

For Chandan, Isibars, and Jyoti, we will instruct CBP to liquidate entries at the rates indicated above.

The Department will issue appraisement instructions directly to CBP within 15 days of publication of these final results of review.

Cash Deposit Requirements

Because we have revoked the order with respect to Viraj's exports of subject merchandise, we will order the Customs Service to terminate the suspension of liquidation for exports of such merchandise entered, or withdrawn from warehouse, for consumption on or after February 1, 2003, and to refund all cash deposits collected.

The following deposit requirements will be effective upon publication of this notice of final results of administrative review for all shipments of SSB from India entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(1) of the Act: (1) The cash deposit rates for the reviewed companies will be the rates indicated above (except for Venus, where no cash deposit will be required); (2) for previously investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, or the less-than-fair-value (LTFV) investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 12.45 percent, the all others rate established in the LTFV investigation.

These deposit requirements, when imposed, 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 the subsequent assessment of doubled antidumping duties.

This notice also serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance

with 19 CFR 351.305(a)(3). Timely notification of 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 this determination and notice in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: September, 7, 2004.

James J. Jochum,

Assistant Secretary for Import Administration.

Appendix—Issues in Decision Memo

Comments

1. Use of Total Adverse Facts Available (AFA) for Chandan.
2. Use of Total AFA for Viraj.
3. Revocation for Viraj.
4. Cost of Production (COP) Data for VFL.
5. Depreciation Expenses for Viraj.
6. Interest Expenses for Viraj.
7. Waived Interest Expenses for Viraj.

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-122-815]

Pure Magnesium and Alloy Magnesium From Canada: Final Results of Countervailing Duty Administrative Reviews

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

ACTION: Notice of final results of countervailing duty administrative reviews.

SUMMARY: On May 11, 2004, the Department of Commerce published in the **Federal Register** the preliminary results of the administrative reviews of the countervailing duty orders on pure magnesium and alloy magnesium from Canada for the period January 1, 2002, through December 31, 2002. We gave interested parties an opportunity to comment on the preliminary results.

Our analysis of the comments received on the preliminary results did not lead to any changes in the net subsidy rates. Therefore, the final results do not differ from the preliminary results. The final net subsidy rates for the reviewed companies are listed below in the section entitled "Final Results of Review."

EFFECTIVE DATE: September 14, 2004.

FOR FURTHER INFORMATION CONTACT:

Melanie Brown, AD/CVD Enforcement, Office 1, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482-4987.

SUPPLEMENTARY INFORMATION:

Background

On May 11, 2004, the Department of Commerce ("the Department") published the preliminary results of these administrative reviews (see *Pure Magnesium and Alloy Magnesium From Canada: Preliminary Results of Countervailing Duty Administrative Reviews*, 69 FR 26069 (May 11, 2004) ("Preliminary Results"). Norsk Hydro Canada, Inc. ("NHCI"), one of the respondents in this review, submitted a case brief on June 10, 2004. On June 15, 2004, U.S. Magnesium, LLC. ("the petitioner"), and the Government of Québec filed rebuttal briefs.

Scope of the Reviews

The products covered by these reviews are shipments of pure and alloy magnesium from Canada. Pure magnesium contains at least 99.8 percent magnesium by weight and is sold in various slab and ingot forms and sizes. Magnesium alloys contain less than 99.8 percent magnesium by weight with magnesium being the largest metallic element in the alloy by weight, and are sold in various ingot and billet forms and sizes.

The pure and alloy magnesium subject to review is currently classifiable under items 8104.11.0000 and 8104.19.0000, respectively, of the Harmonized Tariff Schedule of the United States ("HTSUS"). Although the HTSUS subheadings are provided for convenience and customs purposes, the written descriptions of the merchandise subject to the order are dispositive.

Secondary and granular magnesium are not included in the scope of the order. Our reasons for excluding granular magnesium are summarized in *Preliminary Determination of Sales at Less Than Fair Value: Pure and Alloy Magnesium From Canada*, 57 FR 6094 (February 20, 1992).

