

is no new information in the record of the instant proceeding to lead us to re-examine this issue.

As noted above, not all exporters of certain cased pencils from the PRC responded to our questionnaire. Accordingly, we are applying a single dumping rate—the PRC-wide rate established in the *Amended Final*—to all exporters in the PRC (other than China First and Guangdong, as discussed above, and Shanghai Foreign Trade Corporation (SFTC), an exporter which was previously determined to be entitled to a separate rate but for which the petitioner did not request an administrative review), based on our presumption that those respondents who failed to respond and all other exporters who have not qualified for a separate rate constitute a single enterprise, and are under common control by the PRC government. (See, e.g., *Final Determination of Sales at Less Than Fair Value; Persulfates from the People's Republic of China*, 61 FR 68232, 68234 (December 27, 1996)). The weighted-average dumping margin is as follows:

Manufacturer/pro-ducer/exporter	Weighted-average margin percentage
PRC-wide Rate	53.65

Parties to this proceeding may request disclosure within 5 days of the date of publication of this notice. Any interested party may request a hearing within 10 days of publication. Any hearing, if requested, will be held 44 days after the publication of this notice, or the first workday thereafter. Interested parties may submit case briefs within 30 days of the date of publication of this notice. Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed not later than 37 days after the date of publication. See section 353.38 of the Department's regulations. The Department will publish a notice of final results of this administrative review, which will include the results of its analysis of issues raised in any such comments not later than 120 days after the date of publication of these preliminary results.

The Department shall determine, and Customs shall assess, antidumping duties on all appropriate entries. We intend to issue assessment instructions to Customs for the exporters subject to this review based on the dumping rate stated above. The Department will issue appraisal instructions directly to Customs.

Further, the following deposit requirements will be effective upon publication of the final results of this

administrative review for all shipments of certain cased pencils from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(1) of the Act: (1) The cash deposit rate for all Chinese exporters, except for China First (with respect to exports of merchandise produced by China First), Guangdong (with respect to exports of merchandise produced by Three Star), and SFTC, will be the rate established in the final results of this review; and (2) for non-PRC exporters of subject merchandise from the PRC, the cash deposit rate will be the rate of their suppliers (i.e., the PRC-wide rate). These deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice serves as a preliminary reminder to importers of their responsibility under section 353.26 of the Department's regulations to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this POR. 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.

This administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. section 1675(a)(1)), section 777(i) of the Act (19 U.S.C. section 1677f(i)), and 19 CFR 353.22.

Dated: August 27, 1997.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 97-23606 Filed 9-4-97; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-401-805]

Certain Cut-to-Length Carbon Steel Plate From Sweden: Final Results of Antidumping Duty Administrative Review

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

ACTION: Notice of final results of antidumping duty administrative review.

SUMMARY: On May 14, 1997, the Department of Commerce (the Department) published the preliminary results of its administrative review of the antidumping duty order on certain

cut-to-length carbon steel plate from Sweden. This review covers one manufacturer/exporter, SSAB Svenskt Stal AB (SSAB), of the subject merchandise for the period August 1, 1995 through July 31, 1996. We gave interested parties an opportunity to comment on our preliminary results. We received no comments and have not changed the results from those presented in the preliminary results of review.

EFFECTIVE DATE: September 5, 1997.

FOR FURTHER INFORMATION CONTACT: Carrie Blozy, Doreen Chen, or Stephen Jacques, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482-1391, (202) 482-0162, and (202) 482-3434, respectively.

The Applicable Statute and Regulations: Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Tariff Act), are to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department's regulations are to the regulations at 19 CFR 353 (1996).

SUPPLEMENTARY INFORMATION:

Background

On May 14, 1997, the Department published in the **Federal Register** (62 FR 26473) the preliminary results of its administrative review of the antidumping duty order on certain cut-to-length carbon steel plate from Sweden (58 FR 44162). For the preliminary results, we were unable to calculate a margin based on SSAB's response and therefore determined its dumping margin entirely on the basis of facts available. This facts available determination relied upon adverse inferences, as the Department determined that SSAB had not cooperated by acting to the best of its ability in responding to requests for information. We gave interested parties an opportunity to comment on our preliminary results. We received no comments. We have now completed the administrative review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).

