

Court of International Trade (CIT) ordered the Department to re-evaluate and re-examine its decision by providing evidentiary support for using partial adverse facts available unrelated to SKF's alleged failure to offer evidence at verification or, in the alternative, to recalculate SKF's margin using SKF's own information. See *SKF USA Inc., SKF France S.A., and Sarma v. United States*, 391 F. Supp. 2d 1327, 1337 (CIT 2005). In accordance with the CIT's remand order in *SKF*, 391 F. Supp. 2d at 1337, the Department filed its redetermination on remand of the final results (remand results) on December 21, 2005. On September 1, 2006, the CIT affirmed in part and struck in part the Department's remand results. The stricken parts of the remand results do not affect the weighted-average margin the Department recalculated for SKF in the remand results. See *SKF*, slip op. 06-133.

Decision Not in Harmony

The CIT ruled that the Department's decision to use partial facts available with respect to SKF's margin calculation was not supported by substantial evidence on the record. The changes to our calculations with respect to SKF resulted in a change in the weighted-average margin for ball bearings and parts thereof from 6.70 percent to 6.19 percent for the period of review. Accordingly, absent an appeal or, if appealed, upon a "conclusive" decision by the CIT, we will amend our final results of this review to reflect the recalculation of the margin for SKF.

Suspension of Liquidation

The United States Court of Appeals for Federal Circuit (CAFC) held that the Department must publish notice of a decision of the CIT or the CAFC which is not in harmony with the Department's determination. See *The Timken Company v. United States*, 893 F.2d 337, 341 (Fed. Cir. 1990). Publication of this notice fulfills that obligation. The CAFC also held that, in such a case, the Department must suspend liquidation until there is a "conclusive" decision in the action. *Id.* Therefore, the Department must suspend liquidation pending the expiration of the period to appeal the CIT's September 1, 2006, decision or pending a final decision of the CAFC if that decision is appealed.

Because entries of ball bearings and parts thereof from France produced by, exported to, or imported into the United States by SKF are currently being suspended pursuant to the court's injunction order in effect, the Department does not need to order U.S. Customs and Border Protection to

suspend liquidation of affected entries. The Department will not order the lifting of the suspension of liquidation on entries of ball bearings and parts thereof made during the review period before a court decision in this lawsuit becomes final and conclusive.

We are issuing and publishing this notice in accordance with section 516A(c)(1) of the Tariff Act of 1930, as amended.

Dated: September 12, 2006.

Barbara E. Tillman,

Acting Assistant Secretary for Import Administration.

[FR Doc. 06-8076 Filed 9-21-06; 8:45 am]

BILLING CODE 3510-DR-S

DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-875]

Non-Malleable Cast Iron Pipe Fittings from the People's Republic of China: Notice of Partial Rescission of Antidumping Duty Administrative Review

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

SUMMARY: On May 31, 2006, the Department of Commerce ("the Department") initiated the third administrative review of the antidumping duty order on non-malleable cast iron pipe fittings from the People's Republic of China ("PRC") covering the period April 1, 2005, through March 31, 2006. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 71 FR 30864 (May 31, 2006) ("*Initiation Notice*"). On July 25, 2006, the review request was withdrawn with respect to two parties. Therefore, the Department is partially rescinding the administrative review of sales of non-malleable cast iron pipe fittings with respect to the entities for whom the review requests have been withdrawn.

EFFECTIVE DATE: September 22, 2006.

FOR FURTHER INFORMATION CONTACT:

Hilary E. Sadler, Esq., AD/CVD Operations, Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Room 4416, Washington, DC 20230; telephone: (202) 482-4340.

SUPPLEMENTARY INFORMATION:

Background

On April 3, 2006, the Department published a notice of opportunity to

request an administrative review of the antidumping duty order on non-malleable cast iron pipe fittings from the PRC for the period April 1, 2005 through March 31, 2006. See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 71 FR 16549 (April 3, 2006). On April 21, 2006, Myland Industrial Co., Ltd. ("Myland") and Buxin Myland (Foundry) Ltd. ("Buxin") requested an administrative review of their sales to the United States during the period of review ("POR") of merchandise produced by Buxin and exported by Myland. On April 28, 2006, Ward Manufacturing, Inc. ("Ward"), a domestic producer of non-malleable cast iron pipe fittings, requested an administrative review of the sales to the United States during the POR of merchandise produced and/or exported by Jinan Meide Corporation ("JMC") and SFTEC. Pursuant to these requests, the Department initiated an administrative review of the antidumping duty order on non-malleable cast iron pipe fittings from the PRC. See *Initiation Notice*. On July 25, 2006, Ward timely withdrew its request for an administrative review of non-malleable cast iron pipe fittings from the PRC regarding merchandise produced and/or exported by JMC and SFTEC.

