

subsequent assessment of double antidumping duties.

This notice is the only 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 353.34(d)(1). Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order is hereby requested. Failure to comply is a violation of the APO.

This administrative review and notice are in accordance with section 751(a) of the Act and 19 CFR 353.22, and this notice is published in accordance with section 777(i) of the Act.

Dated: November 5, 1997.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 97-29958 Filed 11-13-97; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

Applications for Duty-Free Entry of Scientific Instruments

Pursuant to Section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89-651; 80 Stat. 897; 15 CFR part 301), we invite comments on the question of whether instruments of equivalent scientific value, for the purposes for which the instruments shown below are intended to be used, are being manufactured in the United States.

Comments must comply with 15 CFR 301.5(a)(3) and (4) of the regulations and be filed within 20 days with the Statutory Import Programs Staff, U.S. Department of Commerce, Washington, D.C. 20230. Applications may be examined between 8:30 A.M. and 5:00 P.M. in Room 4211, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C.

Docket Number: 97-089. **Applicant:** Worcester Polytechnic Institute, 100 Institute Road, Worcester, MA 01609. **Instrument:** Fire Modeling Research Apparatus. **Manufacturer:** Fire Testing Technology Ltd., United Kingdom. **Intended Use:** The instrument will be used to determine certain fire properties from a particular substance, object or material—sometimes testing each type of material present in a composite then calculating experimental values if the materials were burned together. In addition, the instrument will be used for

educational purposes in the course FPE580F. **Special Problems:** Fire Science Laboratory providing overall instruction and hands-on experience with fire science related experimental measurement techniques. **Application accepted by Commissioner of Customs:** October 23, 1997.

Docket Number: 97-090. **Applicant:** University of Minnesota, Department of Psychology, N218 Elliott Hall, 75 East River Road, Minneapolis, MN 55455. **Instrument:** Visual Stimulus Generator, Model VSG2/3S. **Manufacturer:** Cambridge Research Systems Ltd., United Kingdom. **Intended Use:** The instrument will be used to investigate the sensory limitations on letter recognition which involves measuring the spatio temporal properties of letter recognition across the human visual field. The experiments will tell the size of the visual span (the number of letters that can be recognized in a single fixation) for different print sizes, contrasts and fixation duration. This data will test models that relate letter recognition to reading. **Application accepted by Commissioner of Customs:** October 23, 1997.

Frank W. Creel,

Director, Statutory Import Programs Staff.

[FR Doc. 97-29957 Filed 11-13-97; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 093097E]

Small Takes of Marine Mammals Incidental to Specified Activities; Space Launch Vehicles at Vandenberg Air Force Base, CA

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

ACTION: Notice of receipt of applications and proposed authorizations for small take exemptions; request for comments.

SUMMARY: NMFS has received a request from the U.S. Air Force for continuation of incidental harassment authorizations to take small numbers of marine mammals incidental to launches of Delta II, Titan II, Titan IV, and Taurus launch vehicles at Vandenberg Air Force Base, CA (Vandenberg). Under the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to continue to authorize these takings (limited to harassment), for a period not to exceed 1 year.

DATES: Comments and information must be received no later than December 15, 1997.

ADDRESSES: Comments on this application should be addressed to Michael Payne, Chief, Marine Mammal Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910. A copy of this application, previous documentation and **Federal Register** notices on this action may be obtained by writing to this address or by telephoning the contact listed below.

FOR FURTHER INFORMATION CONTACT: Kenneth Hollingshead, Office of Protected Resources at 301-713-2055, or Irma Lagomarsino, Southwest Regional Office at 562-980-4016.

SUPPLEMENTARY INFORMATION:

Background

Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1361 *et seq.*) directs the Secretary of Commerce to allow, upon request, the incidental, but not intentional, taking of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and regulations are issued.

Permission may be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s); will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses; and the permissible methods of taking and requirements pertaining to the monitoring and reporting of such taking are set forth. NMFS has defined "negligible impact" in 50 CFR 216.103 as "...an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival."

Subsection 101(a)(5)(D) of the MMPA established an expedited process by which U.S. citizens can apply for an authorization to incidentally take small numbers of marine mammals by harassment for a period of up to one year. The MMPA defines "harassment" as:

...any act of pursuit, torment, or annoyance which (a) has the potential to injure a marine mammal or marine mammal stock in the wild; or (b) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering.

New subsection 101(a)(5)(D) establishes a 45-day time limit for NMFS review of an application

followed by a 30-day public notice and comment period on any proposed authorizations for the incidental harassment of small numbers of marine mammals. Within 45 days of the close of the comment period, NMFS must either issue or deny issuance of the authorization.

