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**FOR FURTHER INFORMATION CONTACT:**

Lenore Ostrowsky, Acting Chief, Public Affairs Unit (202) 376–8582.

Dated: July 1, 2008.

**Emma Monroig,**

*Solicitor.*

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**DEPARTMENT OF COMMERCE****International Trade Administration**

**A–570–882**

**Refined Brown Aluminum Oxide from the People’s Republic of China: Notice of Partial Rescission of Antidumping Duty Administrative Review and Extension of Time Limit for Preliminary Results**

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

**SUMMARY:** The Department of Commerce (the Department) is rescinding in part the administrative review of the antidumping duty order on refined brown aluminum oxide (RBAO) from the People’s Republic of China (PRC) for the period November 1, 2006, to October 31, 2007, with respect to Henan Yilong High and New Materials Co. Ltd. (Henan Yilong). This partial rescission is based on the withdrawal of the request for review by the interested party that requested the review. Additionally, the Department is extending the preliminary results of this administrative review to no later than December 1, 2008.

**EFFECTIVE DATE:** July 3, 2008.

**FOR FURTHER INFORMATION CONTACT:**

David Goldberger or Kate Johnson, AD/CVD Operations, Office 2, Import Administration, International Trade

Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone (202) 482–4136 or (202) 482–4929, respectively.

**SUPPLEMENTARY INFORMATION:****Background:**

On November 1, 2007, the Department published a notice of opportunity to request an administrative review of the antidumping duty order on, *inter alia*, RBAO from the PRC. *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 72 FR 61859 (November 1, 2007). In response, Fujimi Corporation (Fujimi), an importer of the subject merchandise, timely requested an administrative review of the antidumping duty order on RBAO from the PRC for entries of the subject merchandise during the November 1, 2006, through October 31, 2007, period of review (POR) from two PRC producers/exporters: Henan Yilong and Qingdao Shunxingli Abrasives Co. Ltd. (Qingdao Shunxingli).

On December 27, 2007, the Department initiated a review on Henan Yilong and Qingdao Shunxingli. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 72 FR 73315 (December 27, 2007). The preliminary results of this review are currently due no later than August 1, 2008.

In a letter dated May 23, 2008, Fujimi withdrew its request for review of Henan Yilong and requested that the Department rescind the review with respect to this company. On June 2, 2008, domestic producers Washington Mills, C + E Minerals, and Treibacher Scheifmittel Corp. (collectively, “domestic producers”), submitted comments opposing Fujimi’s request. Fujimi responded to the domestic producers’ opposition on June 11, 2008.

**Rescission, in Part, of Administrative Review**

The applicable regulation, 19 CFR 351.213(d)(1), states that if a party that requested an administrative review withdraws the request within 90 days of the publication of the notice of initiation of the requested review, the Secretary will rescind the review in whole or in part. Furthermore, the regulation states the Secretary may extend this time limit if the Secretary decides that it is reasonable to do so.

The domestic producers object to Fujimi’s request, stating that it is untimely, and that both the Department and the domestic producers already have devoted extensive time and

resources to this review. Further, the domestic producers contend that Fujimi waited until surrogate value data was placed on the record to determine whether the review results would be favorable before withdrawing its review request for Henan Yilong.

Although Fujimi withdrew the request for review of Henan Xilong after the 90-day deadline, the Department finds it reasonable to extend the withdrawal deadline. Contrary to the domestic producers’ assertions, the Department has not yet devoted significant time or resources to analyzing Henan Yilong’s information for this review, e.g., the Department has not yet completed its analysis of Henan Xilong’s questionnaire responses, nor issued a supplemental questionnaire for portions of the Henan Xilong questionnaire response. *See, e.g., Honey from Argentina: Notice of Extension of Time Limit for Preliminary Results and Partial Rescission of Antidumping Duty Administrative Review*, 72 FR 50661 (September 4, 2007), remaining unchanged in *Honey from Argentina: Final Results of Antidumping Duty Administrative Review and Determination Not to Revoke in Part*, 73 FR 24220 (May 2, 2008) (where the Department extended the deadline for withdrawal of the review request because it had not yet devoted significant resources to the review). Additionally, the Department has not yet made any determinations on the selection of surrogate values to apply in this review. Thus, we find no basis to support the domestic producers’ allegation concerning Fujimi’s timing of the withdrawal request. Further, we note that the domestic producers did not request a review for this segment of the proceeding. Therefore, for all these reasons, the Department determines it is reasonable to rescind the review with respect to Henan Xilong. The Department will issue appropriate assessment instructions for Henan Xilong directly to U.S. Customs and Border Protection (CBP) 15 days after the publication of this notice. The Department will direct CBP to assess antidumping duties for Henan Xilong at the cash deposit rates in effect on the date of entry for entries during the period November 1, 2006, through October 31, 2007.

**Notification to Parties**

This notice serves as a 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 period of time. Failure to comply with this

requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and subsequent assessment of double antidumping duties. This notice also 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 the return or 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 sanctionable violation.

