

## Verifications

We conducted a sales verification of EuroChem from October 22, 2007, through October 24, 2007. We have made changes, as appropriate, to EuroChem's data to reflect our verification findings. See the sales verification report dated November 13, 2007, and the computer programs attached to the preliminary results analysis memorandum dated December 17, 2007, for the specific changes we made. In addition, we intend to conduct a verification of EuroChem's cost submission after we issue these preliminary results.

## Preliminary Results of Review

As a result of this review, we preliminarily determine that a dumping margin of 0.00 percent exists for EuroChem for the period July 1, 2006, through December 31, 2006.

## Extension of Time Limit for Final Results of the New-Shipper Review

Section 751(a)(2)(B)(iv) of the Act requires the Department to issue the final results of a new-shipper review of an antidumping duty order within 90 days after the date the preliminary determination is issued. The Act provides further that, if the case is extraordinarily complicated, the Department may extend the 90-day period to 150 days.

We determine that this new-shipper review is extraordinarily complicated and that it is not possible to complete the final results within 90 days of issuance of these preliminary results. Specifically, we find that the issues associated with whether and how to adjust EuroChem's natural-gas costs are extraordinarily complicated.

Therefore, in accordance with section 751(a)(2)(B)(iv) of the Act and 19 CFR 351.214(i)(2), we are extending the time period for issuing the final results of this review by 60 days to May 15, 2008.

## Public Comment

We will disclose the documents resulting from our analysis to parties in this review within five days of the date of publication of this notice. Any interested party may request a hearing within 30 days of the publication of this notice in the **Federal Register**. If a hearing is requested, the Department will notify interested parties of the hearing schedule.

Interested parties are invited to comment on the preliminary results of this review. Because we have not yet made a determination with respect to the treatment of costs for natural gas, we will notify interested parties of the schedule for filing case briefs and

rebuttal briefs after we issue the decision memorandum, which will include an explanation of our decision, a cost calculation, sales-below-cost test, and margin recalculation.

We intend to issue the final results of this new-shipper review, including the results of our analysis of issues raised in the written comments, within 150 days after the date on which the preliminary results are issued. See 19 CFR 351.214(l)(1).

## Assessment Rates

The Department shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries, in accordance with 19 CFR 351.212. The Department will issue assessment instructions for EuroChem directly to CBP 15 days after the date of publication of the final results of this new-shipper review.

Because we found no margin for the U.S. sale subject to this new-shipper review, we preliminarily intend to instruct CBP to liquidate the entry without regard to antidumping duties. If we calculate a margin for the U.S. sale subject to this review for final results of review, because we have entered the value of EuroChem's U.S. sale, we will calculate an importer-specific assessment rate based on the ratio of the total amount of antidumping duties calculated for the examined sale to the total entered value of the sale pursuant to 19 CFR 351.212(b)(1).

The Department clarified its "automatic assessment" regulation on May 6, 2003 (68 FR 23954). This clarification applies to entries of subject merchandise during the POR produced by EuroChem where EuroChem did not know that its merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction. For a full discussion of this clarification, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

## Cash-Deposit Requirements

The following cash-deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of the new-shipper review, as provided by section 751(a)(2)(C) of the Act: (1) The cash-deposit rate for EuroChem (*i.e.*, for subject merchandise both manufactured and exported by EuroChem) will be that established in the final results of this

review, except if the rate is less than 0.50 percent, and therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash-deposit rate will be zero; (2) for previously reviewed or 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 original 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 64.93 percent, the all-others rate established in the LTFV investigation. See *Urea From the Union of Soviet Socialist Republics; Final Determination of Sales at Less Than Fair Value*, 52 FR 19557 (May 26, 1987). These cash-deposit rates, when imposed, shall remain in effect until further notice.

## Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) 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 double antidumping duties.

We are issuing and publishing this notice in accordance with sections 751(a)(2)(B) and 777(i)(1) of the Act and 19 CFR 351.214.

Dated: December 17, 2007.

**David M. Spooner,**

*Assistant Secretary, for Import Administration.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XE57

### Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish Fisheries in the Bering Sea, Aleutian Islands and Gulf of Alaska

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

**ACTION:** Notice; intent to prepare an environmental impact statement; request for written comments.

**SUMMARY:** NMFS, in consultation with the North Pacific Fishery Management Council (Council), announces its intent to prepare a Supplemental Environmental Impact Statement (SEIS) on revisions to Steller sea lion protection measures, in accordance with the National Environmental Policy Act of 1969 (NEPA). The proposed action is to revise the Steller sea lion protection measures for the Bering Sea and Aleutian Islands (BSAI) and the Gulf of Alaska (GOA) groundfish fisheries. The scope of the SEIS will be to determine the impacts to the human environment resulting from modifications to the existing protection measures. NMFS will accept written comments from the public to determine the issues of concern and the appropriate range of management alternatives to be addressed in the SEIS.

