depleted marine mammals to pre-exploitation levels by no more than 10-percent delay is considered a "negligible impact" for purposes of issuing a permit under section 101(a)(5)(E) of the MMPA. The incidental taking of marlin, skipjack tunas, and blue shark is not relevant to the determination about issuing a permit under section 101(a)(5)(E) of the