Partial Rescission of Review

Pursuant to 19 CFR 351.213(d)(1), the Department will rescind an administrative review, in whole or in part, if a party that requested a review withdraws the request within 90 days of the date of publication of the notice of initiation. In this case, Ward withdrew its request for an administrative review of JMC and SFTEC within 90 days from the date of initiation. No other interested party requested a review of JMC and SFTEC. Therefore, the Department is rescinding this review with respect to JMC and SFTEC, in accordance with 19 CFR 351.213(d)(1). The review will continue with respect to Myland and Buxin.

Assessment

The Department will instruct U.S. Customs and Border Protection ("CBP") to assess antidumping duties on all appropriate entries for JMC and SFTEC. Antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). The Department will issue appropriate assessment instructions directly to CBP within 15

days of publication of this notice in the **Federal Register**.

Notification to Importers

This notice 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 assumption that reimbursement of antidumping duties occurred and subsequent assessment of double antidumping duties.

Notification Regarding Administrative Protective Orders ("APOs")

This notice also serves as a reminder to parties subject to APOs of their responsibility concerning the return or destruction of proprietary information disclosed under an APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. 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 terms of an APO is a violation which is subject to sanction.

This notice is in accordance with section 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4) of the Department's regulations.

Dated: September 11, 2006.

Stephen J. Claeys,

Deputy Assistant Secretary for Import Administration.

[FR Doc. 06-8075 Filed 9-21-06; 8:45 am]

BILLING CODE 3510-DS-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 091806C]

Endangered Species; File No. 1591

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

ACTION: Notice; receipt of application.

SUMMARY: Notice is hereby given that NMFS Southwest Fisheries Science Center (Stephen Reilly, Responsible Official), 8604 La Jolla Shores Drive, La Jolla, CA 92038, has applied in due form for a permit to take green (*Chelonia mydas*), loggerhead (*Caretta caretta*), and olive ridley (*Lepidochelys olivacea*)

sea turtles for purposes of scientific research.

DATES: Written, telefaxed, or e-mail comments must be received on or before October 23, 2006.

ADDRESSES:

The application and related documents are available for review upon written request or by appointment in the following office(s):

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)427-2521; and Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562)980-4001; fax (562)980-4018.

Written comments or requests for a public hearing on this application should be mailed to the Chief, Permits, Conservation and Education Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate.

Comments may also be submitted by facsimile at (301)427-2521, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period.

Comments may also be submitted by e-mail. The mailbox address for providing e-mail comments is *NMFS.Pr1Comments@noaa.gov*. Include in the subject line of the e-mail comment the following document identifier: File No. 1591.

FOR FURTHER INFORMATION CONTACT:

Patrick Opay or Amy Hapeman, (301)713-2289.

SUPPLEMENTARY INFORMATION: The subject permit is requested under the authority of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 et seq.) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

The purpose of this project would be to continue long-term monitoring of the status of sea turtles in San Diego Bay, California. Researchers would study the species present at this temperate foraging area to determine their abundance, size ranges, growth, sex ratio, health status, diving behavior, local movements, habitat use, and migration routes. Turtles would be captured using entanglement nets and each animal would be flipper and passive integrated transponder (PIT) tagged, measured, weighed, sexed,

blood sampled, and tissue sampled. A subset of animals be lavaged and would have transmitters attached to their carapace. A primary goal of the research would be to integrate data from genetic analysis, flipper tagging, and satellite telemetry to identify nesting beach origins of turtles occurring in San Diego Bay and contribute to the overall understanding of sea turtle stock structure in the Pacific Ocean. Researchers would compare current data with those collected in San Diego Bay since 1989 to determine growth rates of juveniles and adults, determine tag retention rates, and examine population abundance trends. Genetic studies based on blood and tissue samples are part of an international collaboration to define stock structure of sea turtles in the Pacific. Up to 50 green, 5 loggerhead, and 5 olive ridley sea turtles would be taken annually. The permit would be issued for 5 years.

Dated: September 18, 2006.

P. Michael Payne,

Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 06-8079 Filed 9-21-06; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 082106B]

Endangered and Threatened Species: Notice of Availability of the Status Review for Atlantic Salmon in the United States

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

ACTION: Notice of Availability of the Status Review of Atlantic Salmon.

SUMMARY: A Biological Review Team (BRT) consisting of biologists from the Maine Atlantic Salmon Commission, Penobscot Indian Nation, NMFS, and U.S. Fish and Wildlife Service (FWS) have completed a Status Review of Atlantic salmon (Status Review for Anadromous Atlantic Salmon (*Salmo salar*)) in the United States.

ADDRESSES: Requests for a copy of the Status Review should be addressed to Marcia Hobbs, NMFS, Northeast Regional Office, Protected Resources Division, One Blackburn Drive Gloucester, MA 01930. A copy of the Status Review can also be downloaded from the following web address: <http://>