**DATES:** Written comments must be received by April 21, 2008.

**ADDRESSES:** Written comments on issues and alternatives for the SEIS should be sent to Sue Salvesson, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region, NMFS, Attn: Ellen Sebastian. Comments may be submitted by

- E-mail: [SSL-SEISM@noaa.gov](mailto:SSL-SEISM@noaa.gov).

Include in the subject line the following document identifier: SSL SEIS. E-mail comments, with or without attachments, are limited to 5 megabytes;

- Mail: P.O. Box 21668, Juneau, AK 99802;
- Hand Delivery to the Federal Building: 709 West 9th Street, Room 420A, Juneau, AK; or
- Fax: 907-586-7557.

**FOR FURTHER INFORMATION CONTACT:** Gretchen Harrington, (907) 586-7228 or [gretchen.harrington@noaa.gov](mailto:gretchen.harrington@noaa.gov).

**SUPPLEMENTARY INFORMATION:** Under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the United States has exclusive fishery management authority over all living marine resources found within the exclusive economic zone (EEZ). The management of these marine resources, with the exception of certain marine mammals and birds, is vested in the Secretary of Commerce (Secretary). The Council has the responsibility to prepare fishery management plans for those marine resources off Alaska requiring conservation and management. Management of the Federal groundfish fishery located off Alaska in the EEZ is carried out under

the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area and the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMPs). These FMPs, their amendments, and implementing regulations (found at 50 CFR part 679) are developed in accordance with the requirements of the Magnuson-Stevens Act and other applicable Federal laws and executive orders, notably NEPA and the Endangered Species Act (ESA).

The Council is considering revising the Steller sea lion protection measures for the groundfish fisheries based on new information available regarding the potential interactions between Steller sea lions and groundfish fisheries. NMFS and the Council have determined that the preparation of an SEIS may be required for this action because revisions to the groundfish fishery regulations to protect Steller sea lions may result in significant impacts on the human environment not previously analyzed in the Final SEIS for Steller Sea Lion Protection Measures (November 2001). Thus, NMFS, in consultation with the Council, is initiating scoping for an SEIS in the event that an SEIS is needed.

NMFS is seeking information from the public through the SEIS scoping process on the range of alternatives to be analyzed; and on the environmental, social, and economic issues to be considered in the analysis. Written comments generated during this scoping process will be shared with the Council and incorporated into the SEIS.

The SEIS will be integrated with the related ESA documents that have been or are being prepared to address Steller sea lion issues to avoid redundancy, while providing a decision-making document that analyzes the potential impacts of the proposed action and its alternatives on the human environment. Related ESA documents (biological assessments, biological opinions, and a draft recovery plan) and background information are available on the NMFS Alaska Region website at <http://stellersealions.noaa.gov/>.

The SEIS on revisions to Steller sea lion protection measures will supplement the Steller Sea Lion Protection Measures Final SEIS (November 2001), which is available on the NMFS Alaska Region website at <http://www.fakr.noaa.gov/sustainablefisheries/seis/sslpm/default.htm>.

The preferred alternative for Steller sea lions protection measures in the 2001 SEIS was the area and fishery specific approach, which allowed for

different protection measures specific to the type of fishery in the Aleutian Islands, Bering Sea, and Gulf of Alaska. NMFS implemented the current protection measures in 2003 (68 FR 204, January 2, 2003). This approach was a precautionary response to concerns about Steller sea lions and was intended to reduce the economic impact of the protection measures on participants in the groundfish fisheries. The protection measures in the preferred alternative were determined to neither jeopardize the continued existence of Steller sea lions nor adversely modify their designated critical habitat. Further, this approach met the Magnuson-Stevens Act mandates, especially with regards to safety at sea, minimizing bycatch, minimizing impacts to fishing communities, and attaining optimum yield.

Steller sea lion protection measures for the groundfish fishery currently include (1) global harvest controls for Steller sea lion prey species (pollock, Pacific cod, and Atka mackerel); (2) spatial harvest controls specific to prey species, gear type, and proximity to rookery, haulout, or forage areas to limit prey species removal in an area; (3) temporal harvest controls for pollock, Pacific cod, and Atka mackerel, including seasonal apportionments to limit prey species removal during certain times of the year; and (4) a vessel monitoring system requirement for all vessels (except vessels using jig gear) fishing for pollock, Pacific cod, or Atka mackerel.

#### Proposed Action

The proposed action is to revise the Steller sea lion protection measures for the Bering Sea and Aleutian Islands and Gulf of Alaska groundfish fisheries based on new information available regarding the potential interactions between Steller sea lions and groundfish fisheries. The purpose of the proposed action is to maintain adequate protection for Steller sea lions to avoid jeopardy of extinction and destruction or adverse modification of designated critical habitat under the ESA, while minimizing to the extent practicable the impacts to the fishing industry and coastal communities that result from complying with the protection measures. The revisions are necessary to ensure the best scientific information available is used to: (1) ensure the fisheries are not likely to result in jeopardy of extinction and destruction or adverse modification of designated critical habitat; (2) alleviate any unnecessary restrictions for the fleet to improve efficiency and ensure economic viability for the industry; and (3)

minimize potential adverse economic impacts on coastal communities.