Scope of Review

Certain cut-to-length plate includes hot-rolled carbon steel universal mill plates (i.e., flat-rolled products rolled on four faces or in a closed box pass, of a width exceeding 150 millimeters but not

exceeding 1,250 millimeters and of a thickness of not less than 4 millimeters, not in coils and without patterns in relief), of rectangular shape, neither clad, plated nor coated with metal, whether or not painted, varnished, or coated with plastics or other nonmetallic substances; and certain hot-rolled carbon steel flat-rolled products in straight lengths, of rectangular shape, hot rolled, neither clad, plated, nor coated with metal, whether or not painted, varnished, or coated with plastics or other nonmetallic substances, 4.75 millimeters or more in thickness and of a width which exceeds 150 millimeters and measures at least twice the thickness, as currently classifiable in the HTS under item numbers 7208.40.3030, 7208.40.3060, 7208.51.0030, 7208.51.0045, 7208.51.0060, 7208.52.0000, 7208.53.0000, 7208.90.0000, 7210.70.3000, 7210.90.9000, 7211.13.0000, 7211.14.0030, 7211.14.0045, 7211.90.0000, 7212.40.1000, 7212.40.5000, 7212.50.0000. Included are flat-rolled products of non-rectangular cross-section where such cross-section is achieved subsequent to the rolling process (i.e., products which have been worked after rolling)—for example, products which have been beveled or rounded at the edges. Excluded is grade X-70 plate. These HTS item numbers are provided for convenience and Customs purposes. The written description remains dispositive.

The period of review (POR) is August 1, 1995, through July 31, 1996.

Use of Facts Available

Following the initiation of this review, on September 17, 1996, the Department sent respondent a questionnaire seeking information necessary to conduct a review of any shipments that firm may have made to the United States during the POR. On October 21, 1996, the due date for section A of the Department's questionnaire, SSAB made a timely withdrawal of its request for a review of this POR. However, because petitioners had also requested an administrative review, the review was not terminated. Additionally, SSAB stated it would not be participating in the review and requested assignment, as facts available, of the first administrative review margin, 8.28 percent. Thus, SSAB refused to respond to all sections of the questionnaire.

On January 8, 1997, petitioners requested that the Department assign to SSAB as facts available, 34 percent, the highest rate from the antidumping petition.

SSAB made no attempt in this review to contact the Department to discuss how it should proceed, nor did it respond to any section of the questionnaire. Thus, the Department has found that, in not responding to the questionnaire, SSAB failed to cooperate by not acting to the best of its ability to comply with requests for information from the Department. Therefore, pursuant to section 776(b) of the Act, we may, in making our determination, use an adverse inference in selecting from the facts otherwise available.

This adverse inference may include reliance on data derived from the petition, a previous determination in an investigation or review, or any other information placed on the record. In the previous segment of the proceeding, the Department chose an adverse facts available rate of 24.23%; this represented the average rate based on corroborated petition data. In this segment of the proceeding, we have chosen as adverse facts available the highest rate based on corroborated petition data, i.e., 34%. Our decision to use a rate higher than the average petition rate is consistent with our decision in the preceding administrative review because, in that review, "while SSAB did not act to the best of its ability in responding to our cost information requests, it did cooperate with respect to certain aspects of this review." See *Certain Cut-to-Length Carbon Steel Plate from Sweden, Preliminary Results of Antidumping Duty Administrative Review*, 61 FR 51898, 51900 (October 4, 1996); see also, *Certain Cut-to-Length Carbon Steel Plate from Sweden, Final Results of Antidumping Duty Administrative Review*, 62 FR 18396, 18401 (April 15, 1997). In this case, SSAB, in contrast to its level of cooperation in the previous segment of the proceeding, has not cooperated at all with our requests for information.

Section 776(b) authorizes the Department to use as adverse facts available information derived from the petition, the final determination, a previous administrative review, or other information placed on the record. Section 776(c) provides that the Department shall, to the extent practicable, corroborate "secondary information" by reviewing independent sources reasonably at its disposal. The SAA, at 870, makes it clear that "secondary information" includes information from the petition in the LTFV investigation and information from a previous section 751 review of the subject merchandise. The SAA also provides that "corroborate" means simply that the Department will satisfy

itself that the secondary information to be used has probative value. *Id.*

The Department used an average of the petition rates as total adverse facts available in the previous segment of this proceeding. The Department explained in that review that it had corroborated the petition information. *Id.* For the purposes of the final results, we continue to regard the petition information as corroborated.

Duty Absorption

Because we received no comments on duty absorption, we uphold the preliminary results on this issue. We find duty absorption on all sales.