Summary of Request

On October 7, 1997, NMFS received an application from the U.S. Air Force, Vandenberg, requesting continuation of an authorization for the harassment of small numbers of seals and sea lions incidental to launches of Delta II, Titan II, Titan IV, and Taurus launch vehicles at Vandenberg. This application incorporates by reference the information contained in applications provided last year for these rocket launches. These applications (Titan II and IV-January 24, 1996, Delta II-July 17, 1996, Taurus-August 14, 1996) are available upon request (see ADDRESSES).

NMFS has received a petition for regulations and an application for a small take authorization under section 101(a)(5)(A) of the MMPA. If implemented, this rulemaking will replace these 1-year authorizations, along with another issued previously for Lockheed launch vehicles (62 FR 40335, July 28, 1997) with a 5-year regulatory program, governing incidental takes of marine mammals by launches of all rocket and missile types from Vandenberg. This petition is published elsewhere in this issue of the **Federal Register**.

Description of Marine Mammals and Potential Effects of Launches on Marine Mammals

The marine mammal species anticipated to be incidentally harassed by launches from Vandenberg are harbor seals (*Phoca vitulina*), California sea lions (*Zalophus californianus*), northern elephant seals (*Mirounga angustirostris*), northern fur seals (*Callorhinus ursinus*) and possibly Guadalupe fur seals (*Arctocephalus townsendi*) in the vicinity of Vandenberg and on the Northern Channel Islands (NCI). In conjunction with publication of the previous application notices for launch activities, a description of the Southern California Bight population of seals and sea lions and the potential impacts from rocket launches on these species and stocks was provided on August 18, 1995 (60 FR 43120), and August 29, 1996 (61 FR 45404), for Delta II authorizations, September 25, 1996 (61 FR 50276), for Taurus rocket authorization, and March 15, 1996 (61 FR 10727), for Titan II and IV authorizations. Interested reviewers are encouraged to refer to those

documents for the appropriate discussion. These documents are available from NMFS (see ADDRESSES).

As a result of the noise associated with launches and the sonic boom resulting from some launch vehicles at certain trajectories, there is a potential to cause a startle response to those seals and sea lions that haul out on the coastline of Vandenberg and on the NCI. The effect on the above listed seals and sea lions would be anticipated to result in a negligible short-term impact to small numbers of seals and sea lions that are hauled out at the time of a launch. No impacts are anticipated to animals that are in the water at the time of launch. Detailed descriptions of the expected impact from rocket launches on harbor seals and other marine mammals have been provided in the above referenced **Federal Register** notices and are not repeated here.

Conclusions

Based upon information provided by the applicant, and previous reviews of the incidental take of seals and sea lions by this activity, NMFS believes that the short-term impact of the rocket launches at Vandenberg is expected to result at worst, in a temporary reduction in utilization of the haulout as seals and/or sea lions leave the beach for the safety of the water. The launching is not expected to result in any reduction in the number of seals or sea lions, and they are expected to continue to occupy the same area. In addition, there will not be any impact on the habitat itself. Based upon studies conducted for previous space vehicle launches at Vandenberg, significant long-term impacts on seals and sea lions at Vandenberg are unlikely.

Proposed Authorization

NMFS proposes to issue individual incidental harassment authorizations for a period of time not to exceed 1 year for launches of Delta II, Titan II, Titan IV, and Taurus launch vehicles at Vandenberg provided the monitoring and reporting requirements currently in effect are continued. NMFS has preliminarily determined that the proposed launches of these launch vehicles at Vandenberg would result in the harassment taking of only small numbers of seals and sea lions, and will have no more than a negligible impact on the species and stocks of marine mammals.

Information Solicited

NMFS requests interested persons to submit comments, information, and suggestions concerning this request (see ADDRESSES).

Dated: November 6, 1997.

Hilda Diaz-Soltero,

*Director, Office of Protected Resources,
National Marine Fisheries Service.*

[FR Doc. 97-29936 Filed 11-13-97; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 110697A]

Marine Mammals; Scientific Research Permit (PHF# 875-1401)

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

ACTION: Receipt of application for amendment.

SUMMARY: Notice is hereby given that Dr. Christopher W. Clark, Cornell University, Ithaca, New York 14850, has requested an amendment to Permit No. 875-1401.

DATES: Written comments must be received on or before December 14, 1997.

ADDRESSES: The application for amendment and related documents, including a draft environmental assessment (EA) that examines the environmental consequences of issuing the requested amended permit, are available for review upon written request or by appointment in the following office(s):

Permits Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910 (301/713-2289); and

Regional Administrator, Southwest Region, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802-4213 (562/980-4001).

Written data or views, or requests for a public hearing on this request, should be submitted to the Director, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this application would be appropriate.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of this application for amendment to the Marine Mammal Commission and its Committee of Scientific Advisors.

SUPPLEMENTARY INFORMATION: The subject amendment to permit no. 875-1401 is requested under the authority of the Marine Mammal Protection Act of