### Alternatives

The SEIS will evaluate a range of alternative management measures for the Bering Sea and Aleutian Islands and Gulf of Alaska groundfish fisheries. The Council's Steller Sea Lion Mitigation Committee (SSLMC) is reviewing the latest scientific information regarding Steller sea lions and potential groundfish fisheries interactions and developing alternative Steller sea lion protection measures. The SSLMC has collected proposals from the public for changes to the Steller sea lion protection measures and is scheduled to evaluate and prioritize these proposals for Council consideration in June 2008. After Council consideration, the Council may recommend management measures to the Secretary for evaluation and implementation. Information regarding the SSLMC and the proposal evaluation process is available from the Alaska Region website at <http://www.fakr.noaa.gov/sustainablefisheries/sslmc/default.htm>.

Alternatives may include those identified here, and those developed through public scoping, Council, and SSLMC processes. Possible alternatives could include one, or a combination of, the following:

1.No action – retain the current suite of Steller sea lion protection measures as are currently in place for fishing year 2008.

2.Change the current spatial management of the Atka mackerel, pollock, or Pacific cod fisheries in the GOA and/or BSAI by opening or closing areas near Steller sea lion rookeries, haulouts, and/or foraging areas.

3.Change the current temporal management of harvests in the GOA and/or BSAI Atka mackerel, pollock, and/or Pacific cod fisheries.

4.Change other management measures that currently apply to the GOA and/or BSAI Atka mackerel, pollock, and/or Pacific cod fisheries, such as changes to gear restrictions or the Aleutian Islands platoon management system for Atka mackerel.

### Preliminary Identification of Issues

A principal objective of the scoping and public input process is to identify potentially significant impacts to the human environment that should be analyzed in the SEIS. The analysis will evaluate the effects of the alternatives for all resources, species, and issues that may directly or indirectly interact with Steller sea lions and the groundfish fisheries within the action area.

The primary issues to be analyzed are the effects of the proposed action and its alternatives on Steller sea lions and their designated critical habitat.

Additional impacts to the following components of the biological and physical environment may be evaluated: (1) other species listed under the ESA and their critical habitat, and other species protected under the Marine Mammal Protection Act; (2) target and non-target fish stocks, including forage fish and prohibited species; (3) seabirds; and (4) the ecosystem.

Social and economic impacts also would be considered in terms of the effects that changes in the Steller sea lion protection measures would have on the following groups of individuals: (1) those who participate in harvesting the groundfish resources; (2) those who process and market groundfish and groundfish products; (3) those who consume groundfish products; (4) those who rely on living marine resources in the management area, particularly Steller sea lions, for subsistence needs; (5) those who benefit from non-consumptive uses of Steller sea lions and other living marine resources; and (6) fishing communities.

### Public Involvement

Scoping is an early and open process for determining the scope of issues to be addressed in an Environmental Impact Statement and for identifying the significant issues related to the proposed action. A principal objective of the scoping and public involvement process is to identify a reasonable range of management alternatives that, with adequate analysis, will delineate critical issues and provide a clear basis for distinguishing between those alternatives and for selecting a preferred alternative. Through this notice, NMFS is notifying the public that an SEIS and decision-making process for this proposed action has been initiated so that interested or affected people may participate and contribute to the final decision.

NMFS is seeking written public comments on the scope of issues, including potential impacts, and alternatives that should be considered in revising the Steller sea lion protection measures. Written comments will be accepted at the address above (see **ADDRESSES**). Written comments should be as specific as possible to be the most helpful. Written comments received during the scoping process, including the names and addresses of those submitting them, will be considered part of the public record on this proposal and will be available for public inspection.

The public is invited to participate in the SSLMC meetings and Council meetings where the latest scientific information regarding Steller sea lions and fisheries interactions are being reviewed and alternative protection measures are being developed and evaluated. Future Council and SSLMC meetings will be noticed in the **Federal Register** and on the website at <http://www.fakr.noaa.gov/>. Additional information regarding regulatory, ESA, and NEPA activities for Steller sea lions is available at the website at <http://stellersealions.noaa.gov>. Please visit this website for more information on this SEIS and for guidance on submitting effective public comments.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: December 18, 2007.

**James P. Burgess,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XD93**

### Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish Fisheries in the Bering Sea and Aleutian Islands

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

**ACTION:** Notice; request for written comments.

**SUMMARY:** NMFS, in consultation with the North Pacific Fishery Management Council, announces its intent to prepare an Environmental Impact Statement (EIS) on salmon bycatch reduction measures in the Bering Sea and Aleutian Islands management area (BSAI), in accordance with the National Environmental Policy Act of 1969. The proposed action would replace the current Chinook and Chum Salmon Savings Areas in the BSAI with new regulatory closures, salmon bycatch limits, or a combination of both. These management measures could incorporate current or new bycatch reduction methods. The scope of the EIS will be to determine the impacts to the human environment resulting from these salmon bycatch reduction measures. NMFS will accept written comments from the public to determine the issues of concern and the