#### Extension of Time Limit for Preliminary Results

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), requires the Department to complete the preliminary results of an administrative review within 245 days after the last day of the anniversary month of an order for which a review is requested. However, if it is not practicable to complete the review within this time period, section 751(a)(3)(A) of the Act allows the Department to extend that time period to a maximum of 365 days.

The Department has determined it is not practicable to complete this review for the remaining respondent, Qingdao Shunxingli, within the statutory time limit because we require additional time to analyze complex issues, such as the valuation of the principal raw material and the financial ratios, and the questionnaire responses submitted by Qingdao Shunxingli. The time needed to analyze this information and to develop fully the record in this administrative review makes it impracticable to complete the preliminary results within the originally specified time limit. Accordingly, the Department is extending the time limit for completion of the preliminary results of this administrative review until no later than December 1, 2008 (*i.e.*, the next business day following the 365th day after the last day of the anniversary month of the order). We intend to issue the final results no later than 120 days after publication of the preliminary results notice.

This notice is issued and published in accordance with and sections 751(a)(1), 751(a)(3)(A), and 777(i)(1) of the Act, and 19 CFR 351.213(d)(4).

Dated: June 27, 2008.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. E8-15262 Filed 7-2-08; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RI 0648-XI79**

#### Caribbean Fishery Management Council; Public Hearings

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

**ACTION:** Notice of public hearings.

**SUMMARY:** The Caribbean Fishery Management Council will hold public hearings to obtain input from fishers, the general public, and the local agencies representatives on the Draft Environmental Impact Statement (DEIS) amendment 4 to the Spiny Lobster Fishery Management Plan of Puerto Rico and the U.S. Virgin Islands.

**DATES:** The public hearings will be held from July 17, 2008 through July 22, 2008. See **SUPPLEMENTARY INFORMATION** for specific dates and times and locations.

**FOR FURTHER INFORMATION CONTACT:** Caribbean Fishery Management Council, 268 Munoz Rivera Avenue, Suite 1108, San Juan, Puerto Rico 00918-2577, telephone: (787) 766-5926.

**SUPPLEMENTARY INFORMATION:** The public hearings will be held on the following dates and locations:

- July 17, 2008, Mayaguez Resort and Casino, Rd. 104, Km. 0.3, Mayaguez, Puerto Rico
- July 18, 2008, Pierre Hotel at Gallery Plaza, De Diego Avenue, Santurce, Puerto Rico
- July 21, 2008, Frenchman's Reef and Morning Star Hotel, 5 Estate Bakkeroe, St. Thomas, USVI
- July 22, 2008, Caravelle Hotel, 44A Queen Cross St., Christiansted, St. Croix, USVI.

All meetings will be held from 7 p.m. to 10 p.m.

The Caribbean Fishery Management Council will hold Public Hearings to receive public input on a proposal Draft Environmental Impact Statement (DEIS) to establish a size limit for spiny lobster imports into the United States. This action would prohibit any person in the United States from importing spiny lobster:

-less than 5-ounces tail weight (5 ounces is defined as a tail that weighs 4.2-5.4 ounces) or compliance may be demonstrated by meeting the greater than 3-inch carapace length or 5.5-inch tail length.

-or if imported into Puerto Rico or the US Virgin Islands, less than 6.0-ounces tail weight (6 ounces is defined as a tail that weighs 5.9-6.4 ounces) or compliance may be demonstrated by meeting the 3.5-inch carapace length or 6.2-inch tail length.

-additionally, the importation of lobster tail meat without the exoskeleton (shell) attached, egg bearing female lobsters, or tails stripped of eggs would be prohibited.

Written comments must be received no later than August 11, 2008, in order to be considered by NOAA Fisheries. You may submit comments by any of the following methods:

-ELECTRONIC SUBMISSION E-MAIL: 0648-AV61.DEIS@noaa.gov

-FAX: (727) 824-5308

-MAIL: Jason Rueter, Sustainable Fisheries Division, Southeast Regional Office, NOAA Fisheries Service, 263, 13th Avenue South, St. Petersburg, FL 33701-5505.

When submitting fax or e-mail comments, include the following document identifier in the comment subject line: 0648-AV61. Attachments to electronic comments will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

Electronic copies of the DEIS may be obtained from the NOAA Fisheries Service Web site at <http://sero.nmfs.noaa.gov/sf/SpinyLobsterAmendment.htm>, or for a hard (paper) copy contact: Sustainable Fisheries Division, Southeast Regional Office, NOAA Fisheries Service 263, 13th Avenue South, St. Petersburg, FL 33701-5505.

#### Special Accommodations

These hearings are physically accessible to people with disabilities. For more information or request for sign language interpretation and other auxiliary aids, please contact Mr. Miguel A. Rolon, Executive Director, Caribbean Fishery Management Council, 268 Munoz Rivera Avenue, Suite 1108, San Juan, Puerto Rico 00918-2577, telephone: (787) 766-5926, at least 5 days prior to the meeting date.

Dated: June 30, 2008.

**Tracey L. Thompson,**

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

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