

*Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

### Cash-Deposit Requirements

The following deposit requirements will be effective upon publication of the notice of final results of administrative review for all shipments of PRCBs from Malaysia entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(2)(C) of the Act: (1) The cash-deposit rate for Euro Plastics will be the rate established in the final results of review; (2) for previously investigated companies not listed above, the cash-deposit rate will continue to be the company-specific rate published in the *Notice of Final Determination of Sales at Less Than Fair Value: Polyethylene Retail Carrier Bags From Malaysia*, 69 FR 34128, 34129 (June 18, 2004); (3) if the exporter is not a firm covered in this review or the less-than-fair-value 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; (4) if neither the exporter nor the manufacturer has its own rate, the cash-deposit rate will be 84.94 percent, the "all others" rate for this proceeding. These deposit requirements, when imposed, shall remain in effect until further notice.

### Notification to Importer

This notice also serves as a preliminary 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 Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

These preliminary results of administrative review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: May 3, 2007.

**David M. Spooner,**

*Assistant Secretary for Import Administration.*

[FR Doc. E7-9036 Filed 5-9-07; 8:45 am]

**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-427-819]

#### Final Results of Expedited Sunset Review: Countervailing Duty Order on Low Enriched Uranium from France

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

**SUMMARY:** On January 3, 2007, the Department of Commerce ("the Department") initiated a sunset review of the countervailing duty ("CVD") order on low enriched uranium ("LEU") from France, 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 an adequate substantive response filed on behalf of a domestic interested party and inadequate response from respondent interested parties (in this case, no response), the Department determined to conduct an expedited sunset review of this CVD order pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(B). As a result of this sunset review, the Department finds that revocation of the CVD order would be likely to lead to continuation or recurrence of a countervailable subsidy at the level indicated in the "Final Results of Review" section of this notice.

**EFFECTIVE DATE:** May 10, 2007.

#### FOR FURTHER INFORMATION CONTACT:

Kristen Johnson or Brandon Farlander, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street & Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-4793 or (202) 482-0182, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On January 3, 2007, the Department initiated a sunset review of the CVD order on LEU from France pursuant to section 751(c) of the Act. *See Initiation of Five-year ("Sunset") Reviews*, 72 FR 100 (January 3, 2007). On January 16, 2007, the Department received a notice of appearance on behalf of Eurodif S.A., a French producer of LEU, and its affiliated companies, including AREVA, an owner of Eurodif, and AREVA NC and AREVA NC, Inc., (collectively, "Eurodif/AREVA").<sup>1</sup> Eurodif/AREVA is an interested party under section 771(9)(A) of the Act. On January 18,

2007, the Department received a notice of intent to participate on behalf of USEC Inc. and its subsidiary, United States Enrichment Corporation (collectively, "USEC"), a domestic interested party. USEC, a domestic producer of LEU, is an interested party under section 771(9)(C) of the Act.

On February 2, 2007, the Department received a complete substantive response from USEC within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i). However, the Department did not receive a substantive response from any government or respondent interested party to this proceeding. As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), the Department conducted an expedited sunset review of this CVD order.

#### Scope of the Order

The product covered by this order is all LEU. LEU is enriched uranium hexafluoride (UF<sub>6</sub>) with a U<sup>235</sup> product assay of less than 20 percent that has not been converted into another chemical form, such as UO<sub>2</sub>, or fabricated into nuclear fuel assemblies, regardless of the means by which the LEU is produced (including LEU produced through the down-blending of highly enriched uranium).

Certain merchandise is outside the scope of this order. Specifically, this order does not cover enriched uranium hexafluoride with a U<sup>235</sup> assay of 20 percent or greater, also known as highly enriched uranium. In addition, fabricated LEU is not covered by the scope of this order. For purposes of this order, fabricated uranium is defined as enriched uranium dioxide (UO<sub>2</sub>), whether or not contained in nuclear fuel rods or assemblies. Natural uranium concentrates (U<sub>3</sub>O<sub>8</sub>) with a U<sup>235</sup> concentration of no greater than 0.711 percent and natural uranium concentrates converted into uranium hexafluoride with a U<sup>235</sup> concentration of no greater than 0.711 percent are not covered by the scope of this order.

Also excluded from this order is LEU owned by a foreign utility end-user and imported into the United States by or for such end-user solely for purposes of conversion by a U.S. fabricator into uranium dioxide (UO<sub>2</sub>) and/or fabrication into fuel assemblies so long as the uranium dioxide and/or fuel assemblies deemed to incorporate such imported LEU (i) remain in the possession and control of the U.S. fabricator, the foreign end-user, or their designated transporter(s) while in U.S. customs territory, and (ii) are re-exported within eighteen (18) months of entry of the LEU for consumption by the

<sup>1</sup> AREVA was previously known as Compagnie Generale des Matieres Nucleaires ("COGEMA").

end-user in a nuclear reactor outside the United States. Such entries must be accompanied by the certifications of the importer and end user.

The merchandise subject to this order is currently classifiable in the Harmonized Tariff Schedule of the United States ("HTSUS") at subheading 2844.20.0020. Subject merchandise may also enter under 2844.20.0030, 2844.20.0050, and 2844.40.00. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise is dispositive.