Period of Review

The period of review for which we are measuring subsidies is January 1, 2002, through December 31, 2002.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to these administrative reviews are addressed in the September 8, 2004, *Issues and Decision Memorandum for the Final*

Results of the Eleventh Countervailing Duty Administrative Review of Pure and Alloy Magnesium From Canada ("Decision Memorandum") from Jeffrey May, Deputy Assistant Secretary for Import Administration, to James J. Jochum, Assistant Secretary for Import Administration, which is hereby adopted by this notice. Attached to this notice as an appendix is a list of the issues which parties have raised and to which we have responded in the *Decision Memorandum*. Parties can find a complete discussion of the 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 Department building. In addition, a complete version of the *Decision Memorandum* can be accessed directly on the Internet at <http://www.ia.ita.doc.gov/frn/index.html>. The paper copy and electronic version of the *Decision Memorandum* are identical in content.

Changes Since the Preliminary Results

Based on our analysis of the record and comments received, we have made no changes to the preliminary results net subsidy rates.

Final Results of Reviews

In accordance with 19 CFR 351.221(b)(4)(i), we calculated an individual subsidy rate for each producer/exporter subject to this review. For the period January 1, 2002, through December 31, 2002, we determine the net subsidy rate for the reviewed companies to be as follows:

NET SUBSIDY RATE: PURE MAGNESIUM

Manufacturer/exporter	Percent
Norsk Hydro Canada, Inc.	1.07

NET SUBSIDY RATE: ALLOY MAGNESIUM

Manufacturer/exporter	Percent
Norsk Hydro Canada, Inc.	1.07
Magnola Metallurgy, Inc.	1.84

Assessment Rates

The Department will issue appropriate assessment instructions directly to U.S. Customs and Border Protection ("CBP") within 15 days of publication of these final results of reviews. As requested by NHCI on October 17, 2003, pursuant to 19 U.S.C. 1516a(g)(5)(c)(i), the Department will not order the liquidation of entries of pure or alloy magnesium from Canada

exported by NHCI on or after January 1, 2002, through December 31, 2002, pending final disposition of dispute settlement proceedings under NAFTA (USA/CDA-00-1904-09 (panel) and ECC-2003-1904-01 USA, respectively) with respect to *Pure and Alloy Magnesium From Canada; Final Results of Full Sunset Review*, 65 FR 41436 (July 5, 2000). Liquidation of NHCI entries will occur at the rates described in these final results of reviews, if appropriate, following the final disposition of the previously mentioned NAFTA dispute settlement proceedings.

Cash Deposit Instructions

The Department will instruct CBP to collect cash deposits of estimated countervailing duties in the percentages detailed above of the f.o.b. invoice value on all shipments of the subject merchandise from NHCI and Magnola entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of these administrative reviews.

We will instruct CBP to continue to collect cash deposits for non-reviewed companies at the most recent company-specific or country-wide rate applicable to the company (except Timminco Limited, which was excluded from the countervailing duty orders on pure magnesium and alloy magnesium from Canada (*See Countervailing Duty Orders: Pure Magnesium and Alloy Magnesium from Canada*, 57 FR 39392 (August 31, 1992)). Accordingly, the cash deposit rate that will be applied to non-reviewed companies covered by the orders is that established in *Pure and Alloy Magnesium From Canada: Final Results of the Second (1993) Countervailing Duty Administrative Reviews*, 62 FR 48607 (September 16, 1997) or the company-specific rate published in the most recent final results of an administrative review in which a company participated. These rates shall apply to all non-reviewed companies until a review of a company assigned these rates is requested.

This notice serves as a reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of 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.

These administrative reviews and notice are in accordance with section 751(a)(1) of the Act.

Dated: September 9, 2004.

James J. Jochum,

Assistant Secretary for Import Administration.

Appendix—List of Comments and Issues in the Decision Memorandum

Comment 1: Adjusting Current Assessment Rates to Compensate for Over-assessment on Prior Entries

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 090704C]

Proposed Information Collection; Comment Request; Statement of Financial Interests, Regional Fishery Management Councils

AGENCY: National Oceanic and Atmospheric Administration (NOAA).

ACTION: Notice.

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 November 15, 2004.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW, Washington, DC 20230 (or via the Internet at dHynek@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Bruce C. Morehead, F/SF5, RM: 13142, 1315 East-West Highway, Silver Spring, MD 20910-3282 (phone 301-713-2337).

SUPPLEMENTARY INFORMATION:

I. Abstract

The Magnuson-Stevens Fishery Conservation and Management Act authorizes the establishment of Regional Fishery Management Councils to exercise sound judgment in the stewardship of fishery resources through the preparation, monitoring,