Final Results of Review

As a result of our review, we determine the dumping margin (in percent) for the period August 1, 1995, through July 31, 1996 to be as follows:

Manufacturer/exporter	Margin (percent)
SSAB	34.00

The Department shall determine, and the U.S. Customs Service shall assess, antidumping duties on all appropriate entries. The Department will issue appraisal instructions directly to the Customs Service.

Furthermore, the following deposit requirements will be effective upon publication of these final results for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date as provided by section 751(a)(1) of the Act: (1) The cash deposit rate for SSAB will be the rate stated above; (2) for merchandise exported by manufacturers or exporters not covered in this review but covered in the original LTFV investigation or previous review, the cash deposit will continue to be the most recent rate published in the final determination or final results for which the manufacturer or exporter received a company-specific rate; (3) if the exporter is not a firm covered in this review, or the original investigation, but the manufacturer is, the cash deposit rate will be that established for the manufacturer of the merchandise in these final results of review or the LTFV investigation; and (4) if neither the exporter nor the manufacturer is a firm covered in this or any previous review, the cash deposit rate will be 24.23 percent, the all others rate established in the LTFV investigation. (See *Certain Cut-to-Length Carbon Steel Plate from Sweden, Final Determination of Sales at Less Than Fair Value*, 58 FR 37213 (July 9, 1993).) These deposit requirements

shall remain in effect until publication of the final results of the next administrative review.

Notification of Interested Parties

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 353.26 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.

This notice also serves as a reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 353.34(d)(1). 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 the terms of an APO is a sanctionable violation.

This administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22(c)(5).

Dated: August 27, 1997.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 97-23607 Filed 9-4-97; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Channel Islands National Marine Sanctuary Boater/Diver Survey

ACTION: Proposed collection; comment request.

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, Pub. L. 104-13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before November 4, 1997.

ADDRESSES: Direct all written comments to Linda Engelmeier, Departmental

Forms Clearance Officer, Department of Commerce, Room 5327, 14th and Constitution Avenue, NW, Washington DC 20230.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Laura Gorodezky, Education Coordinator, Channel Islands National Marine Sanctuary, 113 Harbor Way, Santa Barbara, CA 93109 (805-966-7107).

SUPPLEMENTARY INFORMATION:

I. Abstract

The Channel Islands National Marine Sanctuary will be conducting a needs assessment of the boating and diving communities from Santa Barbara through Los Angeles at marinas and boat launch ramps. We plan to collect demographic information on sanctuary users, determine how the sanctuary is used during different times of year, determine users' knowledge and attitudes about the Sanctuary, determine how users like to receive information and their level of interest in current/future educational programs offered by the Sanctuary. This information will help us develop educational programs that target the boating and diving communities.

II. Method of Collection

Interviews and survey forms will be used.

III. Data

OMB Number: none.

Form Number: none.

Type of Review: Regular Submission.

Affected Public: Boaters and divers.

Estimated Number of Respondents: 250.

Estimated Time Per Response: 10 minutes.

Estimated Total Annual Burden Hours: 42.

Estimated Total Annual Cost to Public: \$0.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the

use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: September 2, 1997.

Linda Engelmeier,

Departmental Forms Clearance Officer, Office of Management and Organization.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

ENVIRONMENTAL PROTECTION AGENCY

Coastal Nonpoint Pollution Control Program: Proposed Findings Documents, Environmental Assessments, and Findings of No Significant Impact

AGENCY: National Oceanic and Atmospheric Administration, U.S. Department of Commerce, and The U.S. Environmental Protection Agency.

ACTION: Notice of availability of proposed findings documents, environmental assessments, and findings of no significant impact on approval of coastal nonpoint pollution control programs for Alaska, South Carolina and Virginia.

SUMMARY: Notice is hereby given of the availability of the Proposed Findings Documents, Environmental Assessments (EA's), and Findings of No Significant Impact for Alaska, South Carolina and Virginia. Coastal states and territories were required to submit their coastal nonpoint programs to the National Oceanic and Atmospheric Administration (NOAA) and the U.S. Environmental Protection Agency (EPA) for approval in July 1995. The Findings documents were prepared by NOAA and EPA to provide the rationale for the agencies' decision to approve each state and territory coastal nonpoint pollution control program. Section 6217 of the Coastal Zone Act Reauthorization Amendments (CZARA), 16 U.S.C. section 1455b, requires states and territories with coastal zone management programs that have received approval under section 306 of the Coastal Zone Management Act to develop and implement coastal nonpoint pollution control programs.