**Analysis of Comments Received**

All issues raised in this review are addressed in the Issues and Decision Memorandum ("Decision Memorandum") from Stephen J. Claeys, Deputy Assistant Secretary for Import Administration, to David M. Spooner, Assistant Secretary for Import Administration, dated May 2, 2007, which is hereby adopted by this notice. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendation 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 Memorandum can be accessed directly on the Web at <http://ia.ita.doc.gov/frn>. The paper copy and electronic version of the Decision Memorandum are identical in content.

**Final Results of Review**

The Department determines that revocation of the CVD order would be likely to lead to continuation or recurrence of a countervailable subsidy at the rates listed below:

Producers/Exporters	Net Countervailable Subsidy (percent)
Eurodif S.A. and AREVA NC .....	12.15 <i>ad valorem</i>
All Others .....	12.15 <i>ad valorem</i>

**Notification Regarding Administrative Protective Order**

This notice serves as 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 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 the results and notice are in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: May 2, 2007.

**David M. Spooner,**  
*Assistant Secretary for Import Administration.*

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**RIN 0648-XA11**

**Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; South Atlantic Exempted Fishing Permit**

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

**ACTION:** Notice of receipt of an application for an exempted fishing permit; request for comments.

**SUMMARY:** NMFS announces the receipt of an application for an exempted fishing permit (EFP) from Rachel Kalisperis on behalf of the South Carolina Aquarium. If granted, the EFP would authorize the applicant, with certain conditions, to collect limited numbers of groupers (not including goliath grouper), snappers, tilefishes, sea basses, jacks, spadefish, grunts, porgies, mackerel, cero, cobia, dolphin fish, spiny lobster, little tunny, triggerfishes, golden crab, hogfish, porkfish, puddingwife, red drum, scup, sheepshead, shrimp, wahoo, and wreckfish. Specimens would be collected from Federal waters off the coast of South Carolina from 2007 to 2012 and displayed at the South Carolina Aquarium, located in Charleston, South Carolina.

**DATES:** Comments must be received no later than 5 p.m., eastern standard time, on May 25, 2007.

**ADDRESSES:** Comments on the application may be sent via fax to 727-824-5308 or mailed to: Julie Weeder, Southeast Regional Office, NMFS, 263 13<sup>th</sup> Avenue South, St. Petersburg, FL 33701. Comments may also be submitted by e-mail. The mailbox address for providing e-mail comments is [SouthCarolina.Aquarium@noaa.gov](mailto:SouthCarolina.Aquarium@noaa.gov). Include in the subject line of the e-mail document the following text: Comment on South Carolina Aquarium EFP Application. The application and related documents are available for

review upon written request to the address above or the e-mail address below.

**FOR FURTHER INFORMATION CONTACT:** Julie Weeder, 727-551-5753; fax 727-824-5308; e-mail: [Julie.Weeder@noaa.gov](mailto:Julie.Weeder@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The EFP is requested under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*), and regulations at 50 CFR 600.745(b) concerning exempted fishing.

According to the applicant, the South Carolina Aquarium is a public, non-profit institution located in Charleston, South Carolina. Its mission is to provide entertainment and education and to support conservation through aquatic exhibits displaying animals from South Carolina.

The proposed collection for public display involves activities otherwise prohibited by regulations implementing the Fishery Management Plans (FMPs) for the Snapper-Grouper Fishery of the South Atlantic Region, Shrimp Fishery of the South Atlantic Region, Spiny Lobster Fishery of the Gulf of Mexico and South Atlantic, Dolphin and Wahoo Fishery off the Atlantic States, and Coastal Migratory Pelagics Resources.

The applicant requires authorization to harvest and possess up to the following numbers of fishes during each 12-month period from June 20, 2007, to June 19, 2012: 50 Atlantic spadefish, 15 blueline tilefish, 12 cero, 6 cobia, 50 dolphin fish, 5 golden crab, 15 golden tilefish, 40 groupers of the genus *Epinephelus* (not including goliath grouper), 50 groupers of the genus *Mycteroperca*, 150 grunts, 6 hogfish, 100 jacks of the genus *Caranx*, 50 jacks of the genus *Seriola*, 15 king mackerel, 25 little tunny, 3 ocean triggerfish, 65 porgies, 15 porkfish, 2 puddingwife, 2 queen snapper, 12 red drum, 25 red porgy, 13 sand tilefish, 40 scup, 40 sea basses, 15 sheepshead, 375 shrimp, 75 snappers, 15 Spanish mackerel, 25 spiny lobster, 12 triggerfishes, 50 vermilion snapper, 5 wahoo, 10 wreckfish, and 15 yellowtail snapper. Specimens would be collected from Federal waters off the coast of South Carolina from June 20, 2007, to June 19, 2012.

Fishes would be captured in some areas using hand nets in conjunction with scuba, dip nets deployed from a boat, hook and line, black sea bass pots, spiny lobster traps, golden crab traps, "bait fish" traps, "habitat" traps, and "octopus" traps. Black sea bass pots, spiny lobster traps, and golden crab traps will meet the construction requirements of 50 CFR 622.40. "Bait